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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SMITH of Missouri).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 19, 2013.

I hereby appoint the Honorable JASON T. SMITH to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, as the House Republicans prepare to shut down the government and threaten the global economy with debt ceiling blackmail, it's ironic that they refuse to allow their Members to vote on their own spending bills. They even refused to allow a conference committee with the Senate to resolve the budget impasse. I suppose it should be no surprise that their denial extends to climate change and the future of the planet, but Americans don't have that luxury.

Between this summer's wildfires in the West, last year's drought, Superstorm Sandy, and the recent horrific flooding in Colorado, Americans are seeing the impact of climate change. Tuesday, Matt Russell, a fifth-generation Iowa farmer, gave a quick history of what climate change looks like in Iowa.

In 2008, they suffered a 500-year flood. In 2010, there was another series of 100-year floods. The next year, the Missouri River wiped out thousands of acres of farm land, some of which will never be farmed again. In 2012 was the catastrophic drought. In half a decade, Iowa saw the worst flooding and the worst drought in over a century of record-keeping.

This is what climate change will look like, and it will get worse and more extreme, which is exactly what's happening this year. On May 4, there was a foot of heavy wet snow, the most snow ever recorded in Iowa in May. Then it began raining, the most rain ever recorded in the month of May in Iowa. Then it was drought. Last month was the driest August on record, even drier than last year's epic drought. And in between, July was one of the coldest, on record with temperatures in the thirties. Now they're experiencing one of the hottest Septembers on record. The hottest days in 2013 came after Labor Day, multiple days of over 100-degree temperatures. This is what climate change means: the wrong weather at the wrong time.

Their joke is that February came in May, along with all the rain for the summer; and September came in July and July came in September, and now they wonder what month is going to show up in October. But it's not a joke for the people who are trying to farm. It's not a joke for the taxpayers who are picking up the cost of crop insurance, which totaled almost $2 billion last year.

Farmers in Iowa and elsewhere are working to be part of the solution, but what they can't afford is for Congress to continue wasting time with debate, ignoring science, and spending billions of dollars on disaster relief. They want us to spend money upfront, not just to save money in the long run, but the lives and, indeed, the environment for all of our families to enjoy.

Listening to America's farmers or just looking out of the window and paying close attention to the news tells Americans all they need to know. The science is real, and the time for action is now. Farmers, small business, utilities, insurance companies, universities, colleges, we all should insist that Congress stop playing games with the budget, threatening the global economy with debt ceiling blackmail and the future of the planet.

DEALING WITH MENTAL HEALTH ISSUES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, this week America was once again shocked by the tragic shootings at the Navy Yard in Washington, D.C., and once again, it raised the issue of how we're handling mental health to stop this terrible violence.

When you look at the background that was reported in the general media about Aaron Alexis, who is responsible for the shooting at the Navy Yard, we see a record of being arrested multiple times; receiving treatment at a veterans hospital; law enforcement officials in Rhode Island were called upon because he had been hearing voices in his head; he was worried and ''had sent three people to follow him to keep him awake by talking to him and sending

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vibrations to his body''; he checked into multiple hotels to avoid the voices; he also had episodes of shooting firearms.

Recently, there was also a case in Georgia where Michael Brandon Hill clutched a butcher knife over his parents' bed; attempted to set the home on fire; made deadly threats through social media; was bipolar, had attention disorder, was schizophrenic; told police he was off medication; had stolen a firearm; had 498 rounds of ammunition when he entered a school. Luckily, no one was harmed.

What America has done in dealing with people with mental illness is so far short of what we should be doing, it's not surprising we are still failing the system. America has replaced its psychiatric hospitals with prisons and bridges for homelessness. Pennsylvania some years ago had 20 psychiatric hospitals and 8 jails. Now we have 20 jails and 8 psychiatric hospitals. One out of five men has mental illness, and one out of every two women in those jails has a mental illness.

Why don't we use such things as considered background checks for those to obtain guns? In 2010, when 14 million attempts were made to purchase weapons, there were 72,000 denials because those folks had pinged positive because they had an arrest record or had an inpatient obligatory stay. Of those, 34,000 had felony conviction indictments and 13,000 were fugitives. But there were only 44 prosecutions, and only a few of those were found guilty. Background checks don't even begin to deal with the millions of people who have a psychiatric illness and go untreated. There is a lack of inpatient and outpatient treatment options, and we need to finally begin dealing with these problems.

What we need are several aspects, and in the next couple of weeks I'll be offering a package of legislation that finally works towards dealing with these so we do not continue to say our primary methods of treatment for Americans with mental illness are jails and homelessness.

First, we need to recognize that we have a lack of inpatient treatment options. There were 500,000 psychiatric beds in 1955; now there are less than 40,000. What we need to do is increase the options that are available for people with inpatient and outpatient treatment.

Two, we need to get serious on research for those with mental illness. NIMH has a paltry little over $1 billion in money it can spend on research, and very little of that is spent on those with serious mental illness. Indeed, most with mental illness are not violent, but when you see someone with a selective set of symptoms with serious mental illness, we know that they may be at a more increased risk, particularly those who have a history of delusion, paranoia, and interest in violence. What happens in general, from the time of onset of first symptoms, a person may wait an average of 110 weeks before they get into treatment.

In addition, we need more research on medications. There are 11.4 million American adults that suffer from serious mental illness, including schizophrenia, bipolar disorder, and major depression, but 2 million are not being treated. We need more effective research.

Three, Federal laws, which are meant to protect confidentiality, such as HIPAA and FERPA, otherwise known as the Family Educational Rights and Privacy Act, have frustrated the efforts of physicians and family to share information. Many times doctors and other officials cannot get to the very people who can prevent problems and get the person in treatment. Colleges and high schools do not share information with parents because they're afraid of getting sued. Mental health professionals hold on to information, and they wish they could talk more with parents. We need to clarify these boundaries.

Four, law enforcement officials need more training. Police officers are on the frontline of dealing with the violent mentally ill. They need to understand how to identify and handle mental health emergencies. In addition, the primary responders to these ought to be paramedics, those who are trained to deal with health issues. We need to remove the stigma. From the very beginning, we need to be dealing with this as a health issue.

One thousand homicides a year are committed by those with serious mental illness. It's only 5 percent to 10 percent of homicides, but we need to make sure we have that help. We also need to make sure we have integrated care at community mental health centers. Unfortunately, there are barriers to billing with Medicare. We need incentives for pediatricians to get additional training. We need to review what SAMHSA does with its spending, and VA hospitals need to have more help.

Overall, there are many areas that we can engage in, and we will continue to do this to make sure we effectively treat mental illness.

ACT NOW TO SUPPORT THE ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Ms. DELBENE) for 5 minutes.

Ms. DELBENE. Mr. Speaker, I rise today to speak about the critical need for Congress to act now and support our struggling economy.

Like many families and businesses across my district, I've been disappointed by Congress' inability to address our Nation's fiscal challenges. We need to stop lurching from one manufactured crisis to the next, budgeting 90 days at a time, because it's actually the most expensive and inefficient way to budget.

As a businesswoman and entrepreneur, I understand that you don't just manage a business for a few months at a time, but you plan for the long term.

Businesses and families deserve a long-term budget that provides them with the visibility needed to plan for the future. Every day we fail to do this, Congress is harming the economy.

We must take a balanced, long-term approach to the budget and end the irresponsible across-the-board cuts that were triggered by sequestration.

We must act now to prevent a government shutdown.

I remain committed to working with my colleagues on both sides of the aisle to pass a budget that reduces the deficit and creates jobs. We must come together now to get this job done.

SECRETARY LEW

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. GARRETT) for 5 minutes.

Mr. GARRETT. Mr. Speaker, prominently featured on the White House Web site, President Obama issued the following memorandum to all heads of executive departments and agencies:

> My administration is committed to creating an unprecedented level of openness in government. We will work together to ensure the public trust and establish a system of transparency, public participation, and collaboration. Openness will strengthen our democracy and promote efficiency and effectiveness in government.

Unfortunately, despite once serving as the White House Chief of Staff, Secretary of Treasury Jack Lew apparently never got that memo.

On June 7, shortly after the news broke that the Internal Revenue Service engaged in the reprehensible practice of targeting conservative-leaning political groups, I sent a letter to Secretary Lew with a handful of questions relating to his time served as White House chief of staff. Specifically I asked:

First, when was the first time Secretary Lew, as chief of staff, became aware of the IRS's targeting of tax-exempt groups, including rumors or media reports of targeting, independent of his knowledge of the IG's investigation?

Second, given that IRS Commissioner Douglas Shulman made numerous trips to the White House between October 2009 and December 2012, I asked Secretary Lew, again as chief of staff, if he attended any meetings with Shulman.

Next I asked if anything was discussed relating to the IRS investigation concerning conservative-leaning organizations and their tax-exempt status.

Finally, I asked if Secretary Lew, as chief of staff, was involved in any or had any knowledge of rumors of conservative groups that were being targeted or of media reports highlighting the IG investigation relating to the targeting or any IRS personnel involved in potentially inappropriate targeting of conservative groups.

□ 1015

Well, my letters went unanswered week after week after week. So I sent numerous emails and made phone calls to the Treasury Department, requesting a reply to my letter. Finally, finally a letter came. Unfortunately, rather than simply answering my questions and putting to bed any appearance of impropriety, Lew chose to not answer any of my direct questions.

Now 3½ months have passed since I asked those very simple and direct questions. I still cannot get an answer from him. So I'm here today to encourage you to join me in the fight to get answers from Secretary Lew.

You see, the President's memo was very clear—his government is to be the most transparent in the history of this great Nation. Well, then, we have to bring Secretary Lew up to speed on that memo.

Jack Lew served as chief of staff to the President while some of the most egregious, reprehensible behavior ever displayed by the IRS took place. The American people have the right to know what he knows about the IRS scandal, when he knew it, and what involvement he had, as chief of staff, with personnel at the IRS.

It is essential to the functioning of a representative government that the citizens—the voters who are represented—have confidence in the integrity of the system. If they don't, the government won't be trusted. Government must earn that trust. That means that the men and women who manage the day-to-day affairs, such as him, must be trustworthy people. And to maintain that confidence, the public—the men and the women must avoid even the appearance of impropriety. It is that principle that judges adhere to when they recuse themselves from cases where it may appear that they would have an interest in the outcome.

The public must be assured that the outcomes generated by the men and women in Washington are not influenced by the conflicting interests. Otherwise, the system—whether it's corrupt or not—will have the taint of corruption; and that's just as bad.

The President was right to emphasize transparency, and it is essential to the proper functioning of a representative government. It's up to the citizens and their representatives to demand that transparency and the propriety that it maintains.

So again, I ask my colleagues and you, the American public, to join me in demanding the openness that President Obama promised. And to Secretary Lew, I am still waiting for those answers.

THE MORE HUNGER, LESS OPPORTUNITY ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, I rise this morning to strongly oppose the deep and extreme cuts to nutrition programs that, once again, are being brought to the floor by the Republican majority. H.R. 3102, what we call the ''More Hunger, Less Opportunity Act,'' takes a bad idea and makes it worse, cutting billions—literally billions—of dollars in aid for the working poor, people who struggle every single day, literally, to put food on the table.

This bill is heartless. It has gone from bad to worse. We've seen this movie before. In June, when the Republicans brought $20 billion in cuts to the floor as a part of the farm bill, it derailed the farm bill, broke what had been a bipartisan effort for as long as anybody around here can remember. And now, $40 billion in cuts.

Three-quarters of the households receiving SNAP include a child, a senior, somebody who is disabled. This legislation literally punishes those folks. Republicans desire, for whatever reason—incomprehensible to many of us—to deprive even the neediest Americans with a basic necessity: food. It has, as I said, derailed the farm bill process and now has the chance to risk hurting more Americans. This bill would shamefully and literally take food out of the mouths of nearly 4 million children, seniors, and disabled.

I urge my colleagues—Republicans and Democrats—to join me in opposing this legislation.

HEALTH CARE PROMISES HAVE BEEN BROKEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to relay disturbing, but not surprising, news about the President's health care law, news that is coming back from my district in Pennsylvania.

Countless neighbors of mine employed by Sesame Place—which is a division of SeaWorld Entertainment—have been told that their hours will be cut back, presumably to comply with the crushing costs and regulations associated with the so-called Affordable Care Act. Adding insult to injury, they're being told that their health care is being terminated.

Simply put, Mr. Speaker, President Obama made promises to the American people; and right now, those promises are not being kept. People were told that if they liked their plan that they could keep it. We were told that the health care law would not raise taxes, only to later see that 20 taxes are being used to fund this law.

These promises have been broken, and my neighbors are seeing it. And they are seeing it up close, and they are seeing it personally. This law is hurting real people in my district and around the country. And it must be repealed, and it must be replaced.

NAVY YARD SHOOTING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, it is with great sadness that I rise to remember three of my constituents who tragically lost their lives in Monday's shooting along with nine other innocent victims at the Washington Navy Yard. The entire Washington metropolitan area is still in shock at the horrific news.

In Maryland's Fifth District, home to many who serve or who have previously served in military and civilian roles at the Navy Yard, communities are grieving the loss of Sylvia Frasier, Frank Kohler, and Kenneth Proctor. In addition, Michael Arnold, Kathy Gaarde, John Roger Johnson, Vishnu Pandit, Martin Bodrog, Arthur Daniels, Mary Frances Knight, Gerald Reid, and Richard Michael Ridgell also lost their lives in this senseless attack.

I, along with all my colleagues, offer my condolences on behalf of all who live in the Fifth District and in our country. And I wish to take a moment to reflect from this floor on their lives of hard work and dedicated service.

Sylvia Frasier had been an information assurance manager at the Naval Sea Systems Command since 2000. Because she loved interacting with people so much, Sylvia took a night job at the Walmart in Waldorf, Maryland, where she was beloved by her coworkers and members of our community. Sylvia is survived by her parents, James and Eloise, and six brothers and sisters.

Frank Kohler. Frank was a defense contractor at the Navy Yard. He and his wife, Michelle, who works at Pax River Naval Air Station, also in my district, lived in Tall Timbers, Maryland, and loved to go boating and fishing on the Chesapeake and in Florida. He was a past president of the Lexington Park Rotary Club and served as King Oyster at the St. Mary's County Oyster Festival, welcoming visitors to the annual celebration. I live in that county. It's a wonderful celebration. Frank will be missed. Frank also leaves behind two college-aged daughters, Alex and Meghan.

Kenneth Proctor worked as a civilian utilities foreman at the Navy Yard and was in building 197 on Monday morning to get breakfast on his way to work. He had been a Federal employee for 22 years; and his eldest son, Kenneth, Jr., just recently enlisted in the United States Army. He is also survived by his former wife, Evelyn, with whom he was still very close, and their younger son, Kendull, who is in high school.

I want to thank the first responders. I want to thank them for quickly and courageously answering the call on Monday morning and putting their own lives on the line to stop the shooting and prevent further loss of life. They demonstrate the best of America, along with all the dedicated men and women who serve in the Navy Yard and in the Navy, in uniform and civilian. They

continue to enrich our Nation through their outstanding service.

Mr. Speaker, it is particularly poignant for me because my father-in-law and my mother both worked at the Navy Yard during the course of their careers. I've been on the Navy Yard numerous times. It should be—and we thought was—well protected. Twelve people found that it was not protected enough.

My thoughts and prayers are with the families of those who lost their lives and with all who are recovering from their injuries.

MADE IN THE USA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the importance of manufacturing to our Nation cannot be overstated. Creating products domestically supports local economies and creates family-sustaining jobs. But so many domestic companies also serve as a source of pride for towns, cities, and regions of the country.

The Zippo Manufacturing Company and their iconic lighter are headquartered and manufactured in Pennsylvania's Fifth Congressional District, which I have the honor of representing. It is McKean County's largest employer, with 900 hardworking men and women in a city of 8,000. Zippo has been making lighters since 1895; and today, 160 countries around the world buy Zippo products.

Zippo is a part of Bradford's community identity. Part of this identity comes from the fact that American companies were once renowned for building things to last. Zippo backs its lighters with a ''forever guarantee.''

Parade Magazine, a national publication, made note of this fact in a recent article titled, ''Putting America Back to Work: 5 Ways 'Made in the USA' is Staging a Comeback.'' It's companies like Zippo that give ''American made'' a great name, that keep the world buying U.S.-made products and ultimately keeps jobs in America and expands the American workforce.

The key to our economic recovery is tapping into these gems, utilizing domestic energy, technology, and innovation, as well as a homegrown workforce to revitalize American manufacturing.

SNAP CUTS VERSUS CROP INSURANCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO) for 5 minutes.

Ms. DELAURO. Mr. Speaker, later today, this body will vote on the House majority leadership's plan to cut $40 billion from food stamps and force over 4 million low-income Americans—citizens, veterans, seniors, and children—to go hungry.

This bill is immoral. It is wrong to take food from the mouths of hungry people. It is especially cruel when, at the same time, the House majority continues to support crop insurance subsidies for wealthy farms and agribusinesses.

Let us be clear about this so-called ''nutrition bill'' we are voting on today. The majority's leadership is making an explicit choice. They want us to force the poorest families in America to go hungry at a time of great need, while continuing to support and even expand giant government subsidies to the wealthy. This is reverse Robin Hood.

This makes no economic sense. Even as it left anti-hunger programs in limbo, the farm bill passed in July by the majority expanded crop insurance subsidies. According to the nonpartisan Congressional Budget Office, these crop insurance subsidies will cost taxpayers $90 billion over the next decade. USDA, the United States Department of Agriculture, reports it spent $14 billion on crop insurance last year alone. Keep in mind that means we will spend over twice as much on these subsidies as this proposed cut to food stamps will save us.

Some Members of the majority like to argue that these deep cuts to food stamps are necessary and that we, the richest Nation on Earth, cannot afford to help feed the most vulnerable members of our society. This is untrue. A decision is being made to cut $40 billion in food aid to the poor while giving $90 billion in subsidies to the wealthy.

□ 1030

That is not right.

So who exactly are receiving these subsidies?

That is a good question. Right now, U.S. taxpayers pay, on average, almost two-thirds of crop insurance premiums for high-income farmers; 62 percent, we pay, for these crop insurance premiums. And according to the Congressional Budget Office, the Federal Government paid $1.4 billion in crop insurance administrative costs to financial and insurance companies, including a bank in Switzerland.

Last year, over 10,000 farmers each received over $100,000 in crop insurance subsidies. And because the program is not means tested or capped, 26 farmers made over $1 million from the Federal Government; 26 wealthy farm owners whom we are prevented from identifying, and they could even be Members of Congress. We can't get their names. They are statutorily protected. And as I stand here, we are going to fight every day to get the names of these 26 individuals.

Meanwhile, the bill that we considered today would deny SNAP benefits to jobless adults without children whose incomes average only about one-fifth of the poverty line; and that, my friends, is $2,500 a year. Let's say ''no'' to them for food on their tables.

We also know that crop insurance subsidies have a higher error rate, meaning more waste, fraud, and abuse, than the food stamp program, one of the most efficient programs the Federal Government undertakes. And sadly, we know that there are Members of the majority arguing strenuously for these deep cuts to food aid who, at the same time, are pocketing millions themselves in crop insurance subsidies. They should be ashamed.

Families on food stamps are struggling. We hear about seniors who have to choose between buying food and medicine, veterans trying to get back on their feet after serving their country, students in the classroom who can't even concentrate when others are eating because they're actually going hungry. These are the Americans this bill would see go hungry, even as we subsidize handouts to wealthy farmers.

This is immoral. If this is not wrong, nothing is wrong.

But even if that doesn't sway you, consider the math. This bill would cut $40 billion from food aid, while the majority in this body voted to keep $90 billion in crop insurance subsidies. It would deny over 4 million low-income individuals a chance to eat, even as we are giving 26 faceless individuals $1 million each. I cannot support a bill that hurts millions of low-income citizens, children, seniors, veterans, as the majority continues to subsidize wealthy agribusiness.

Historically, addressing hunger in America has been a bipartisan effort, Democrats and Republicans who come together to say we have a serious problem of hunger in America; let's work to eradicate it. That was McGovern and Dole, Javits, Kennedy, and so many others.

I urge my colleagues in both parties to vote this heartless bill down.

OBAMACARE FAILS TO LIVE UP TO ITS GUARANTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ROTHFUS) for 5 minutes.

Mr. ROTHFUS. Mr. Speaker, when President Obama sold his health care law to the American people, he made many promises. He promised—he guaranteed—that if you like your doctor or your health care plan, you could keep it. He promised that his law would not raise your health insurance costs.

My constituents will tell you that the health care law has broken these promises, that these guarantees are no good. Nearly every day I hear from folks, moms and dads, teachers, bus drivers, small business owners, health care providers, who are being hurt by the health care law.

A woman I met recently, who had just started a new job, making $8.50, learned that her hours would be cut from 35 to 29. If you do the math, that's about $50 a week, $200 a month, $2,500 a year. That may not sound like a lot of money to the elites here in Washington, D.C., but for a working person

in western Pennsylvania, that can make a big difference with gas, groceries, or helping to pay the rent.

A chemistry teacher recently called my office in Beaver County to share her story about the health care law hurting her coworkers. The special needs teachers' aides in her school recently had their hours cut from 37½ hours to 28. That's a loss of $180 per paycheck. Many of these aides depend on this job to provide health insurance for their families. Thanks to the health care law, these teachers' aides and their families will lose their health care coverage.

A mom from the North Hills of Pittsburgh recently got in touch with me to tell me about the impact of the health care law on her family's small business. Kathy and her husband recently learned that their health care plan will be discontinued December 31. Kathy told me that since ObamaCare was voted into law, we have watched our deductible soar, our premiums soar, and our blood pressures soar. Enough already.

Kathy's sentiment is shared by many of the western Pennsylvanians who called the office and whom I've talked to at small business and constituent gatherings around the district. In the real world, when you buy a product that comes with a guarantee, if the guarantee is not met, you get your money back and you look for a new product.

With only 13 days until the law begins to take full effect, more and more flaws are increasingly evident, and the President continues to delay, arbitrarily, major provisions of his health care law. We need to delay and dismantle the entire law so that a process of bipartisan health care reform can finally begin.

It's time for a new beginning. It's time for a government that looks to the American people and our doctors and health care providers, not as subjects to be managed, but as partners who can help solve problems.

It's time for a new beginning that brings Republicans and Democrats in support of bipartisan solutions together. As President Kennedy once said, let us not seek the Republican answer, let us not seek the Democratic answer, but the right answer.

HONORING MEXICAN GUEST WORKERS WHO PARTICIPATED IN THE BRACERO PROGRAM

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

Mr. MCNERNEY. Mr. Speaker, I rise today to honor the millions of Mexican guest workers who came to the United States under the Bracero program from 1942 to 1964. The Bracero program is being highlighted by the Smithsonian exhibit, Bittersweet Harvest, and is being shown throughout the country.

At a time when our Nation was at war and laborers were scarce, President Franklin Roosevelt and Mexican President Manuel Camacho created a guest worker program known as the Bracero program. In September of 1942, the first Braceros, under this agreement, arrived in Stockton, California, the heart of my district. These individuals embodied the American Dream by searching for a better life for themselves and their families, and worked hard to make it come true.

The Smithsonian exhibit uses personal stories from the Braceros to highlight their experiences in this program and what they endured while adjusting to a new life in the United States.

The San Joaquin Valley remains home to a strong and vibrant Mexican population, and the region's heritage and history has been enriched due to its diversity.

I ask my colleagues to join me in recognizing the contributions of the people who came to this country through the Bracero program.

HONORING THE LIFE OF FLORA ARCA MATA

Mr. MCNERNEY. Mr. Speaker, I also wish to honor the life of an education pioneer in my district, Flora Arca Mata. Ms. Mata was the first Asian American, specifically, the first Filipina teacher in the Stockton Unified School District, breaking barriers of stereotypes that Asian Americans faced immediately after World War II, thereby helping numerous minority teachers join the education field.

Ms. Mata retired from teaching in 1978 and passed away last Wednesday, at the age of 95.

Ms. Mata was born in Honolulu and moved to Stockton in the 1920s. Her family settled in the Little Manila section of Stockton. She attended the University of California at Los Angeles, where she met, and later married, her husband, Vidal Mata.

Upon graduating from UCLA, neither Flora nor Vidal could find teaching jobs, so they traveled to the Philippines to teach. Returning to Stockton in the aftermath of World War II, Ms. Mata responded to a Stockton Unified ad seeking substitute teachers. A year later, she was hired to teach kindergartners full-time in the south Stockton school area.

A steadfast public servant, Ms. Mata remained involved in the education system until her eighties, working as a substitute teacher and volunteering in her granddaughter's kindergarten class.

Ms. Mata's commitment to the success of our students is an inspiration for our entire community. I urge my colleagues to join me in recognizing the barriers Ms. Mata shattered and the road she paved for other individuals to enter the teaching profession.

POTENTIAL CUTS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HORSFORD) for 5 minutes.

Mr. HORSFORD. Mr. Speaker, I come to the floor today opposed to the potential cuts to the Supplemental Nutrition Assistance Program, or SNAP, an important food program that lifts families, children, and seniors out of poverty and provides an important safety net for those in need.

SNAP is our Nation's most important antihunger program. It provides food assistance to approximately 46 million Americans, and it kept 4.7 million people out of poverty in 2011, including over 2 million children. This food program has cut the number of children living in extreme poverty in America in half.

Now, earlier this year, my colleagues on the other side approved a farm bill, but left the food for America's families behind. They passed special subsidies for Big Ag but, for the first time in decades, excluded funding for food assistance for America's families in need.

And now, months after providing special subsidies for Big Ag, House Republicans are bringing forward a bill to cut food assistance by $40 billion. Apparently, the first attempt at $20 billion was not deep enough. So they pass a farm bill that provides corporate subsidies, but they leave food for America's families behind.

In my district and in the State of Nevada, more than 71 percent of SNAP participants are families with children. Almost 26 percent of all SNAP participants are in families with elderly and disabled members, and nearly 42 percent of all SNAP families are in working families.

So House Republicans support corporate welfare for Big Ag and big business, but cut food assistance for the elderly, for disabled, and, yes, even our veterans.

We should not be cutting the safety net for our most vulnerable while maintaining costly government subsidies for the well-off junk food, oil, and gas industries.

SNAP benefits, Mr. Speaker, average less than $1.50 per person per meal. That amount is set to drop to about $1.40 this fall, when the 2009 Recovery Act's temporary benefit boost ends.

Now, the person who receives $1.50 per meal in Nevada is not the problem with the budget. The problem is corporate welfare and the special interest giveaways that litter our Tax Code.

I recently held a telephone town hall the last time the Republicans tried to gut food assistance for America's families and my constituents. I heard from families who are doing everything they can to provide for their families. I heard from seniors who are doing their best to keep their heads above water and moms who are doing their best to escape poverty. If we cut SNAP even further, we are cutting a lifeline for these families.

Now, another important constituency that is affected by this cut is our veterans. Census data indicate that nationwide, approximately 900,000 veterans receive SNAP assistance each

month. An estimated 170,000 of those 900,000 veterans could be affected by the House Republican proposal to cut $40 billion from SNAP.

In my State, studies estimate that 72,184 veterans receive assistance from this important food assistance program. That means roughly one in three veterans in Nevada—one in three—receive assistance from SNAP.

Well, my question to the House Republicans is: Is this how we repay our veterans—is their sacrifice not enough?—by trying to ram through $40 billion in cuts to programs that people rely on, and then when that doesn't work, doubling down and trying to make those cuts even worse?

Military families are on a pace this year to redeem more than $100 million in food aid on military bases, and the House Republican reaction is to tell them that they need to live with less?

I can't do that. I can't tell those families, Sorry, but you haven't sacrificed enough.

I urge my colleagues to do the responsible thing, do the right thing. Avoid these draconian cuts to programs that combat hunger effectively. This isn't waste. This is a critical social safety net program that families and children and veterans rely on.

I urge this body to oppose the House Republican plan.

□ 1045

AMERICA SHOULD TAKE NOTICE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, this morning, I rise to call upon the consciousness and the conscience of not only America, but my colleagues.

I rise in the backdrop of a dreamer's speech, Dr. Martin Luther King, who spoke about the greatness of America. Dr. King had no quarrel with this Nation. He loved its values. He found it a place of promise. And I imagine if he were alive today, he would have an answer to Mr. Putin: America is exceptional.

The world looks to America. America has been the Nation's breadbasket. It has served and fed the world. Mr. Speaker, the farmers I know want to feed the world. They relish being called the suppliers of the breadbasket. They enjoy seeing their products arrive in places where people are hungry. In all the years that I have worked in the United States Congress, we've found a way to work with our family farmers and feed our children. That's why I rise today in opposition to a devastating food fight.

America should take notice. Today, all the food banks around the Nation should be bombarding this House and all of the faith leaders should be immediately rising up and dialing in, for this is a devastating food fight—a $411 million reduction in my State alone, impacting 3,997,000 if this bill containing $4 billion in cuts to food stamps, or the supplemental nutrition program, goes forward today.

There are 46.2 million people who are living in poverty in America, and 9.5 million of them are families. Also, 16.1 million children under the age of 18 are living in poverty. Is that the exceptional America? We know that we are better than that.

Thirty-four percent of children in Texas are in poverty, 50.1 million Americans live in food insecurity, and 16 million children do not eat nutritiously. In larger proportions, that is what will happen today.

And so this is the message: don't cut SNAP. Stop the GOP from cutting $40 billion, which is 33.4 million meals, or 24 meals per month per family. That's our message.

How can we stand here as a country of dreamers and those who believe in acting? Dr. King dreamed, but he was focused on action. He believed in helping the poor. He believed in jobs. And we come here today to stand on this floor with a straight face and engage in a battle of a food fight. I think it is atrocious, and it needs to stop. Where is the goodness that gives all Americans opportunities to rise?

I heard a Member on the floor discuss the Affordable Care Act. Well, get the facts. Right now, as we speak, the Affordable Care Act is providing premiums under $100 for those individuals that need to be insured, helping to cut poverty. That's why we need all of these factors—not cuts in SNAP, not the elimination of the Affordable Care Act and a continuing resolution that is not going to go anywhere. All of these pound on people who are in need.

I'm asking for relief. I'm asking for the very promised land that Dr. King also spoke of: the exceptionalism that is America. When we send young soldiers to foreign lands, they are exceptional. But yet some of the families of our soldiers are now on food stamps. Is that what America is about—cutting the food stamps of Active Duty soldiers?

We have to do better than that. And so our message is going to be a strong one. We're against it. We're against all the pounding down on those who are trying to climb the ladder of success. We want to end the sequester that is going to cut 67.8 million teachers out of the primary and secondary schools.

It is time now to say no, don't cut SNAP, no to the CR, no to sequester, and yes to America, yes to the promised land, yes to the dream, yes to implementing what is right, yes to allowing us to climb the ladder of success. That's the opportunity for Americans. Say yes to jobs, say yes to education.

I believe that if we do not do that, Mr. Speaker, our ancestors and early Founding Fathers, the visionaries, even though we had our ups and downs, Mr. Speaker, are going to ask us, Why?

God bless America, an exceptional Nation with a big heart. Vote ''no'' today. That's what America wants: something for all of us.

A DREAM-KILLING BILL

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

Mr. FARR. Mr. Speaker, here we go again.

Last week, we averted an attack on the country of Syria. This week, we again attack the country of the United States of America. We attack the working poor.

What is it about the GOP-led institution? They can find nothing wrong with Wall Street criminals who have driven the American families into ruin, but we can spend several days attacking the victims of the recession.

I'm talking about people who need food stamps, which is the SNAP program. It's a debit card. They need help to buy food. Our farmers help them by growing the food, our grocery stores help them by selling the food, and our charity organizations help them when they fall through the cracks. And guess what? The helpers get paid. That's the money that supports the food stamps. Those are jobs. But that's about to go away. It's about to hurt those who need the help.

The bill on the floor today is H.R. 3102. It's the Republican Take Away Nutrition Reform and Take Away Work Opportunity Act. I added the ''takeaways'' because that's what it does. Sensible people ought to vote ''no'' on this bill.

You will hear that there are a lot of cheats out there. But guess what? The program has enforcement officers. They're in place. And when cheats are caught, they're fined or they go to jail. This is in contrast to the misguided Wall Street investors and the banking foreclosure mess, where no one seems to get caught or go to jail. But we here in Congress can pass a bad bill that takes food away from working mothers.

Who are these people on food stamps? Who receives this aid? You know them. They're parents, sisters, brothers, moms and dads, and, as you've heard from previous speakers, they're veterans and people on Active Duty service. They're people in need of extra money to buy food.

Yesterday, I met one of those persons here in the United States Capitol. She's a working mom. She dropped out of high school at the age of 16 but eventually got a GED degree. With her GED degree, now that she had a baby, she was urged that she needed to go on. But she didn't have a job. She needed help. She got it through food stamps. She decided now that she could care for her baby, she could go to community college to further her skill development and later go on to a California college. She's 21 years old. She's a senior in college this year and now the mother of a 5-year-old son.

I met her here in the United States Capitol because she works here. Her name is Lisa Russell. She won a Leon Panetta Hill internship. She is one of our best and brightest and needs food

stamps to make it work. I met her because she thanked me for opposing this bill. As she told me, There are a million Lisas out there, millions of people who need assistance. Don't deny them a chance to get out of poverty and to have help when they need it.

H.R. 3102 is a dream killer. It's un-American.

A few minutes ago, we pledged to this flag behind me. Now it's time to live up to the responsibilities in that pledge of justice for all, not just for a few.

H.R. 3102 is a bad bill. It needs defeating.

DON'T CUT SNAP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to talk about this heartless and mean-spirited attempt by my colleagues on the other side of the aisle to cut $40 billion from the SNAP program—the food stamp program—that ensures that children, seniors, and poor Americans can put food on the table.

Earlier this year, I participated in a food stamp challenge. We agreed for a period of 1 week to limit our expenditure for food to $4.50 a day. That's about the average amount that a food stamp recipient receives for food. And so trying to eat on $4.50 a day was a mind expander and an eye-opener for me because it helped me see how fortunate I was to not be one of the many millions of people who rely on food stamps for their nutrition.

During that week that I was on that food stamp challenge, I went around to a number of food pantries where people were lined up, White and Black, Hispanic and Asian, awaiting the food truck or the tractor-trailer to get there loaded with food so they could get some of it. People lined up several hours before the pantry actually opened just to get some food.

So I can assure you that there are many people out there. And I spoke with many of them. I spoke with one woman who worked three part-time jobs that pay minimum wage. She was trying to take care of a family with that, and was still eligible and needed to have those food stamps.

And so people have lost their jobs and have been offered and accepted new jobs after this economic meltdown caused by Wall Street. People lost jobs. They have accepted part-time jobs—cobbling a few part-time jobs together to try to make ends meet for the entire family. And they need those food stamps.

□ 1100

But what my colleagues on the other side of the aisle plan on doing is cutting $40 billion for this next year, 2014. They want to cut $40 billion out of the budget.

The budget is a statement of our values. If you can give farmers crop subsidies—$15 billion, $20 billion per year—and then, by congressional legislation, hide the identity of the recipients of those crop subsidy payments that you, the taxpayer, give to the insurance companies on behalf of the farmers; then what you do, you give the insurance companies, you offset their administrative and operating cost in operating that program, we pay them billions of dollars a year. So, as it ends up, over $100 billion in a 10-year period, crop insurance for people who don't need it. And we're going to cut food stamps today $40 billion? That's not the values that America stands for. I will be voting against that legislation.

NO MORE STEAK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, in my district, California 14, we have about 4,000 families who are on food stamps. But some of my colleagues have thousands and thousands more; yet they somehow feel like crusaders and heroes when they vote to cut food stamps.

Some of these same Members travel to foreign countries under the guise of official business. They dine at lavish restaurants, eating steak, vodka, and even caviar. They receive money to do this. That's right. They don't pay out of pocket for these meals. Let me give you a few examples.

One Member was given $127.41 a day for food on his trip to Argentina. He probably had a fair amount of steak. Another Member was given $3,588 for food and lodging during a 6-day trip to Russia. He probably drank a fair amount of vodka and probably even had some caviar. That particular Member has 21,000 food stamp recipients in his district. One of those people who is on food stamps could live a year on what this Congressman spent on food and lodging for 6 days.

Another 20 Members made a trip to Dublin, Ireland. They got $166 a day for food. These Members didn't pay a dime. They received $50, $100, almost $200 for a single meal only for themselves. Yet for them, the idea of helping fellow Americans spend less than $5 a day makes their skin crawl. The faces of families of veterans, of farmers, of the disabled, of the working poor are not visible to them, not even when they are their own constituents.

Last week, a man named Ron Shaich wrote in an article on his LinkedIn page about food stamps. Ron is the founder, chairman and CEO of Panera Bread. In his article, Ron admitted that, despite wanting to fight poverty and hunger in America, he really didn't know what it was like to be truly hungry. So this week, Ron is taking the SNAP Challenge. The millionaire food mogul is living on $4.50 a day.

I've taken the SNAP Challenge in the past, and I can tell you it is a horrible experience. You think about food constantly. You are always hungry. But those on food stamps live on $4.50 every day, not for one week, for long into their future. That is soul crushing.

Historically, food stamps have been part of the farm bill. It's that same bill that 26 corporate farmers—who remain nameless—get $1 million each in subsidies meant for real farmers. The taxpayers are giving $7 billion per year to large agribusiness; yet Republicans feel SNAP programs cost us too much money. They want to cut it.

Mr. Speaker, I can stand here and say that my point is about saving food stamps from cuts—that's true. But my larger point is about us as a country, as a society, as neighbors. I'm a Member of the least productive Congress in the history of this country; I'm ashamed of that. To be honest, if the Federal Government shut down for a couple of weeks, as we keep hearing, would Americans even notice? When a government of the people or for the people becomes a government in spite of the people, then who are we really serving? If we refuse to take care of those who are the most vulnerable at a tiny fraction of the cost of, say, our defense budget, don't we cease to be true public servants?

Ron Shaich is putting himself in the worn-out shoes of 48 million fellow Americans. I'm ready to do the same again. I wonder how many of my Republican colleagues would want to cut food stamps if they had taken the SNAP Challenge. After all, that means no more steak, no more caviar or vodka. Based on these Members' eating habits, I wonder if they could survive.

RECESS

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

Accordingly (at 11 o'clock and 6 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Bishop J.W. Macklin, Glad Tidings Church, Hayward, California, offered the following prayer:

God of our weary years, God of our silent tears, Thou who has led us thus far along the way. For this land of freedom and the promise of America, we are thankful.

In the face of daunting tasks, monumental and complex challenges, grant this, the 113th Congress, Your sovereign wisdom. Allow this august body, like eagles, to soar above partisan disagreements and personal agendas. Grant the Members of the House of Representatives strength, that they may run for those whose legs are weak, and give them courage that they may

walk for those who have become weary through years of injustice. Give them compassion that they may speak for those whose voices have been silenced. And, God, grant them vision for those whose dreams are diminished. Now, God, empower America with a unity that defies the chaos of the moment.

Thou Who hast by Thy might led us into the light, keep us forever in the path we pray.

In the name of Jesus Christ, amen.

THE JOURNAL

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

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

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

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

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

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

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Ms. CHU 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.

WELCOMING BISHOP J.W. MACKLIN

The SPEAKER. Without objection, the gentleman from California is recognized for 1 minute.

There was no objection.

Mr. SWALWELL of California. Mr. Speaker, with this House at this moment considering such important issues for the American people, there is no better person I know than Bishop Jerry Macklin to deliver this afternoon's opening prayer. Bishop Macklin's words are inspiring. His call for national unity and wisdom during these trying times is appropriate.

Bishop Macklin knows a thing or two about trying times. He founded the Glad Tidings Church in Hayward, California, in 1978. With a big heart of compassion and a deep devotion to the Lord, Bishop Macklin turned a neighborhood overrun by drugs and crime into a community of faith. Today, Glad Tidings Church has over 1,500 members. Under Bishop Macklin's leadership, the church is not just a place to worship but a center point for care for the community, providing food, affordable housing, and health care to the most in need among us.

Just 2 weeks ago, Bishop Macklin opened his church's doors to host an Affordable Care Act forum to help educate my constituents. As the regional Health and Human Services director was explaining to the attendees where they could sign up, I saw firsthand Bishop Macklin's commitment to serve the community. He leaned over to me and said, ERIC, our church needs to be at the center of signing people up. And by the time the regional director had finished addressing the attendees, Bishop Macklin had already texted and emailed about a dozen people to make sure that happened.

Thank you, Bishop Macklin, for asking God to watch over this House and for your work to watch over our community.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

KEYSTONE XL PIPELINE

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

Ms. FOXX. Mr. Speaker, 5 years—that's how long the Keystone XL pipeline and the 40,000 jobs it's expected to create have been waiting for President Obama's approval. There is no good reason for this delay. Americans need these jobs.

Democrats, Republicans, and organized labor groups have coalesced in support of the Keystone XL pipeline because it will spur job creation, help us on our way to energy independence, and increase access to affordable North American oil. Ask any mom responsible for balancing the family checkbook whether affordable energy matters to her. It does.

Keystone XL is the most studied pipeline in our Nation's history. Thousands of pages prove its worth to our economy and national interest and further document its safety. On this fifth anniversary of Keystone's original application, it's time for the President to put his excuses aside. It's time to build.

SNAP NUTRITION

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

Ms. CHU. Once again, House Republicans have put struggling families on the chopping block. They're cutting SNAP, our nutrition program, by nearly $40 billion. Millions of Americans will completely lose their assistance or see their monthly benefits drastically cut. More than 8,000 families in my community will risk going hungry. These cuts hurt working families who struggle every day to put food on the table. They end benefits for people who want to work but can't find a job, even mothers with young children. They eliminate a vital safety net for many adults who are out of work. These cuts hurt children, seniors, and veterans, all of whom rely on SNAP to survive. Where are these millions of Americans supposed to turn for food?

It's time for the Republican leadership to stop playing games with the most vulnerable among us. They are literally taking the food out of hungry kids' mouths.

RECOGNIZING KELLY GERMAN AND HAZEL THOMPSON

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

Mrs. NOEM. Mr. Speaker, today I rise to recognize the courageous actions of Kelly German and Hazel Thompson of Watertown, South Dakota. On the night of August 6, 2013, Kelly and Hazel helped save the lives of over 40 elderly men and women at a retirement home in Watertown.

A fire started in one of the apartments late in the evening; and one of the residents, Hazel, heard yelling down the hall and immediately informed Kelly German, the night manager, that the building was on fire. Kelly promptly called 911 and immediately began knocking on tenants' doors, many of whom were sleeping. Knowing that many of the doors were locked and that many of the residents were hard of hearing and slightly immobile, Kelly ran back to her apartment to get the master key. She then resumed knocking on and opening every door to awaken the residents and rush them out of the building.

Without the quick action of Hazel, the heroics of Kelly, and the local firefighters in Watertown, many would have lost their lives that night. This story is of special significance to me because Kelly is also a member of my staff and lost everything she owns in that fire. Residents of the home, the community of Watertown, and I will be forever grateful for her selfless act.

LET'S CUT POVERTY, NOT NUTRITION ASSISTANCE

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

Ms. BONAMICI. Mr. Speaker, millions of Americans rely on the Supplemental Nutrition Assistance Program to put food on the table. But H.R. 3102, which we'll consider later today, will let families in our districts go hungry. The cuts contained in the bill could leave behind about 120,000 Oregonians who are still struggling to recover from the recession. That's a huge number and will reverberate throughout our communities. Some might say that

charitable institutions can make up the difference, but that's just not so. They're already struggling to meet demands. Without SNAP, millions of Americans will go hungry, plain and simple.

We shouldn't be trying to balance the budget on the backs of hungry families. The bill that will be up today outright abandons them. If we're really concerned about the cost of SNAP, we should focus on addressing the root causes of hunger. Let's cut poverty, not nutrition assistance.

GOLDEN GOOSE AWARD RECIPIENTS

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

Mr. HULTGREN. Mr. Speaker, I rise today to congratulate the five scientists receiving the Golden Goose Award later today. The Golden Goose Award was created to recognize the important impact of federally funded research on the lives of Americans today. This award highlights seemingly obscure research that has led to unexpected advances in unrelated fields, sometimes years after the original work took place.

The beauty of research science is that we can never truly predict what discoveries can result from just a slightly better understanding of our world.

Dr. John Eng conducted studies on the venom of Gila monsters which led to diabetes medication which millions of patients now use. Mathematician Lloyd Shapely developed algorithms to maximize marriage stability in the 1960s, which were then used by economist Alvin Roth to match kidney recipients with patients, and doctors with hospitals. Dr. Thomas Brock and Dr. Hudson Freeze studied organisms in the extreme conditions of Yellowstone Park, and their research led to a better understanding of the heat necessary to study DNA, which then fueled advances in biotechnology and the genomics revolution.

Far from laying a golden goose egg, these recipients have changed our world for the better. We recognize their work.

SNAP CUTS TO VETERANS

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

Ms. BROWNLEY of California. Mr. Speaker, over 68,000 Ventura County residents in my district rely on SNAP benefits to make ends meet and put food on the table. More than half of those 68,000 people are children. The bill before us today won't create jobs or improve our economy. It simply makes it harder for families, including our Nation's veterans, to feed their children.

From 2008 to 2011, SNAP food purchases tripled at commissaries throughout the country, which are open to military families and veterans. Currently, 900,000 veterans across the country receive SNAP benefits. Under H.R. 3102, benefits would be cut for as many as 170,000 veterans, and some would lose their benefits entirely.

A vote for this bill is a vote to let millions of children, seniors, people with disabilities, and veterans go hungry. I urge my colleagues to join me in fighting hunger in America by opposing this bill.

DEFUND AND REPEAL OBAMACARE

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

Mr. STEWART. Mr. Speaker, from time to time, this Chamber has the opportunity to address legislation that will have an impact on generations of Americans. Since arriving in Congress, I have consistently supported efforts to defund or repeal ObamaCare. Not only does this law run contrary to our basic American principles of personal freedom and limited government, but it is already hurting our economy; and it will be even more destructive as it is implemented this fall. As a small business owner, I have seen firsthand and in a very personal way the negative impacts of this law. It is no wonder that it is so unpopular.

The original purpose of the Affordable Care Act was to drive health care costs down. But instead, it has done exactly the opposite, driving up premiums by as much as 400 percent. We can do better. We must replace this law with legislation that would lower health care costs and improve the quality of care and protect American jobs.

I look forward to voting in favor of the continuing resolution this week, which defunds this damaging health care law. The Senate and the House can work together to find an alternative that would fix and improve the law. And I look forward to working with them to do that.

EXPRESSING OPPOSITION TO THE NUTRITION REFORM AND WORK OPPORTUNITY ACT

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition to the Nutrition Reform and Work Opportunity Act. The GOP's efforts to cut $40 billion in SNAP benefits over 10 years show how disconnected they are with our most vulnerable citizens; 4 million to 6 million low-income people will be affected by these cuts, including 450,000 residents in Dallas County that are food insecure. Almost 300,000 of them are children. Many of our citizens are already living on the edge of poverty, and these cuts would virtually eliminate the assistance they desperately need.

I am deeply troubled by this aggressive agenda to dismantle the SNAP program. It is not just the African American or Hispanic populations who receive these benefits. It is the working class, the elderly, the children, and the disabled. Cutting this program would be devastating to millions of Americans who are working hard to provide for their families. I urge my colleagues to oppose this bill and support our neediest citizens.

□ 1215

THE SOUTHERN POVERTY LAW CENTER MUST STOP ITS RELIGIOUS INTOLERANCE

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

Mrs. HARTZLER. I rise today to speak against the discriminatory practice of the Southern Poverty Law Center through the use of so-called ''hatemapping'' and its proliferation of intolerance. While the group claims to be dedicated to fighting hatred and bigotry, the Southern Poverty Law Center has, instead, placed itself at the forefront of Christian persecution and religious intolerance.

Because of its misplaced hatemapping, on August 15 of last year, Floyd Lee Corkins entered the Family Research Council and shot and badly wounded Building Manager Leo Johnson, who stopped Corkins' intended killing spree. The SPLC's radical intolerance of traditional values is not only hyperpolarizing, but spurred on this violence.

Spreading discrimination against those who believe in traditional Christian values is not, in fact, fighting hatred; rather, it is espousing further bigotry.

Our country was founded on the principles of religious freedom. When the SPLC demonizes any group or person who remains steadfast in their religious convictions, it only increases the amount of intolerance in our society.

So I ask my fellow Members to join me in fighting against religious intolerance in the world today by calling for an end to religious intolerance against all groups, including those with Christian beliefs.

RECOGNIZING NATIONAL CHILDHOOD CANCER AWARENESS MONTH

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

Mr. HIGGINS. Mr. Speaker, I rise in support of our children suffering the unthinkable as we recognize September as National Childhood Cancer Awareness Month.

Cancer is the leading cause of death from disease among U.S. children over the age of 1. Moreover, cancer kills more children than cystic fibrosis, muscular dystrophy, AIDS, asthma, and juvenile diabetes combined.

There are many organizations doing good work to raise awareness, conduct research, treat children with cancer, including Roswell Park Cancer Institute and Women and Children's Hospital of Buffalo, who are working together in western New York to cure our youngest cancer patients.

Our children deserve to be cancer-free. They deserve the opportunity to be just kids and have a full life. They deserve a cure. We owe it to them and their families to make it happen by supporting strong Federal investments in cancer research far beyond what we're doing today.

PRIVATE DISABILITY INSURANCE BENEFITS

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

Mr. FLEISCHMANN. Mr. Speaker, as we debate SNAP reforms, I want to draw attention to a recent analysis which shows that thousands of families avoid the need for public assistance because of private disability insurance benefits.

Most of those covered by private disability insurance receive it from their employer. For a low premium, roughly $25 per month, workers receive 60 percent of their salary should they become disabled. With this benefit, the worker is able to provide for their families, pay bills, and buy food and medicines. Workers can then focus on recovery.

A 2011 analysis by Charles River Associates highlights several things, like the fact that Americans underestimate the risk of becoming disabled. And few American households have the savings to withstand a loss of income.

Because of the income offered by disability insurance, the study estimates nearly 575,000 families avoid both poverty and public assistance each year. This translates into an annual $4.5 billion savings. If we could cover more workers, we could save tax dollars.

Unfortunately, only about one-third of workers have access to employer-sponsored disability insurance. We must raise awareness about both the risk of disability and the affordability of insurance.

SNAP helps the needy, but a backup plan through insurers can provide generous assistance to the disabled and save taxpayer money.

THE CONTINUING RESOLUTION AND THE IMPENDING GOVERNMENT SHUTDOWN

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

Mrs. DAVIS of California. Mr. Speaker, it's no secret that we, as a Nation, face tough choices on how to resolve our fiscal disagreements, but a government shutdown or a default is exactly the wrong answer.

Every day, people all across our country figure out how to get their jobs done, despite all sorts of disagreements. We must remember that compromise was the foundation of our Constitution and the cornerstone of our system of government. But for some reason, people here in Washington seem to have forgotten this most basic idea.

My constituents in San Diego have worked too hard and struggled too much to fight through this economic downturn. The last thing they need is a government shutdown because some in Congress can't get their act together.

Are we really going to let petty politics prevent us from doing the work to fund our government? Are we really going to stop processing of checks to our constituents, to our veterans, and to law enforcement?

Mr. Speaker, a shutdown or a default is not governance, it's lunacy.

THE ECONOMY

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

Mr. HOLDING. Mr. Speaker, the President has repeatedly boasted that last month the unemployment rate dropped to 7.3 percent, the lowest it has been in nearly 5 years.

Mr. Speaker, although the rate has fallen, for many it is not because they've found jobs but, rather, because they've stopped looking for one and left the job market altogether.

While the President has concentrated on this figure, other numbers simply cannot be ignored. There are still too many areas of the country where unemployment is far higher.

For example, in four of the nine counties which I represent in North Carolina, the unemployment rate is in double digits, and so is the national unemployment rate for folks 13 to 24 years old.

Mr. Speaker, we should be doing what we can do to get people back to work and lighten their economic burden. Through increased taxes and regulations and overreaching health care law, this administration has done exactly the opposite and has continued to play politics rather than promote pro-growth policies.

HONORING LIEUTENANT COLONEL ROBERT EUGENE CHISHOLM

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

Mr. O'ROURKE. Mr. Speaker, I rise today to honor a great man, a legend in the community that I have the honor to represent and a hero to our country, Lieutenant Colonel Robert Eugene Chisholm.

Mr. Chisholm entered the military in 1942 and served 28 years, fighting for his country in World War II, the Korean War, and Vietnam before retiring in 1971. He parachuted into Normandy on D-day and fought in the Battle of the Bulge, as well as Operation Market Garden.

He is the recipient of more than 20 service awards, which include two Presidential Unit Citations, a Purple Heart with two Oak Leaf Clusters, and the Bronze Star.

Lieutenant Colonel Chisholm's service did not end when he left the Army. He helped found the Roy Benavidez-Robert Patterson ''All Airborne'' Chapter of the 82nd Airborne Division in El Paso, Texas, an important veterans' service organization working in our community.

Mr. Chisholm is a shining example of why his really is the greatest generation.

THE FOOD STAMP BILL

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

Mr. HARRIS. Mr. Speaker, the food stamp bill today is a chance to reform the food stamp program, to decrease the waste, fraud, and abuse, and make sure people who need help get it.

This week, 10 Baltimore businesses were indicted for stealing $7 million in food stamps. That's a travesty. One store, like the one pictured right here, defrauded the American taxpayer for $2 million. In fact, the Department of Agriculture found that over 10 percent of stores participating in the program are committing food stamp fraud.

This bill reforms food stamps by cutting waste, fraud, and abuse by just 5 percent, cutting back on fraud like the ''Second Obama Express'' store, and by making sure able-bodied adults are working, seeking work, or getting job training.

Mr. Speaker, Republicans aren't trying to take food out of babies' mouths or make our seniors go hungry. Don't believe the scare tactics from my colleagues who oppose the bill. This is a commonsense reform that cuts waste, fraud, and abuse, leaving more money for the Americans who truly need help in time of need.

SNAP CUTS ARE CRUEL AND UNUSUAL PUNISHMENT

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

Mr. DEUTCH. Mr. Speaker, it's disheartening to stand here today, once again, to defend the meager nutritional assistance program we provide to families in America.

The $40 billion in SNAP cuts put forward by the Republican majority is shameful. It's cruel and unusual punishment to Americans whose soft voices are barely ever heard in the Halls of Congress.

Three-quarters of SNAP benefits go to families with children, and every week across this Nation there are parents who have to tell their kids, Nope, there's nothing left to eat in our house tonight. I only wish my colleagues behind these despicable cuts had to deliver that message. I only wish that

they had to say, I'm sorry, you've got to go to bed hungry.

Unfortunately, my colleagues have it far too easy. They'll never know what it's like to be hungry. Their kids will never go to bed hungry. They can bring this heartless legislation to a vote without ever having to explain themselves to the families that they're hurting.

Please don't let them get away with it.

CELEBRATING ABF FREIGHT SYSTEM'S 90TH BIRTHDAY

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

Mr. WOMACK. Mr. Speaker, I rise today in celebration of ABF Freight System's 90th birthday.

Since its humble beginnings in 1923 as a local freight hauler, ABF has grown to employ 10,000 people in North America, with 1,000 in Arkansas alone, delivering freight worldwide. Today, it continues to deliver value to its customers by developing and implementing customized solutions to global logistical challenges.

It's fitting, Mr. Speaker, that this milestone coincides with National Truck Driver Appreciation Week. Last year, ABF, together with J.B. Hunt, the other great trucking company that calls Arkansas home, and the more than 3 million truck drivers in the United States were responsible for hauling 68.5 percent of all U.S. freight tonnage.

Without ABF and truck drivers throughout the Nation, 80 percent of our communities that rely solely on trucking would not be able to access the goods on which they depend.

Thank you to all of our truck drivers, and happy 90th birthday to ABF.

GUN VIOLENCE FOLLOWING THE WASHINGTON NAVY YARD SHOOTING

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

Mr. MORAN. Mr. Speaker, on Monday, just about a mile from here, once again, our Nation experienced a horrific incidence of mass gun violence. Our sympathies obviously go out to the friends and the families who lost loved ones in the shooting at the Washington Navy Yard.

But as this chart shows, this mass shooting is only the latest in a long line that includes Columbine and Virginia Tech and Tucson and Aurora and Newtown. But even these horrendous mass killings don't fully reflect our Nation's problem with gun violence.

Each year, 100,000 people in America are shot by a gun, 30,000 die from a gun-related injury, 10,000 are murdered by a firearm. By 2015, gun-related deaths will surpass auto-related deaths for the first time.

And while it's too early to know what might have prevented this week's mass shooting, we do know what will ensure that it will happen again—doing nothing, business as usual.

The chief medical officer at MedStar Hospital expressed the sentiments of many when she pleaded:

> There's something evil in our society that we, as Americans, all have to work to try and eradicate.

If we don't do all we can to reduce gun violence through stronger laws and improved services, all we'll have to offer our constituents are only more condolences.

OBAMACARE

(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. Mr. Speaker, before the Federal Government got into health care, medical care was cheap and almost everyone could afford it. Doctors even routinely made house calls.

When Medicare was passed, it was predicted that after 25 years it would cost only $12 billion. Instead, it cost 10 times that much. This year, it will cost over $600 billion.

All Federal medical programs have cost many times more than was estimated on the front end. Already, we read ObamaCare is going to cost at least two or three times more than it was estimated when it was passed.

Federal medical programs make and have made a few people and companies very wealthy; however, they have made it so only multibillionaires can pay what is being charged for medical care.

Howard Dean, a former Democratic National Chairman, says that ObamaCare will cause health care to be rationed.

The Unaffordable Care Act is taking us toward lower quality, shortages, waiting periods, all at greater expense for medical care. It needs to be stopped before it makes our health care problems even worse than they now are.

□ 1230

HOUSE NUTRITION BILL

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today in strong opposition to the majority's unconscionable cuts to programs that help feed our Nation's hungry. We are the wealthiest country in the world, yet nearly 15 percent of our population lives in poverty. In my home city of New York, over 50,000 people live in homeless shelters—and the number is growing.

Our economy is making progress but there are still millions of people who are struggling. Yet this proposal would kick off at least 4 million Americans from the SNAP program and increase poverty in our country. Women and children in particular bear the brunt of these cuts. Forty-seven percent of SNAP recipients are children and nearly two-thirds of the benefits go to women.

Earlier this week, I saw firsthand how many families in our communities struggle to put food on the table when I visited Hour Children Food Pantry in Long Island City, Queens. The staff and volunteers of this private food bank are heroes and heroines. But we cannot rely on these organizations to pick up the slack. They say participation is up 40 percent.

Defeat this major cut to nutrition that Americans need.

TIME TO DEFUND OBAMACARE NOW

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

Mr. MESSER. Mr. Speaker, good jobs are hard to find these days. The gap between America's highest- and lowest-income families is wider than ever. American workers are on unemployment longer than any time since World War II. A record 46 million Americans live in poverty.

What's the President's answer to these problems? He proposes driving forward on his prize achievement, ObamaCare, even though it is already erasing jobs and reducing the work hours of taxpaying Americans.

I have cosponsored a resolution to keep the government open and defund ObamaCare. House Republicans support these goals. We're going to defund ObamaCare and we're going to keep the government open at sensible spending levels.

Americans shouldn't have to suffer through this failed experiment any longer or have government operations held hostage by those unwilling to acknowledge that ObamaCare is not working. Let's hope the President and his Senate allies agree.

SNAP CUTS

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

Mr. GEORGE MILLER of California. Mr. Speaker, House Republicans are doubling down on a bad idea. These food stamp cuts will not only increase the incidence of hunger but result in a loss of thousands of jobs throughout the food industry alone. Because when poor families, children, the disabled, and the elderly can't afford food, they simply must go without. That's not economic stimulus—it's a national outrage.

It's outrageous that 26 anonymous individuals received over $1 million each in farm subsidies, but $1.40 per meal for a hungry child is considered government waste. It's outrageous that

some Members of Congress are voting to enrich themselves and wealthy special interests with farm subsidies while refusing benefits to millions of the neediest and most vulnerable Americans.

I issued a report earlier this year that detailed 14 Members of Congress who are collectively worth up to $124 million, received at least $7.2 million in farm subsidies, and yet voted to cut the nutrition allowance for 47 million working poor families and children.

Imagine that.

In honor of the Chair, let me just say, ''And that's just the way it is.''

CONTINUING RESOLUTION

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

Mrs. WALORSKI. Mr. Speaker, I rise today in support of the House plan to hold a vote on a continuing resolution to fund the government and defund ObamaCare. This straightforward approach achieves two objectives: it keeps the lights on for the Federal Government while halting an unworkable law.

The list of problems with ObamaCare gets longer every day. This law was passed in 2010. But since just last week, I would like to share three examples that negatively impact my district and the State of Indiana.

Yesterday, just 12 days before the full implementation, the White House warned Americans of ''massive fraud'' triggered by ObamaCare, causing identity theft and cybersecurity leaks. Last week, Indiana University reported they're laying off 50 workers and sending them to a temp agency because of ObamaCare. This includes graduate students who are having their hours cut to stay under the 30-hour threshold. The Indy Star reported that over 200,000 Hoosiers are impacted by higher insurance rates under ObamaCare.

The list is getting longer, and the problems are getting worse.

The House plan is similar to legislation penned by my colleague, Mr. TOM GRAVES, which has already been cosponsored by 79 Members of Congress. I'm confident the House will work its will to pass this legislation to reflect the wishes of the American people. Next it's time for the Senate to step up and do the same.

CONTINUING RESOLUTION

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

Mr. BERA of California. Mr. Speaker, I rise today to condemn yet another manufactured crisis that House leadership has created. Americans are sick and tired of the fighting and of having their economic security put on the line repeatedly.

Instead of doing their jobs and serving the people, House leadership is holding the American people hostage to partisan politics and taking us down a path to a government shutdown. That means our military serving overseas would have to work without pay while they're sacrificing for us. Their families are going to struggle. It means benefits to our veterans, who are already struggling to get benefits and enduring a backlog, are going to have to wait longer for those benefits. It means Americans who count on Social Security, a program that they paid into their whole life, may not be able to get their payments.

This is absolutely shameful, Mr. Speaker. The clock is ticking. We've got 11 days. Let's do what is right and begin to work on a real budget—a budget that creates jobs, that secures a strong middle class and starts to reduce our debt and the burden on the next generation.

Eleven days, Mr. Speaker.

A VICTORY FOR COMMON SENSE

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

Mr. STUTZMAN. Mr. Speaker, today we have an opportunity to win a victory for common sense. For decades, business as usual has fostered an unholy alliance between food stamps and farm policy. Year after year, Washington spent money that it never had. This summer, when the House considered a trillion-dollar welfare bill that was a farm bill in name only, taxpayers had seen enough.

The American people were able to defeat business as usual by insisting that both food stamps and farm policy be considered individually and on their own merits. It's just common sense. Finally, we passed a farm-only farm bill that ended direct payments. Today, we can continue that work by passing a food stamp bill that doubles the savings that the House originally considered.

Mr. Speaker, this bill eliminates loopholes, ensures work requirements, and puts us on a fiscally responsible path. In the real world, we measure success by results. It's time for Washington to measure success by how many families are lifted out of poverty and helped back on their feet, not by how much Washington bureaucrats spend year after year.

DRASTIC CUTS TO SNAP

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

Mr. KILMER. Mr. Speaker, I rise today to speak in opposition to the drastic cuts proposed to the supplemental nutrition program, better known as SNAP. The SNAP program helps millions of Americans in need, including 16 percent of the residents of my State, put food on the table, provide for their families, and get back on their feet.

This is a sad day because the House will soon vote to cut $40 billion—an enormous amount—from the SNAP program. But this isn't about government programs. It's not even about dollars. It's about 6 million Americans. It's about dismantling a highly effective program that my home State has used to get people back to work.

In these tough economic times we should be helping folks get back on their feet. We shouldn't be asking the least fortunate among us to shoulder the burden for a Congress that can't get its act together and pass a budget.

Martin Luther King, Jr., once said:

> Why should there be hunger and deprivation in any land, in any city, at any table, when man has the resources and the scientific know-how to provide all mankind with the basic necessities of life? There is no deficit in human resource. The deficit is in human will.

SNAP ONE

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

Ms. KAPTUR. Mr. Speaker, the majority leader and the Tea Party Caucus have been railing against providing sufficient SNAP funding that provides food to the hungry. This is certainly not something to be proud of. I have never understood making scapegoats out of the most vulnerable Americans.

The majority has been holding up passing bills to keep our country afloat in 2014 because they want to demonize ordinary Americans who are struggling to make ends meet. The Republican majority seems to enjoy the company of the very wealthy who are eating cake, while casting aside those who have really been scraping by economically. Some have lost their jobs due to outsourcing overseas, their homes to Wall Street greed, and for too many can barely maintain a foothold in the middle class.

So let me propose a deal. Let's transfer out three of the massive government buildings in Virginia that employ thousands of people in the majority leader's Seventh Congressional District of Virginia and let's move those jobs to Ohio's Ninth Congressional District. Culpeper's loss would be Cleveland's gain.

After we strike this deal, we in Ohio will enjoy the guaranteed jobs and income flows to which the Seventh District of Virginia has grown accustomed. We can cash in on the regular flow of funds to the majority leader's district that he takes for granted, including being the number one State for Federal procurement in the whole country. Let's harmonize Ohio's unemployment rate with Virginia's.

I urge my colleagues to vote ''no'' on the majority leader's harsh let-them-eat-dirt proposal. He lives in an insulated economy. Ohio does not. We want responsible government that values every citizen. Let no one in America go hungry.

IN HONOR AND REMEMBRANCE OF MR. JERRY RUSSELL

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

Mr. VEASEY. Mr. Speaker, I rise today in honor and remembrance of Mr. Jerry Russell, a man dedicated to his family and his community, who passed away on September 5, 2013. Mr. Russell was a generous man who committed his life to the Fort Worth theater community for 35 years.

A Rhode Island native, Mr. Russell made his home in Fort Worth, Texas, in 1973. It was there that he left a well-paying job at National Cash Register to pursue his career and dream. He started Stage West Theater in 1978. Mr. Russell led Stage West by taking risks and never giving up on what became one of the early foundations of the early Fort Worth theatrical community. Now Stage West is a major supporter of local theater performance and the arts in the Dallas-Fort Worth area.

While he did not attend college, he became a theater teacher at my alma mater, Texas Wesleyan University, where he spread his love and passion for theater to his students. He was a major supporter for the development and funding of the arts in Texas schools and communities.

I would be remiss if I didn't mention that in his spare time outside of the theater, he loved rooting for the Texas Rangers. Go Rangers.

He will always be regarded as a true talent and benefactor to not only the Fort Worth community but to the State of Texas. I offer my condolences to his friends and family. In addition to his wife, Suzi McLaughlin, he leaves his five children, Christopher Neal Russell, Joe Russell, Kathy Russell, Jennifer Russell James, and my friend, Texas Senator Wendy Davis. He also leaves his legacy behind with 11 beautiful grandchildren and 10 great grandchildren.

May he rest in peace and his legacy and contributions to the arts never be forgotten.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 19, 2013 at 11:39 a.m.:

Appointments:

Public Interest Declassification Board.

With best wishes, I am

Sincerely,

KAREN L. HAAS

PROVIDING FOR CONSIDERATION OF H.R. 687, SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION ACT OF 2013; PROVIDING FOR CONSIDERATION OF H.R. 1526, RESTORING HEALTHY FORESTS FOR HEALTHY COMMUNITIES ACT; PROVIDING FOR CONSIDERATION OF H.R. 3102, NUTRITION REFORM AND WORK OPPORTUNITY ACT OF 2013; AND FOR OTHER PURPOSES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 351 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 351

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 687) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1526) to restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from National Forest System land, to provide a temporary extension of the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-21, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part C of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3102) to amend the Food and Nutrition Act of 2008; and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

□ 1245

Mr. SESSIONS. Thank you very much, Mr. Speaker. And congratulations to the Clerk for the long reading of the rule.

For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Worcester, Massachusetts (Mr. MCGOVERN), my dear friend—

and I spent a lot of time with him yesterday—pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. House Resolution 351 provides for a structured rule for consideration of H.R. 687 and H.R. 1526, and provides a closed rule for consideration of H.R. 3102.

Mr. Speaker, the first of these bills is H.R. 687, the Southeast Arizona Land Exchange and Conservation Act. This bill permits a land conveyance which will lead to the development of important copper deposits in Arizona that is estimated to create 3,700 jobs and $60 billion worth of economic opportunity. That is a great reason to be on the floor on behalf of the Republican Party of the United States of America.

We are on the floor today because people in Arizona, on a bipartisan basis, have asked that their elected representatives, on a bipartisan basis, come to the United States Government and ask for swapping lands that will result in 3,700 American jobs—probably about 3,700 jobs in Arizona—and up to $60 billion worth of economic opportunity. What a great reason for PAUL GOSAR and DOC HASTINGS, the chairman of the Natural Resources Committee, to approach the Rules Committee about getting that bill on the floor today.

We hear over and over and over and over about jobs and job creation for the middle class. Well, let me tell you what, Mr. Speaker, 3,700 jobs for the middle class in Arizona and up to $60 billion worth of economic opportunity are available to Members of Congress today where they can make a decision about what they want to vote on. I would submit to you the Republican Party is for those 3,700 middle class jobs.

The second bill before us today is H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act. This legislation will improve the health of our Nation's forests by promoting effective forest management while simultaneously strengthening a timber sales revenue-sharing program which is, once again, designed to allow rural communities to benefit from their local natural resources.

I will go back and say it again. The reason why we are on the floor today is that the Republican Party wants local, rural communities to have a part of their cost sharing with the money that would come in to help rural communities to benefit from what sits in their own back yard, their own natural resources, which we as Republicans understand is best admired and best taken care of when local people take care of their own needs. Point two why the Republican Party is on the floor of the House of Representatives today: for local rural communities.

The final bill considered in this rule is H.R. 3102, the Nutrition Reform and Work Opportunity Act. This vital legislation reforms—and I add the word ''reforms'' because it needs reform—reforms our Nation's nutrition programs, saving taxpayers about $40 billion while maintaining critical benefits to helping America's neediest families, seniors, children, and veterans. H.R. 3102 reinforces our country's commitment to those who cannot help themselves while working to prevent waste, fraud, and abuse.

What is the waste, fraud, and abuse? It is many, many people who should not be receiving these needy items—that should be reserved for those who need it the most—people who are able-bodied; and we should not extend those benefits to people who actually can take care of themselves.

So you're going to hear a robust argument today that will take place—it took place for hours yesterday in the Rules Committee as we considered amendments after amendments, ideas after ideas. Each and every person, whether they be Republican or Democrat, were treated with fairness and the opportunity to equally present their ideas with the knowledge that there was a committee, the Rules Committee, on a bipartisan basis, that was available and ready to engage each of those Members on their ideas that are called amendments. That is why we are on the floor of the House of Representatives today.

I urge my colleagues to support the rule—we will talk a little bit more about it—and to support the underlying legislation. And of course we will talk about that more during this hour.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Texas (Mr. SESSIONS), my friend, the chairman of the committee, for yielding me the customary 30 minutes.

I yield myself such time as I may consume.

Mr. Speaker, this is a sad day in the people's House. Today, the Republican leadership is bringing to the floor one of the most heartless pieces of legislation I have ever seen, a bill to take food away from some of our most vulnerable neighbors.

After a $20 billion cut was voted down by the House in June, the Republican leadership has decided to double down on the cruelty with a $40 billion cut. It is terrible policy wrapped in a terrible process.

This is a 109-page bill that would cut the SNAP program, cut billions of dollars and make major changes to the way SNAP works; and there hasn't been a single hearing, not a single markup. It didn't even go through the Agriculture Committee. And today it's being brought to the floor under a closed rule. It was just cooked up in the majority leader's office as some sort of Heritage Foundation fever dream.

CBO says that the bill would cut 3.8 million low-income people from SNAP in 2014 and millions more in the following years. These are some of America's poorest adults, as well as many low-income children, seniors, and families that work for low wages. Let me say that again, Mr. Speaker, so there's no confusion. People who work but who don't make enough to feed their families will be cut from this program.

The biggest cut affects millions of unemployed, childless adults who live in areas of high unemployment. These are poor people. Many don't have the skills or education they need to find a job. It is a group whose average income is about $2,500 a year. And for most, SNAP is the only government assistance that they receive.

Now, if that weren't bad enough, 210,000 children in these families would also lose their free school meals; and 170,000 unemployed veterans will lose their SNAP benefits as well. Let me repeat: 170,000 veterans will lose their benefits. These are the people who have served our country. How can you do that?

Mr. Speaker, we are 45 years and a million miles away from the War on Poverty. The Republican leadership has instead launched a war on poor people.

This bill is not about reform. It is not about making SNAP a better, stronger program.

Mr. Speaker, it is not easy to be poor in America. It is not a glamorous life. It is a struggle just to make it through the day. The average SNAP benefit is $1.50 per meal. Housing costs, transportation costs, childcare costs, they all add up.

You know, fighting hunger used to be a bipartisan issue. Think of people like Bob Dole and Bill Emerson. And I know that a lot of Republicans—moderates and conservatives—are very nervous about this bill. So I would say to them: don't do this. Please don't do this. Don't go along with cutting food benefits to millions of struggling families. Don't make hundreds of thousands of children and seniors and veterans go hungry. Don't put the food banks and church pantries in your districts into an even deeper hole. The people who rely on SNAP to feed their families struggle every single day. Please don't make their lives even harder. It is not too late. We do not need to pass this bill in order to go to conference on the farm bill.

□ 1300

I would urge my colleagues to search their consciences and to vote against this bill.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK), who serves on the Natural Resources Committee and the Budget

Committee, from Oak Grove, California.

Mr. MCCLINTOCK. I thank the gentleman so much for yielding.

Mr. Speaker, listening to the debate on the other side, I think there's a misunderstanding on the nutrition bill. It doesn't cut people off from food stamps. What it does is simply ask that they either work, look for work, or train for work while they're receiving these benefits.

This is $80 billion a year. That's about $760 from the taxes of every average family in America. I think that they have a right as a condition of extending that aid to ask that those on it do everything they can to get off of it.

I am here today to rise particularly in strong support of H.R. 1526 that this rule also brings to the floor, the Healthy Forest Restoration Act.

I represent the communities of the Sierra Nevadas that have just been devastated by the Yosemite Rim fire that has incinerated some 400 square miles of forestland.

Federal environmental regulations have forced an 80 percent drop in timber harvests in this region over the past 30 years, despite urgent warnings from foresters that the excess timber would either be carried out or burned out. As the timber harvests have declined, the acreage burned has increased contemporaneously and proportionately. The great irony, of course, is that there is nothing more environmentally devastating to a forest than a forest fire.

In addition to reporting out H.R. 1526 that restores sound forest management practices in the future that will reduce or prevent such catastrophes in the future, the rule makes in order emergency amendments to deal with the aftermath of this fire.

An estimated 1 billion board feet of dead timber can be salvaged out of the forest if, and only if, we act soon. Within a year, the timber will become unsalvageable.

This measure sets aside the litigation that routinely delays these salvage sales until the timer simple becomes worthless. This will mean a surge of employment in the mountain communities that have been devastated by this fire and a new stream of revenue for the Federal Government that would otherwise be lost.

I want to thank the Rules Committee for acting on this imperative, and I look forward to the debate and passage of the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON), the ranking member of the Committee on Agriculture.

Mr. PETERSON. I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong opposition to this rule and the bill made in order on this rule, H.R. 3102, which is just another example of the Republican majority's misplaced priorities.

I have been working on this farm bill for nearly 4 years. From the beginning, I've said that I think it is possible to find some middle ground and to make reasonable, responsible reforms in nutrition programs. Unfortunately, this bill is neither reasonable nor responsible.

The House failed to pass the Agriculture Committee's bipartisan farm bill because it was hijacked with partisan amendments on the floor, amendments that are included in this bill that we are considering here today. This bill goes even further by eliminating State-requested waivers to exempt able-bodied adults without dependents in high unemployment areas from SNAP's current work requirements.

To be clear, these waivers are granted only at the request of the States. They are under no requirement to apply and may choose to opt out in the future. There is a lot of hypocrisy coming from the other side of the aisle here, because these waivers have been requested by both Republican and Democratic Governors. In fact, a majority of the Republican Governors have asked to waive these current work requirements.

This notion that we have to pass this bill, as Mr. MCGOVERN said, to go to conference is not true. The House passed H.R. 2642, which can be conferenced with the Senate, and there's no reason to pass this bill here today other than to placate some people that want to make a point. This bill isn't going anyplace in the Senate, the President wouldn't sign it, so I don't know what we are doing.

In July, a broad coalition of more than 500 organizations expressed their opposition to splitting this farm bill. Senator Bob Dole expressed his opposition recently to doing it. In a letter to House Members, the American Farm Bureau Federation President Bob Stallman said:

> We are quite concerned that without a workable nutrition title, it will prove to be nearly impossible to adopt a bill that can be successfully conferenced with the Senate's version, approved by both the House and Senate, and signed by the President.

All this bill is going to do is make our job harder, if not impossible, to pass a new farm bill.

I strongly oppose this rule and the bill and urge my colleagues to vote ''no.''

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

I appreciate the gentleman from Minnesota coming down and giving us his thoughts on what we are attempting to do today. The bottom line is that what we are going to do is we are going to make natural and, I believe, reasonable changes to the nutrition program that will help sustain it. Rather than growing and growing and growing and growing the amount of money that's necessary to sustain this, we are going to put it into a perspective where it is available and ready for the neediest of Americans, which is what the food stamp program really is all about.

In fact, we are here to make sure that when our great chairman of the Agriculture Committee, FRANK LUCAS, goes to a conference with the United States Senate that we give him a full portfolio of the thoughts and ideas about the changes that we would make to the entire agriculture bill. Chairman LUCAS is one of the most awesome members of our conference and who, yesterday, spent a number of hours with us, not just to get us to understand what we are trying to do, but why we are trying to do what we are doing. It means that we will arm him with the available content to go to the conference with the Senate to make the farm bill that includes the nutrition program even better and sustainable.

I think the gentleman, Mr. MCCLINTOCK, said it best, and that is that what we are trying to do is to make sure that the neediest Americans get what they want and need. But it simply and, I believe, carefully says, where you're able-bodied and on food stamps, you have got to be looking for work also. You have to make sure that you're a part of trying to go and better your life, not using the food stamp program as an alternative to the hard work which will help make you and perhaps your family, but certainly your community and your country even stronger. So it becomes an incentive to do exactly that.

Just like what we did in welfare reform in the early nineties where, in welfare reform, jobs became a substitute and really a demand that you needed to go look for a job, millions of people took us up on that and bettered their life, that's what we are trying to do now. There are still jobs available in America. There are still jobs available. They might not be the job that you would want to stay in for the rest of your life, but it means that you need to go and actively participate, because there are those behind, so to speak, the program that are the neediest of most Americans.

I will tell you that I understand some of those people, some of these people that live within the district that I represent in Texas, but I also understand them firsthand in dealing with disabled people and families with disabled children and families with disabled adults. Where a person cannot take care of themselves, we are not putting that at risk at all. Where a person cannot take care of themselves and needs the benefits of the community, in this case a nutrition program, we need to make sure that there is more money that is available to them.

There was a discussion about the average cost not being very much, and I think that's a true statement. We would like to increase the money for more and better food, including fruits and vegetables and other items, in the future, but the only way we can do this is if we are aiming at the people who need it the most.

That's where this great Nation will continue. Not only through their food banks that are available across the country because of local people getting involved, but also the competition that comes from the Federal Government to help work with them to better the lives, the nutrition, of children and seniors and veterans and families that need them the most. That's what this is trying to do to reform that program.

I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, Republican talking points aside, according to CBO, this bill, if passed, will result in 3.8 million people losing their benefits, including 170,000 veterans. That is shameful.

I appreciate the gentleman's concern about the waivers, but I remind him that his Governor of Texas, Rick Perry, has requested waivers on a number of occasions because people haven't been able to find jobs in his State of Texas. So if you've got a problem with the waivers, you ought to talk to your own Governor.

At this point, I yield to the gentlelady from Ohio (Ms. FUDGE) for a unanimous consent request.

Ms. FUDGE. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Adam, a disabled man from Ohio, a face of hunger in America.

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

There was no objection.

"There's been days when I have not had a good meal."

Adam has been disabled his entire life. He lives on his own off of Supplemental Security Income (SSI) payments and receives $136 a month in food stamps.

"Where I live, I don't have a kitchen. I have a toaster oven and a microwave. I try to make them (food stamps) last a month, but it's really hard to do. I would say about three weeks or less, that's about all they last. I do the very best I can to budget, but it's hard. Everything's so expensive in the stores, you really can't gauge how much you're going to spend.

"My mom told me not to work, because my check will get cut. And then if they (Social Security) see me working, and I'm not making enough to live on while I'm working, then I'm pretty much in the hole. And I don't want to put myself in that position. And even though I'm on benefits, it's only about $8,055 a year.

"I'm really happy for this place because it really helps. At the end of the month when I don't have any food, or I need groceries, I can come at the end of the month and get food. I always buy food first. I don't ever want to run out, but sometimes I do run out of food, and that's why I come here.

"It makes me feel depressed when I don't have anything to eat."

Source: Ohio Association of Food Banks

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Texas (Mr. O'ROURKE) for a unanimous consent request.

Mr. O'ROURKE. Mr. Speaker, I ask unanimous consent to insert into the RECORD references to pages 1 through 4 of report S. 2201 from the U.S. Census Bureau showing that 329 Active Duty military families at Fort Bliss and Fort Hood in Texas rely on SNAP benefits to put food on the table.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON) for a unanimous consent request.

Mr. ELLISON. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Dorothy, a grandmother from a State very near Minnesota—South Dakota—and she represents the face of hunger. Here she is with her family.

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

There was no objection.

"I'm a descendent of Crazy Horse, and I live in a trailer on our ancestral land in Wounded Knee. Life here in the winter is very hard. Our water pump freezes, so we have to haul water from a half-mile away. Cold air comes through the broken windows, and it's hard to heat the trailer. Because we can't afford snow tires to drive over the five-foot snowdrifts, I have to take the little money I have and pay someone $20 to drive me to the only grocery store on the reservation, 45 minutes away.

"Many people here struggle like I do. There are lots of gangs, violence and alcoholism and almost no jobs here. The moccasin factory closed down. So did the fishhook factory. My husband used to be able to take care of us, but not anymore.

"We are raising 7 grandchildren: 5 from my daughter, who died at 30 of cardiac arrest, and 2 from a daughter-in-law, who just left her kids with us one night and never came back. Because I have the grandkids, I get welfare and food stamps. Otherwise, I couldn't feed my family. Buying food comes first. Then I pay for electricity, so we can cook with the microwave and hot plate and run the space heaters to warm the trailer.

"Food is so expensive on the reservation, and our food stamps only last about two weeks. When they run out, I go out and sell beadwork really cheap, just so I can continue to feed my family. But there aren't many tourists in winter, so we eat lots of crackers (we call them Indian potato chips) because they are filling and we won't be hungry.

"Life on the reservation changed a lot since the buffalo are all but gone. So many people on the reservation have replaced buffalo meat with processed foods, and diabetes has become a big problem. I don't want to have my limbs cut off, so I try to eat healthy. During the growing season, I plant a vegetable garden with things I can store for the winter. I'm learning a lot every year about how to take care of my garden. The only thing I really have a problem with is that I can't stop the grasshoppers from eating everything. This year they didn't eat my squash, so we are eating a whole lot of squash soup.

"It upsets me that so many people on the reservation use their food stamps to buy junk food instead of healthy food. I think that everyone on the reservation should have a small garden to feed themselves and eat healthy. I also think the government should bring the buffalo back. When our people ate buffalo every day, we were strong."

Source: Mazon

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlelady from California (Mrs. CAPPS) for a unanimous consent request.

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent to insert into the CONGRESSIONAL RECORD the story of Rosemary. She is a grandmother from Little Rock, Arkansas. She is a face of hunger today in the United States of America.

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

There was no objection.

Rosemary has full custody of her three grandchildren, whom she has been caring for since her daughter passed away from cancer several years ago. Rosemary used to work full-time in healthcare but has been unable to work in recent years due to illness and family responsibilities. She struggles financially to care for her grandchildren. She sold her home and moved into a smaller apartment to cut expenses but relies on SNAP to help feed her family. "I'm used to working, buying what I need. I'm not used to doing without and I didn't want to accept it." She is very grateful for the assistance. Without SNAP, her grandkids "probably wouldn't have food to eat."

Source: Share Our Strength

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PASCRELL) for a unanimous consent request.

The SPEAKER pro tempore. The gentleman will suspend.

The Chair would advise Members that although a unanimous consent request to insert remarks in debate may comprise a simple, declarative statement of the Member's attitude toward the pending measure. Embellishments beyond that standard constitute debate and can become an imposition on the time of the Member who has yielded for that purpose.

The Chair will entertain as many requests to insert as may be necessary to accommodate Members, but the Chair also must ask Members to cooperate by confining such remarks to the proper form.

The gentleman from New Jersey.

Mr. PASCRELL. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Beatrize, a mother from Camden, New Jersey, a face of hunger. This is her child.

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

There was no objection.

Beatrize is a 24-year-old single mother of one young son. She is from Camden, NJ and is a member of Witnesses to Hunger, a research and advocacy project that is part of the Center for Hunger-Free Communities at Drexel University.

Beatrize struggles to make ends meet while working 40 hours a week at a convenience store. SNAP helps Beatrize makes ends meet because even while working full-time she does

not make enough to keep food on the table. Beatrize dreams of earning her surgical technologist certification but the work and cost of school would put more strain on her household.

Source: Drexel University Center for Hunger-Free Communities

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlelady from Ohio (Ms. KAPTUR) for a unanimous consent request.

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Shellie, an unemployed mother with two children, from Ohio, a face of hunger in America.

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

There was no objection.

''Every single day, I get up and make the most of that day, because that's what moms do.''

Shellie is currently living with her two teenage children in a hotel room. They had to move out of the house they were renting after it was condemned because of black mold.

''I feel sorry for my kids because times are harder now than they've ever been. You know, I didn't have to live like this as a child. We didn't live in hotel rooms. We never went without. And you know, my kids are going without. At the end of the month, I have to tell them, 'all I have is dinner food,' because there's nothing to put on the table for breakfast or lunch.''

''It's awful, disheartening. I feel like a complete loser right now, to be honest. Because I can't do for my kids like I should be. I can't provide for them like I'm used to providing. I try to look for work, but I can't get hired anywhere. There's no jobs in Vermilion, there's not.''

''I know Grace's Kitchen has been a blessing to me. We get a lot of fresh fruit, we get breads. That's a treat, because we don't get fresh fruit at home because it's so expensive. So when we have that the kids are like 'yeah, fruit, this is awesome!''

''Trust me, America is very concerned about it [cuts to food stamps]. They do something like that, that's saying you don't care about your children. Really? You run the country but you don't care about the kids here? They're our future. They're our next presidents, they're our next nurses, they're our next doctors, they're next. How dare you take from them. It's not right. You've never known hunger, to take something away like that. You've never been hungry.''

''If you'd ever been hungry you know you don't take away things like that.''

Source: Ohio Association of Food Banks

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlelady from Texas (Ms. JACKSON LEE) for a unanimous consent request.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Melinda, a cancer survivor and single mother from Texas, a face of hunger.

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

There was no objection.

I felt like I pulled a muscle in my side. And one morning the pain was just unbearable and I actually went to the hospital. Told my kids, ''It's nothing. We'll be in and out. I'm just going to get some medicine for this.''

The breathing was so bad the doctors wanted to make sure that I wasn't actually having a heart attack . . . So they did a scan on me. That's when they told me that I had a tumor and somehow it collapsed my lung. And that's when they told me I had lymphoma.

So I was actually in the hospital for two months.

[Melinda is now recovering and in remission. She lost her job and struggles as a single mom to provide for her family.]

I would see people in the line and I would seem them using the food stamps and I was just like ''man I wish that . . . that would help me so much.''

[Melinda quickly started receiving SNAP benefits for her family of four.]

It's all I've ever cared about is food on the table for my kids and that's it. And that's exactly what—that's been taken care of. It helps me out so much just knowing that's a cost that I don't have to worry about.

You know when I was paying cash it was just a lot more different junk food and this time around it is a lot more fruits and vegetables. It opened my eyes. You need that you need that assistance if it's really going to help you out and you know you're going to do right with it—go for it. Just don't give up.

I'm Melinda and thank you for feeding America.

Source: Feeding America

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlelady from California (Ms. LEE) for a unanimous consent request.

Ms. LEE of California. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Steven, a father from San Francisco, California, the face of hunger in America.

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

There was no objection.

For Steven, the most significant benefit he realized was to be able to access TANF, SNAP, and school meals during one trip to the Department of Human Services. For Steven, he was unemployed and looking for work, he was struggling with alcohol and drug addiction, he had experienced some serious family problems and was in sole custody of his daughter, and he was desperate to turn his life around. The benefits he received at this point in his life proved to be one of the major catalysts that allowed him to get back on his feet. Now, he is in the final process of finding a job, he has addressed his issues with drug and alcohol use, and he is very thankful for the support he received (both from SNAP benefits and other forms of support), to have the strength to focus on the things he needed to do to get his life back together and find a job. He couldn't have done this without the simple and efficient process to receive TANF, SNAP, and school meals. If the SNAP cuts go through, a person like Steven would not be able to qualify categorical eligibility.

Source: St. Anthony's (San Francisco)

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlelady from Connecticut (Ms. DELAURO) for a unanimous consent request.

Ms. DELAURO. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Jennifer, a mother from New Mexico, a face of hunger in America.

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

There was no objection.

''Just as my time in a domestic violence shelter was about up, I got lucky. A spot opened up in a two-year transitional housing program in Santa Fe. It felt like a second chance at life. Within a couple of years of being there, I saved enough money to buy a mobile home. I had a great full-time job at the Boys and Girls Club through AmeriCorps. I was working my way through college to go into juvenile probation. It felt like I'd gotten my independence back. Then the funding for my job was cut and I became unemployed.

For months, I couldn't find a full-time job. I was willing to take anything. I can lay cement and wait tables. I found enough part-time work to pay the rent on the mobile home lot—that was my priority so we wouldn't be evicted—but I didn't earn enough part-time to pay for anything else. I don't know why the utilities weren't cut off—I didn't pay those bills for months. Thank goodness I get food stamps. Otherwise, we wouldn't eat.

I use my food stamps to buy things that I know will fill my kids up. We drink a lot of milk and eat a lot of bread and buy a few cases of ramen every month. I find 'buy one get one free' sales so we can buy some meat, throw it into a pot with cream of mushroom soup, and get three days of meals out of it. My son gets a backpack snack sent home with him once a week from school. That's really good.

By the last week of the month, we run out of food. That's when I worry where our next meal is coming from. What am I supposed to do? I do what I have got to do to feed my kids and have had to do things I'm not proud of. There have been times where I've gone to the grocery store and put a block of cheese or beans in my purse and gone through the check out line paying only for eggs and a loaf of bread. If I didn't do that, my kids would go to bed hungry and I'd never let that happen. I remember when people used to send their kids to bed without dinner, out of punishment, and that has stayed with me. I can't knowingly let any child go without heat, go without food. I've taken homeless children into the house and given them my son's bed. I've put food in a Tupperware and shared it with others.

I don't know how I made it through the months, but I did. I recently got a full-time job in retail, but every day is a climb. Food is still a struggle. Paying for gas to get to work is a struggle. Having a little cash so my son can have socks or we can have laundry soap is a struggle. I know a lot of people that are struggling just like us. I get so upset when I see the TV commercials asking us to help people overseas—everywhere else, but here. Doesn't everybody realize we have starving children in America? Shouldn't we take care of Americans first?''

Source: Mazon

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. BUTTERFIELD) for a unanimous consent request.

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent to insert into the CONGRESSIONAL RECORD the story of Stephanie, a mother from Roanoke, Virginia, a face of hunger in America.

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

There was no objection.

Raising two young girls on her own after leaving a domestic violence situation and spending six months in a shelter with her two young daughters, 41-year-old Stephanie currently works full-time in a medical office while her girls are in daycare/pre-school. She wants her kids to understand the importance of hard work. She lives frugally, adhering to a strict budget, using no credit cards. She also looks for fun things to do that will not cost her a lot of money so her daughters can enjoy life as much as possible. When they can afford to go out to eat as a treat, she goes to Denny's because they have a deal where 2 kids eat free with 1 parent. She was really grateful for that. SNAP is essential for her to feed herself and her children and be able to cover (barely) monthly expenses. This month was particularly hard because a window in their home broke during a storm and they don't have extra money for unexpected expenses. When things like that happen she has to scramble to find the money. She has relied on the program on and off for years, and believes without SNAP she and her daughters would be back in a shelter. She wants elected officials to understand that SNAP helps working families.

I worry about everything, I worry about my daughter growing up stable. I especially worry about her getting the supplemental food program at school, that helps a lot too. If it wasn't for these programs I don't know what I would do. [I get] $300 a month in food stamps, it tremendously.

Source: Share Our Strength

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Tennessee (Mr. COHEN) for a unanimous consent request.

Mr. COHEN. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Naquila, a mother from Little Rock, Arkansas, just west of Memphis, a face of hunger in America.

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

There was no objection.

Naquila has struggled most of her adult life to support her children. She has 12-year-old twins and a 4-year-old boy. When her twins were younger, she worked two jobs to support her family but barely got by. (She did not qualify for any benefits at the time.) There were times that her utilities/electricity was cut off because she failed to pay the bills on time. She would skip breakfast and lunch and just eat a small dinner to ensure there was enough food for her kids, but even then, they had to improvise to make what little food supplies they had last the week. Things finally started to look up when she got a job, but she did not qualify for maternity leave when she had her third child, so received SNAP benefits during her six week maternity leave. Naquila worked two jobs to try and support her family; referring to a time in her life when she did not benefit from SNAP or any other form of assistance.

''I was making too much to get food stamps but I wasn't making enough to keep a sufficient amount of food in my home when it was me with my two kids. It was hard. It was really hard. We survived off of things like grilled cheese, and noodles, things that I could afford to buy for less than $1.

''Sometimes water would be turned off. We would have to go stay with my mom until I got the money up to pay the water bill. Sometimes the lights would get turned off and I would have the money to pay it but I didn't have the time to pay it, because I was working.''

''I found somewhere where I could work from 8–4:30 and make it home in time enough to cook a good meal. I would go and get family packs of chicken or family packs of ground beef and cook that, cook large enough amounts so we could eat on it for two days, or three days, or however long it lasted. Before that we ate things like hot dogs, bologna sandwiches, crackers and cheese. It wasn't really stuff with substance. I knew one of my supervisors had her own garden, so she would bring squash and things like that out of her garden that she had too much of and we ate that, so that was good.''

''There were days when I would go and not even take lunch. I would do things like I would fix them a peanut butter and jelly sandwich but I would make it on 1 piece of bread and fold it. I would do the little cans of beanie babies and cut hot dogs up for them, and maybe I would only have the hot dog. I would give them spaghetti and corn, and I might only eat corn, or whatever it was that I would have to do to make it so that they could have more.''

''There were a lot of nights that I came home and just cried. It was a lot of times when I did not know where I was getting the strength to keep going, but I knew that I had to.''

Source: Share Our Strength

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. PRICE) for a unanimous consent request.

Mr. PRICE of North Carolina. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Nathan, a veteran from Rapid City, South Dakota, a face of hunger in America.

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

There was no objection.

''I joined the Army because it allowed us to pay our bills above and beyond. There was comfort knowing that we had a savings account and if something came up we could fix it. That's no longer the case.

I did a one-year tour in Iraq. I trained as a medic and dreamed of becoming a doctor. But when I got injured, my dreams were slammed into the ground. I always liked cooking, so the Veterans' Administration sent me to the New England Culinary School in Vermont to become a classically trained chef. I figured that by going to a pretty prestigious school, people would fly out the doors to hire me. But in this horrible economy, the only jobs I've been offered pay the same as McDonald's. But I can't support my family on that. So when my wife was offered part-time work, we decided that she should take it so I could continue looking for a position as a fine dining chef.

Now I'm Mr. Mom. It's taxing on my pride, but even more taxing on my pocketbook. My wife only makes about 75% of what we need to make ends meet. To help us make up the difference, my mother-in-law has gone back to work. And instead of using her retirement funds on herself, she's putting them into our family.

It's horrible to think that I was protecting a country that can't provide its citizens with good-paying jobs so they can afford their own food. Our food stamps don't cover what we need, but if we didn't get them, we'd be—for lack of a better word—screwed. We couldn't pay the mortgage or our car payment; if our car broke down, we couldn't afford to fix it. When I shop for food now, I buy what's on sale rather than what I want. I can either buy one red pepper at $1.69 for one person's fajita or 6 boxes of macaroni at $1.69 that feeds the whole family 6 times.

Macaroni is not what we'd like to give our kids, but for now, it's about getting enough to eat rather than eating well. I know that what they're ingesting today is going to cause them health problems down the road. The kids have already gained weight by eating more processed foods, which is kind of funny when you're talking about a lack of food.

I dream of making enough money so I can buy fresh, quality produce with cash at the farmers market instead of buying Hamburger Helper with food stamps. When I pull out the food stamp card, I think that everyone looks at you funny. Well, I am not really sure that most people know what the food stamp card looks like, but I do. Taking out the food stamp card makes me feel poor.''

Source: Mazon

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Florida (Ms. CASTOR) for a unanimous consent request.

Ms. CASTOR of Florida. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Lorraine, a mother from Sarasota, Florida, and Gwendolyn Friedman, a senior citizen from Tampa, Florida, faces of hunger in America.

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

There was no objection.

I was at the supermarket checkout line when the cashier asked me if I wanted to make a donation for the needy.

I would have liked to, but instead, I flashed my food stamps card and shook my head, saying: ''I can't. This time, I'm the needy.''

The poor guy blushed and mumbled an apology. I suppose he must have felt bad for me.

''It's okay,'' I said. ''I'm glad to have the help.''

That day, almost three years ago now, I realized that I didn't look like the type of person the cashier would have expected to be on food stamps. On other trips to the grocery store I had begun to notice that I was not alone. Well-dressed women ahead of me at the checkout would try to swipe their EBT (Electronic Benefits Transfer) card inconspicuously, but I immediately recognized it. I wanted so badly to tell them not to be embarrassed. We were among the additional 20 million Americans who have had to go on Food Stamps since the recession. And my girls were among the 17 million children in this country who could be labeled as ''food insecure,'' meaning they do not know when or where their next meal will come.

RECESSION HITS HOME

I was a middle class hard-working professional, until my marriage ended around the same time as the recession hit. The publications I wrote for closed down or ran out of

funding. I suddenly became the unemployed single mami of two girls, ages 4 and 7.

I moved out of our 4-bedroom family home with a pool to a small rental apartment, with my kids. My ex-husband also had been out of work and we'd gone through our savings. I had little income and a lot of debt. In order to pay the bills and buy groceries while I job-hunted, I had to resort to selling my jewelry, including family heirlooms, my wedding band, and gifts that my girls received when they were born. That was difficult and emotional. I held back the tears as the jeweler appraised my belongings, while my 4-year-old entertained herself admiring the sparkly gems in the store, unaware of what was happening.

SELLING OFF PRIZED POSSESSIONS

I sold my brand-name handbags, shoes, and clothes on eBay. Then I discovered direct sales. I peddled everything from jewelry to cosmetics, but it seemed these were difficult times for many. I couldn't make enough income to cover the basics. I kept hoping I would soon find work again as a writer and that things would get better.

But nothing changed despite my best job-seeking efforts. Newspapers, which had been my bread and butter since arriving in the U.S. in 2004, kept laying off staff. The recession was in full swing. I was forced to accept handouts from friends and family. Around that time, I noticed that my neighbor, a mom of three boys, kept inviting my kids over for dinner. One day I discovered that it was because my girls had mentioned that our fridge was always empty. I was running out of options. I needed to feed my children.

A close friend suggested I apply for food stamps. His family had used them when they arrived in the U.S. from Cuba a few years back, until they got on their feet. At first I was appalled. I always imagined food stamps were only for the poor and the homeless. I couldn't conceive that someone like me could qualify. Then I realized: I was poor! That night, thinking of my girls, I piggybacked off of the neighbors' wireless signal and Googled "how to apply for food stamps."

A few weeks later, it was a huge relief to trudge up the stairs to my apartment with my happy kids, carrying bags of fresh groceries. It felt better than Christmas.

These are tough times, and I learned the hard way that pride doesn't put a warm meal on the table, but that The United States Supplemental Nutritional Assistance Program (SNAP) does.

Source: MomsRising

□ 1315

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Vermont (Mr. WELCH) for a unanimous consent request.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to insert into the RECORD the story of Marvin, a disabled man from Atlanta, Georgia—a face of hunger in America.

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

There was no objection.

My name is Marvin and I live in Atlanta.

You should never let your disabilities get in the way.

[Marvin is partially deaf and blind. He supports himself by cleaning windows for local businesses.]

Give me a cheap roll of paper towels and tell me how much you want to pay me to do them—those windows will be spotless.

[Marvin was struck by a car while walking home from work.]

I thought my life was over with.

I had a lot of fear, but I had a lot of faith at the same time.

[He is unable to work as he recovers from the accident.]

I got on food stamps.

I don't know about everybody else but I did feel embarrassed about it—having food stamps.

I had no choice. I . . . no choice at all. But once I tried it and I'm not embarrassed anymore because I'm able to eat everything like everyone else.

Well I'm going to keep going or give up. I refuse . . . It's not in me. I can't give up.

Once I go back to work I'll be happy.

I think we're all blessed in many ways.

Source: Feeding America

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

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

Mr. Speaker, my party and I do understand that our country has for 5 years gone through very difficult times. Our party and the American people, through various ways, have been asking this administration and the Democratic Party to please allow us to have an opportunity with more jobs being available in the United States of America. The Democratic Party, up to and including the President of the United States, is more interested in an out-of-balance environmental policy that is placing a demand on the consumers to pay double the prices that they did before the President came into office for gasoline and double the prices of food and the availability of jobs.

Just as we are here to talk about, in Arizona, 3,700 new jobs, we've tried to do this with the XL pipeline, which would extend across a number of States. I don't know if some of the faces of hunger were included in those that could be hired as a result of the XL pipeline, but, every day, there are Americans who are losing their jobs and who are losing careers because of the policies of our President, Barack Obama, and the Democrats—elected Members of Congress—who insist on having rules and regulations, up to and including a government-run health care plan, which is diminishing careers and opportunities for people to have health care and full-time jobs.

If it weren't true, someone would say it was just a cruel joke; but the bottom line is that the business community all across America is now changing the rules of employment from 40-hour workweeks to 30 or even 20. This is happening directly as a result of the policies of the people who complain most about the middle class not having jobs. It is perpetrated exactly on a partisan basis—with zero Republicans participating—to have rules, regulations, and a government-run health care system that is unemploying America, only to turn around later to find out: so we've got to spend more money to take care of people who don't have jobs.

Mr. Speaker, there are divides in our country. There are divides between the parties, but, today, the Republican Party is on the floor trying to say that we need to change the law so that local communities that have forests in their backyards can share in the money, that Washington can't have it only—you've got to share with them. We are here to say that we are for a land swap that people in Arizona completely agree with. They sent their elected Representatives here on an elected citizenry basis to come and say: we'd like 3,700 more jobs in Arizona, $60 billion worth of economic activity; and we are here today to say: because we have such expanding roles of people who are hungry in America and who are filing to get food stamps, we need to be able to set a mark, and that mark is: as long as you're looking for a job and you're able-bodied, then we understand, but the neediest of Americans need what we're doing, and that we are not going to give up on.

So the Republican Party is here with an open ear, a strong voice and a kind heart; but what we are saying back is: Mr. President and Democrat Party, you need to help us grow jobs in America. You need to let loose the Keystone pipeline, which has been studied to death for the last 5 or 6 years. You need to be with us today on the 3,700 more jobs in Arizona. You need to be with us today because we're the ones who are talking about jobs in healthy forests, with timber, back home in rural areas because rural people deserve a chance to have a job and to be taken care of, too.

The Republican Party is quite consistent in our behavior—we want jobs; we want job creation; and we put legislation on the floor that accomplishes just that. That's why we're here today. We are a party that cares about people, and we are trying to make life better for the middle class and for all Americans in this country.

I reserve the balance of my time.

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

Mr. Speaker, my Republican friends don't like the President. We hear it every day. I get it.

While you debate his policies, don't take it out on poor people. The CBO says 3.8 million people will be thrown off this benefit, and 170,000 veterans will lose their benefits.

This bill is not a thoughtful bill—it is a thoughtless bill—because it hasn't even gone through committee. This is more a political statement than it is sound policy or even bad policy. It's just plain politics. It's red meat for, I guess, the extreme right-wing base. I'm hoping there are people on your side who will see through this and who will stand with us and do the right thing, because it has been a bipartisan tradition in this Congress to support efforts to prevent hunger.

At this point, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise to protest this rule and these deep and disastrous cuts to food stamps.

This $40 billion in cuts goes against decades of bipartisan support for the fight against hunger in the United States. It will hurt our economy, and it is, in a word, immoral.

If this cruel legislation were to become law, at least 4 million of the Nation's poorest citizens would lose access to the food that they need. We are talking about people on the edge: families whose breadwinners just got laid off; veterans returning from service who are looking for jobs, 170,000 of them; seniors struggling to make ends meet after a lifetime of work and who will be forced to make the choice between food and medicine; and millions of low-income children whose futures will be irreparably harmed by these reckless cuts.

Don't take my word for it:

In working with Census data, the Center for Budget and Policy Priorities projects that, roughly, 170,000 veterans could lose access to food stamps under the provisions of this bill;

The AARP called these efforts to cut antihunger programs an ''abandonment of the Nation's commitment to ensuring essential nutrition access for many U.S. households'';

Two former Senate majority leaders, Republican and Democrat—Bob Dole and Tom Daschle—have called this bill an ''about-face on our progress fighting hunger.''

Senator Dole is right—the majority's leadership has lost its way on this issue. For decades, there has been bipartisan support for food stamps, our Nation's most important antihunger program.

They help over 47 million Americans—nearly half of them are children—escape the scourge of hunger. Nearly all food stamp recipients live below 130 percent of the poverty line, and 75 percent of food stamp households include a child, a senior citizen, or a disabled person. It also boasts one of the lowest error rates of any government program.

Economists agree that food stamps have a powerful, positive impact on the health of not just families but of the entire economy, and they get money into the hands of people who spend it on the food that they need. Cutting antihunger funding like this is not just immoral; it makes no economic sense.

I might add that it makes no economic sense either to cut $40 billion from food stamps for the poor while preserving $90 billion in crop insurance for the wealthy, including that of 26 farmers, who made over $1 million from the Federal Government. These are 26 wealthy farm owners whom we are prevented from identifying. They won't tell us who they are. They are protected. It is just plain wrong.

If the majority's leadership is serious about wanting to lower the number of Americans on food stamps, increase the minimum wage. Taking food out of the mouths of the hungry is not the answer.

Mr. SESSIONS. Mr. Speaker, at this time, I yield 3 minutes to the gentleman who served in the United States Air Force, from Gainesville, Georgia (Mr. COLLINS), who serves on the Foreign Affairs Committee, the Judiciary Committee, and the Committee on Oversight and Government Reform.

Mr. COLLINS of Georgia. Mr. Chairman, I appreciate the time.

Mr. Speaker, I come to the floor, and I am getting ready to speak on an issue that is very close on this rule. I support all of the rules combined here, and I support the underlying legislation, but I have to stop for just a moment and discuss some things that I've heard.

I agree with my gentlemen friends across the aisle in that it is about political choices, that it is about political decisions that we make on where we're going to spend money and how we're going to do that and what we believe in with regard to jobs and how jobs are being created. The Republican majority has been doing that. The Republican majority is focused on jobs. The Republican majority is focused on getting regulatory burdens off of businesses.

I just spent the last month and a half in my district, and the word that I could use to describe everything was ''uncertainty.'' There is uncertainty by the business owners—the ones who write on the front of the checks—when they're saying, I want to be able to employ other people and I want to be able to help others, but, right now, I do not know if I can because I don't know. With the expanding regulation and the upcoming health care law, I don't know if I can do that.

It is about political choices, and the Republican majority is making it in favor of the working class, in favor of the middle class and of those who are hurting in our country. We have the ear because we want to grow jobs, and we want to get out of the way so those jobs can be created.

Mr. Speaker, today, I rise in support of this rule for these reasons. Because you know something? I have noticed something as a freshman in here in Washington. There is one thing I've noticed that I don't see in Georgia. I see a lot of condos going up up here in D.C. I see a lot of new government buildings, and I see a lot of new government jobs. But do you know what I say? That's great for inside the beltway. I'm happy for those up here, but that doesn't translate in Georgia Nine. In Georgia Nine, we're still recovering, and we're still needing help, and we're still needing an economy that gets its budget balanced and that gets its tax priorities in order so that we can have job creation. That's where we need to have it all across the country, not here in the wonderful land of government.

In this Chamber, we often hear talk about more fully developing renewable resources. In fact, I hear it almost every night on this floor. I believe that timber is the original renewable resource and that we need to do a better job of managing it. While much of the conversations today are related to western forests, I want to speak a little bit about what the bill means for the eastern portion of the country, specifically north Georgia.

The Chattahoochee National Forest covers almost 500,000 acres of land in the Ninth District of Georgia, timber that was used for cabins long before the national forest system existed. Much of the privately owned forest nearby is actively managed and provides high-quality timber for many uses. In fact, forestry is a $25 billion industry in Georgia.

Unfortunately, like the Western States, bureaucracy and red tape have made it nearly impossible to harvest timber in the national forest. In a country that is blessed with abundant natural resources and healthy forests, we owe it to our ancestors and our descendants to be responsible stewards of this valuable commodity. While we have not had the catastrophic forest fires in Georgia that many of the Western States have suffered through, we have dealt with cycles of extreme drought, which put the forests in a dangerous position. Understanding that many wildfires are caused by poor management is a good first step, but we need to take a bigger step. By returning these forests to active management, we will not only grow our forests, but we can grow our economy as well.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SESSIONS. I yield the gentleman an additional minute.

Mr. COLLINS of Georgia. H.R. 1526 also includes a reform to the supporting rural schools program. This is a program that clearly needs to be reformed but in a thoughtful way that recognizes the unique position that our rural schools are in. We can't continue to send Federal dollars towards local schools through a system that can't pay for itself. This bill provides funding sources for local schools that have missed out on the revenue through federally owned forests. This bill gives schools that have grown dependent on these funds a chance to transition into a new system, one that is sustainable and one that promotes investment in our natural resources and our forest resources.

As I said earlier, this bill is good for the economy, and I will stop where I started: the Republican majority is about jobs. The Republican majority is about having an upward lift for all in our economy, not just for the ones we want to focus on through political choice.

□ 1330

Mr. MCGOVERN. Mr. Speaker, I yield myself 5 seconds to remind the gentleman who just spoke that there are

36,000 households in his district in Georgia who rely on SNAP. I think they're counting on him to vote a different way.

At this point, I yield 1 minute and 15 seconds to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Thank you very much, Mr. MCGOVERN, for yielding time.

Mr. Speaker, the gentleman from Georgia (Mr. COLLINS) who just spoke, has finally acknowledged what so many other Republicans refuse to acknowledge: that they have made a political choice. They've made a political choice to defund the SNAP program. I'm glad that he publicly acknowledged that.

Mr. Speaker, I rise to oppose H.R. 3102. The Republicans are determined to defund this program, a program that provides food assistance to low-income families and to more than 20 percent of my congressional district.

The Agriculture Committee reported a bill that cut $16 billion from nutrition. The Speaker wouldn't schedule a vote. Why? Because the Tea Party said ''not enough cuts.'' The Republicans then increased nutrition cuts to $20.5 billion, and the Speaker crossed his fingers and hoped for passage. It went down on this floor in defeat. Not a single Democrat voted for it. Many Republicans said the cuts were not enough.

Now here we are again today. The Republicans, driven by the irrational Tea Party, bring us another nutrition title that now cuts $40 billion from nutrition.

My friends, I know that cutting the deficit is important to all of us, but do not reduce the deficit by depriving more than 3 million good Americans of the opportunity to eat. That's not who we are as a Nation.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Hood River, Oregon (Mr. WALDEN), who is the chairman of the Communications and Technology Subcommittee for Energy and Commerce.

Mr. WALDEN. Mr. Speaker, I thank the chairman for his good work on this legislation, and I want to thank my colleagues for what I hope will be their support of passage of this legislation, specifically the parts related to the Federal forest land. Federal forest land across the Nation is rotting, it's dying, and it's burning because the Federal Government has failed to manage our forests.

When we actively managed our forests and selectively logged our lands, we had vibrant ecosystems and we had vibrant and healthy economies. Now the forests are overstocked, they're diseased and infested, and they go up in smoke. Communities are literally dying. Counties are literally on the edge of bankruptcy. In my State, some of those counties have 50 percent to 70 percent of the landmass in Federal forest lands or grasslands.

Most forests are overstocked and disease infested, communities are dying, mills are closing. You're talking about children living in poverty? Misguided Federal policy on forest land management puts children in my district into poverty and their parents out of work. Local communities struggle to provide even basic services like law enforcement and schools.

H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, returns more active management to our Federal forest lands. This proposal has been crafted with input from Federal foresters, industry representatives, and, most importantly, the residents of these local communities who are living in poverty, subject to choking, catastrophic, and sometimes deadly wildfires, and the choking smoke that fills our valleys now every summer.

H.R. 1526 also includes a balanced and bipartisan plan for unique Oregon forests. Oregonians have been managing forests since the times of the Oregon Trail most likely, and we're proud of our Oregon Forest Practices Act and its commitment not only to the economy but to the ecology and to the environment, with protections for water, for streams, and for regeneration of our forests for future generations.

Unfortunately, yesterday, we got word that the White House has issued a veto threat on this urgently needed and balanced bill. The President and his team clearly have no idea—none—on what's happening in our rural communities with Federal forest lands surrounding them in the West. Counties are literally going broke. Folks are facing double-digit unemployment and double-digit poverty. Citizens call 911 for emergency help and are told literally, ''Sorry, we can't help you. There's no one to send.''

Fires are raging throughout our forests. Enough is enough. The system is broken. This law will change that and fix that, and the White House needs to understand that and be a partner for progress, not an enemy of it.

Today, the House will act to provide relief for citizens in these rural communities, and I urge my colleagues to choose jobs, safety, the health of our rural communities and health of our forests for future generations, to reject poverty and unhealthy forests, because that's what we face today.

So I urge a ''yes'' vote on the rule, a ''yes'' vote on the underlying bill because our rural communities have waited too long for this relief

Mr. MCGOVERN. Mr. Speaker, I yield myself 5 seconds.

I just wanted to say to the gentleman from Oregon that there are one in five Oregonians who are on food stamps as we gather here today. In his district, there are nearly 60,000. You talked about trees, but there are a lot of people that will be adversely affected.

Mr. WALDEN. Will the gentleman yield?

Mr. MCGOVERN. I have no remaining time to yield to the gentleman.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, I rise in strong opposition to this rule and the harmful underlying bill.

Fifteen thousand families in my district on the central coast of California rely every day on the SNAP program to help make ends meet. These are our veterans, our seniors, people with disabilities, hardworking parents, and kids going to school. They don't care if SNAP cuts come from the farm bill or as a stand-alone bill. They do care that the cuts create a gaping hole in our country's most basic safety net.

We should all care because cuts to SNAP have a ripple effect in our local communities and throughout our economy. Every SNAP dollar is nearly doubled in economic impact. It helps pay the local grocery store worker. It helps support truckers who haul the food. It goes to the food producers and farmers who grow the crops.

I urge my colleagues to stop playing politics with our Nation's hungry and those who provide the food we all rely on. Vote ''no'' on this rule, ''no'' on the bill, and let's get back to passing a comprehensive, inclusive farm bill.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, I rise in strong opposition to this rule and the underlying bill.

You may have noticed Fox News is trying to help the Republicans push this mean-spirited legislation by focusing on a California surfer who abuses the SNAP system. Well, it's time for a reality check. This isn't about surfer dudes.

I'll tell you one group it is about: our Nation's veterans, 50,000 of them to be exact. Let me clarify. These veterans, with an average income of $2,500, would lose benefits immediately. As the bill's other provisions kick in, as many as 170,000 veterans could lose their SNAP assistance.

In Cumberland County, North Carolina, home of Fort Bragg and of thousands of veterans, our unemployment rate is nearly 11 percent. This bill requires States to terminate the already minimal food aid available to able-bodied but unemployed individuals living in such high-unemployment areas. By the way, Republicans would also subject these veterans to the added indignity of a drug test.

I urge a ''no'' vote on this rule and the underlying bill. It dishonors our poorest veterans, and it disparages those the Gospel of Matthew calls ''the least of these.''

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

Mr. MCGOVERN. Mr. Speaker, at this time I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding and rise in opposition to the rule, and say I will be so proud to vote today not to take food away from children and veterans and the disabled and the unemployed. Over half of these who receive these benefits are young children and senior citizens. So this is one of those legislative moments of true clarity between the leadership of both parties.

The Republican leadership's proposal will increase hunger across our country by taking away SNAP benefits from millions of Americans. They claim that restricting SNAP eligibility will encourage those who are receiving benefits to take work. What this fails to recognize is that there are about three unemployed workers for every job that is out there in our country right now. In some places, it's even worse than that. Even if an unemployed person filled every available job, roughly two of every three unemployed individuals would still not have a job because there aren't enough yet to go around in our country. People are struggling.

I just want to say that this is one of those moments when I am so proud to be a Democrat and stand with my colleagues today against these cuts to the most fundamental requirements of a decent life—access to sufficient, nutritious food.

Mr. SESSIONS. Mr. Speaker, I think we should have a standard of at least being honest about what's in the bill. We are not throwing people off who are disabled. It is an able-bodied standard, and the gentlewoman knows that.

Mr. Speaker, at this time I yield 1 minute to the gentleman from Hood River, Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Speaker, I thank my colleague from Texas because I wanted to respond to my friend from Massachusetts, who didn't have any more time to yield or talk about it after he talked about people in my district on food stamps. Indeed they are, and they don't want to be. If you'd support our legislation that's bipartisan on healthy forests, they'd have dignity and a job, and they'd be able to take care of their families, and they would have schools.

I know they have dignity when they're on food stamps. I understand that. I also know they'd feel much better about their role in life if they could go and be productive again as they were. We've seen 300 mills closed, 30,000 people lose their jobs, and there's a solution here that doesn't raid the Federal Treasury and borrow money to pay for it. It's called a job. And we wouldn't spend over half the Forest Service budget fighting fire. Instead, we would replenish our forests, we'd get them healthy again, we wouldn't choke our valleys with smoke in the summer, which is occurring all over the country, because we'd be managing these great Federal forest reserves.

Mr. MCGOVERN. Mr. Speaker, let me just suggest to my Republican colleagues that maybe they ought to deal with sequester, maybe they ought to stop threatening to shut the government down, and maybe they ought to bring the President's jobs bill to the floor to put people back to work, and, in the meantime, they ought not to throw poor people off food assistance.

I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. MCGOVERN, I thank you so much for yielding, and let me say I rise in strong opposition to this rule and the underlying bill.

The $40 billion cuts to the anti-poverty SNAP program are immoral, they're heartless, and they really are un-American. These cuts do not reflect the compassion of the American people. The so-called ''reforms'' in this bill will only dramatically reduce access to vital nutrition assistance all across America in rural and urban communities and every single one of our congressional districts. In my own district, over 22,000 households will be impacted and more than 1.6 million homes throughout California. Not only does SNAP help put food on the table for struggling families, it also helps stimulate economic growth.

Mr. Speaker, 76 percent of SNAP recipients are children, seniors, and persons with disabilities. This is a cold-blooded cut. The majority of people on food stamps want to work. I haven't seen the majority bring any bill to the floor that really creates jobs for people, and I just have to say, yes, I was on food stamps during a very difficult period in my life, and I thank the American people for that lifeline as a bridge over troubled waters.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman from California an additional 15 seconds.

Ms. LEE of California. Let me just conclude by saying that while we're recovering from this devastating recession, we cannot and should not cast the most vulnerable aside.

There are many in the majority who are people of faith. I want to remind you of the Scriptures which require us to feed the hungry. There's something fundamentally wrong when we pray on Sunday and vote to take away food from hungry people on Thursday.

□ 1345

Mr. SESSIONS. Mr. Speaker, I have a disabled child at home, a Down Syndrome young man. I understand very well about the need for our country to help and provide assistance to disabled people. It is not true, and it's unfair for someone to characterize this bill as taking someone who is disabled off the SNAP rolls.

And I'm sorry that we have Members who evidently have not read the bill and do not understand what we're doing. But that's a fact; and we should not pass along information that, in fact, is not true. I hope that this body would stay away from that very emotional issue because not only is it not fair, but it's not true.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me just say to my friend from Texas, we know exactly what you are all doing here. What you are doing is throwing 3.8 million people off of this program who, quite frankly, rely on it to put food on the table.

And I just want to point out for the record, the average length of someone on SNAP is about 9 months. There are people who work, who work full time who are on SNAP because they don't earn enough. People do want to work. People don't want to be on public assistance. But the bottom line is that we have had a Congress here that has blocked every major piece of legislation that might produce jobs. So let's get our facts straight here.

At this point, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I am opposed to this rule and the underlying bill.

My friends on the other side of the aisle like to act like 11 million unemployed Americans are out of work because they want to be out of work. This is a debate between two things, common sense versus no sense. You even offer a jewel to the States. And you say to the States, if you cut more people off your roles, we'll let you keep half the money. And then you can do with it whatever you want. That is immoral. That is totally nonsensical. It doesn't make any sense whatsoever.

We're talking about kids, we are talking about veterans, and we are talking about the disabled. That's what we're talking about. And if you don't think this bill cuts many of those people off the roles, then you, obviously—to use your term—you didn't read the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PASCRELL. Nearly 30,000 households in my current district benefit from this program. I would ask you to examine the bill and examine your conscience before you——

The SPEAKER pro tempore. The gentleman will suspend.

The Chair would remind Members to avoid references to other Members in the second person.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule and to this unconscionable legislation. Make no mistake, if you support this bill, you are voting to take food from the mouths of almost 4 million of our fellow citizens next year. Who are these Americans? Nearly half of them are children. They are seniors. They are our veterans. One in every five veterans receives SNAP benefits. Is this the way we thank them for their service?

Mr. Speaker, Congress does not agree on much these days; but I have always assumed that we could at least support

the idea that in this country no child should go hungry. Have we gone so far that we cannot even find bipartisan support for that? If so, then we have truly lost our way.

Is this what my Republican friends call ''compassionate conservatism''? I say to my colleagues, the whole Nation is watching. You will be held accountable. Vote ''no'' on this rule and this shameful underlying bill.

Mr. SESSIONS. I yield myself 30 seconds.

I would like to explain, if I can, ''compassionate conservatism.'' It's called 60 straight months of economic growth, 60 straight months of this country growing stronger because people had jobs under a Republican House, under a Republican President, under a Republican Senate. Sixty straight months of economic growth that made our country stronger and better. And that is compassionate conservatism. That's the Republican Party. We're trying to get back to job growth, job creation, and help the middle class of this country.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I will just remind the gentleman that compassionate conservatism also gave us the Great Recession.

At this point, I yield 1 minute to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Speaker, I rise today to urge the defeat of this rule and of the underlying bill which will throw millions of Americans off of food stamps at a time when they need it. And I urge that on behalf of my constituent Jenenne Smalls, a 37-year-old formerly homeless veteran with three children who my office helped get on food stamps.

I urge it on behalf of a semi-deity to the Republicans, Ronald Reagan, who said, As long as there is one person in the country who is hungry, that is one person too many. And I urge it on behalf of a real deity, Mr. Speaker. Above my head are the words, ''In God we trust.'' In my Christian faith, the notion that we feed the hungry is unimpeachable and nonconditional.

Matthew does not say, Feed the hungry, so long as you can do it with 100 percent efficiency. Mark does not say, Feed the hungry, so long as you pass the XL pipeline. Luke does not say, Feed the hungry, so long as you loosen environmental regulations.

Mr. Speaker, this rule and this bill, which is deeply, deeply flawed, must not pass.

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

Mr. MCGOVERN. Mr. Speaker, at this point, it's my privilege to yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the gentleman for yielding the time, and I want to thank him for devoting his entire political career to the idea of eradicating hunger in American society and around the world, an outstanding record of achievement, an outstanding record of compassion. And then today, it runs into the Republican reality.

I know how you must feel, Mr. MCGOVERN, after all these years of work, to see them cavalierly suggest that they can cut $40 billion in nutrition benefits to families, to children, to working people, to people searching for work, and that somehow nobody will lose their benefits, that somehow they're not throwing anybody off of the program. It's not that we said, you are throwing people off the program. It's that the Congressional Budget Office said that with the $40 billion cut, some 3.8 million people would lose their benefits and an average of nearly 3 million people each year over the coming decade. Over the coming decade, those people will lose their benefits.

What does that mean? I specialize in education. I visit schools almost every week. I talk to teachers every day that tell me about the fact that when children come there that they are nutritionally deprived, that they may not have had dinner, that they may not have had breakfast, that they are not attentive in class, that they fall asleep in class, that they're irritable. And we're going to cut the benefits to these children. And yet we want these children to perform at a high level. And they should be able to perform at a high level. We expect them to achieve in school.

But that's not what this program is about. This program is about cutting those benefits to those children in need. It's about cutting those benefits to those families in need. It's just unconscionable that they would think that somehow this is the road to prosperity, that you get to the road to prosperity by attacking the most vulnerable in our society who are in desperate need of these nutritional benefits for their families. Do they not know that one in five children lives in a home that experiences hunger on a regular basis?

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. GEORGE MILLER of California. Do they not know this? Are they not aware of it? Or do they not care? Somebody has to answer that question. Because when this Nation was shocked that they were going to cut $20 billion out of these nutritional benefits for these struggling families and individuals, they came back and said, No, we're going to cut $40 billion out of these benefits. What, because they're angry that the last measure didn't succeed? They're angry about what happened to the Agriculture bill? Is it because of anger that they're striking out at these families?

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. GEORGE MILLER of California. It shouldn't be that way in this country, and it shouldn't be that way in this Congress. These families are entitled to better. They are entitled to jobs. They are entitled to provide for their families, but some can't.

Those wonderful 60 months stripped trillions of dollars away from these families and middle class families in this country.

The SPEAKER pro tempore. Members are advised to heed the gavel.

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

Once again, the gentleman comes down and evidently is either unwilling or has not read the bill to an understanding where the statement was made about preventing 280,000 children from receiving a free school lunch. Nothing in this bill makes changes to the school lunch program.

The National School Lunch and the School Breakfast Programs automatically qualify students who are enrolled in SNAP for free school meals. The school meals programs are not authorized under this bill nor are eligible for requirements under this committee's jurisdiction.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I need to qualify something here. I want to respond to what the gentleman just said.

The fact of the matter is, when children's parents get cut from SNAP, then children are no longer eligible for free breakfast and lunch in school. That's where we get the number of 270,000 kids who will lose their free breakfast and lunch programs. That's the connection. So it is connected. So I would point that out because it is important. I don't want anyone to be fooled by the fact that somehow this doesn't affect school meals. It does, very directly.

At this point, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I rise in strong opposition to the rule and the draconian cuts to SNAP, a lifeline that millions of Americans rely on. Republicans want to slash nearly $40 billion from SNAP and take food out of the mouths of nearly 4 million Americans, including 68,000 of my constituents. These drastic cuts will harm children, seniors, veterans, and Americans living in cities like Memphis with chronically high unemployment, all in the name of rooting out fraud.

It's interesting that Republicans see fraud and abuse in the SNAP program sometimes, but they seem to ignore the billions of dollars of fraud and abuse at the Pentagon. According to one estimate, hundreds of defense contractors that defrauded the U.S. military and taxpayers received more than $1.1 trillion in Pentagon contracts during the past decade. Where is the outrage across the aisle and the demands for better oversight for defense contracting? Instead of fixing problems for

the contractors who might be fraudulently taking billions of taxpayer dollars, they're focusing on making it harder for the families who are struggling to receive a little extra help. We need to be finding ways to reduce poverty in our communities, not cutting programs that work, like SNAP.

I urge my colleagues to vote against the rule and oppose the bill.

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

Mr. MCGOVERN. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this Republican ''let them starve'' bill would undermine what Professors Miguel Ferguson, Stacey Borasky, and Scott Harding recently described in an article as a ''modern antipoverty marvel.'' SNAP, they report, ''improves access to healthy meals for nearly one in three children. It also reduces chronic illness and hospitalizations and significantly reduces poverty and the severity of poverty.'' It ''keeps kids healthier, happier, and better prepared to do their best in school.'' And SNAP ''is one of the most efficient government programs, with a rigorous application process, high rates of payment accuracy, and low rates of misuse (about a 1 cent on the dollar).'' The main limitation is not that it helps feed too many people or costs too much but that almost 30 percent of those eligible get nothing.

We cannot snap our fingers and snap away poverty, but this bill will snap a vital lifeline. It must be rejected.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I oppose this legislation.

Much has been said this morning about how 4 million people will lose the safety net of food stamps. This is going to derail the effort to pass a farm bill, and America needs a farm bill. But, you know, the bottom line is this is a cynical piece of legislation. It is not about work. Sixty-eight percent of the folks on food stamps are women with kids. It's children. It's elderly. It's disabled. That's number one.

Number two, how is a person going to get into a nonexistent work program? And work is great. It's not as though either side has a monopoly on the desirability of advocating for work. But when there's no work program that a person who is required to get food stamps can enter into, it means they are without food stamps and are denied the opportunity to work, both.

So this is a political statement, not a practical policy that is going to get us to where we need to be. It's going to throw people off food stamps who need it. It creates a cynical, nonexistent work program; and it creates an incentive for States who are going to reap the benefits of lower food stamp rolls, to throw people off even further.

□ 1400

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

Mr. MCGOVERN. Mr. Speaker, it's my privilege to yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my colleague.

Mr. Speaker, here we go again. Social Darwinism, survival of the fittest at its worst. And what's ironic is it's a program that works. Cutting $40 billion, 3.8 million Americans thrown off supplemental nutritional assistance that works, that gives them a ladder to success, children, the disabled, adults that find themselves in a difficult period for a period of time. The distinguished ranking member of the Rules Committee points out, 9 months is the average.

Don't do this.

In a different Congress at a different time on a different issue, there was a famous lawyer who turned to Joe McCarthy and said, ''At long last, sir, have you no decency?''

I ask that of this Congress, on this very important issue, have we no decency?

Mr. Speaker, it was bad enough when the House majority tried to ram through a Farm bill that cut SNAP by $20 billion and would have kicked 2 million people off nutrition assistance, including more than 200,000 children. Thankfully, a bipartisan group rejected that bill.

Rather than learn from that defeat, House Republicans have decided to double down on this darwinian philosophy. The impact will be devastating. In my district more than 13,000 families are at risk of losing assistance.

Beyond the face of hunger, lost in this debate is a tragic irony. As the majority moves to gut SNAP, Congress once again refuses to end taxpayer handouts to big agribusiness, including some Members of this Chamber.

The American public should be forgiven for smelling the stench of hypocrisy. The very people who repeatedly call on this body to reign in government and cut spending, seem to have no problem collecting tens of thousands of dollars in farm subsidies.

To allay this conflict of ideology I have twice offered an amendment to ensure Members of Congress do not receive farm subsidies. How can elected officials ask taxpayers to cover their risk, and then tell those at risk of hunger they are on their own? Yet the majority refuses a floor vote. The silence is damning.

So I ask you Mr. Speaker, who are the real takers?

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, my colleague just asked the question about have we no decency. Have you no decency?

And these are good friends here. We're colleagues. We come to work for America.

But all who can read, and all who can feel the pain of hunger should ask the question and should beg and plead: don't cut SNAP; $40 billion, 3.4 billion in meals, and 24 meals a month for a family.

Unless you have the cure for poverty, 46 million Americans, then how dare you come to the floor and eliminate a lifeline. Yes, school breakfasts, but what about the children who are from zero to 3 to 4 who are at home with parents, who are at home with the families, the spouses of Active Duty soldiers who use food stamps?

And then the absolute insult: a State like Texas that is prosperous, you give them the instruction to cut people off of food stamps, and then give them a bonus—a bonus—for hurting people and taking their life away.

This is a shameful act. Vote down this rule and this bill.

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

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Massachusetts has 2½ minutes remaining. The gentleman from Texas has 1½ minutes remaining.

Mr. MCGOVERN. Could I ask the gentleman how many more speakers he has?

Mr. SESSIONS. I appreciate the gentleman asking. I am down just to the close, and I thank the gentleman for seeking that information.

Mr. MCGOVERN. Mr. Speaker, before I close, I'd like to insert into the RECORD letters from the United States Conference of Catholic Bishops, the United States Conference of Mayors, AARP, and a list of a number of other groups that are opposed to the bill.

And I'd also like to insert into the RECORD a September 4 New York Times story, entitled, ''On the Edge of Poverty, at the Center of a Debate on Food Stamps.''

COMMITTEE ON DOMESTIC JUSTICE AND HUMAN DEVELOPMENT,
September 11, 2013.

DEAR REPRESENTATIVE: As the House considers a proposal to address nutrition programs apart from the Farm Bill, I write to urge you to oppose harmful cuts and changes to the Supplemental Nutrition Assistance Program (SNAP). The House proposal would cut SNAP by $40 billion and harm hungry children, poor families, vulnerable seniors and workers who are underemployed or unable to find employment.

Adequate and nutritious food is a fundamental human right and a basic need that is integral to protecting the life and dignity of the human person. SNAP is one of the most effective and important federal programs to combat hunger in the nation by helping to feed millions of persons in need every year.

SNAP helps relieve pressure on overwhelmed parishes, charities, food banks, pantries and other emergency food providers across the country that could not begin to meet the need for food assistance if SNAP eligibility or benefits were reduced. The faith community and the private sector are vital in the fight to combat hunger. But government has an indispensable role in safeguarding and promoting the common good of

all. This includes ensuring poor and hungry people have access to adequate and nutritious food.

Struggling people are not seeking a life of government dependency but rightfully deserve decent paying jobs to provide for them and their families. Even with evidence of a modest economic recovery, the economy still has not improved the standard of living for many people, especially for the poor and the working poor. More than four million people have been jobless for over six months, and that does not include the millions more who have simply lost hope. For every available job, there are often five unemployed and underemployed people actively vying for it. SNAP remains an essential tool to help struggling individuals and families avoid hunger and stay out of poverty.

Proposals to eliminate access to SNAP for people who have at some point in their lifetime committed certain crimes are counterproductive and an affront to human dignity. Persons who have paid their debt to society and their families should not be penalized for the sins of the past. A on-size-fits-all approach to state waivers on SNAP work requirements is unreasonable. States should continue to be afforded the flexibility to assess and respond to local needs and economic conditions. Ending state waivers will only harm vulnerable people.

How the House chooses to address our nation's hunger and nutrition programs will have profound human and moral consequences. This is a crucial time for our nation to place a circle of protection around programs that build a more just framework and put poor and hungry people first. I respectfully urge you to reject efforts to reduce or restructure SNAP, and to pursue instead the common good in agriculture and food policy that works from a genuine preferential option for the poor.

Sincerely,

Most Reverend STEPHEN E. BLAIRE,
Bishop of Stockton, Chairman, Committee on Domestic Justice and Human Development.

THE UNITED STATES CONFERENCE OF MAYORS,
Washington, DC.

To: The Mayor.
From: Tom Cochran, CEO & Executive Director.

The House of Representatives is set to debate its farm bill this week. The bill, ''The Nutrition Reform and Work Opportunity Act,'' contains $40 billion over ten years in cuts to the Supplemental Nutrition Assistance Program (SNAP), food stamp program, and other nutrition programs. The cuts would eliminate SNAP benefits for millions of needy people, slash food benefits for additional participants, and undercut states' ability to keep SNAP supports for certain jobless people in cities with high unemployment.

In 2010, SNAP lifted nearly 3.9 million people out of poverty, 1.7 of them were children. Over 47 million people received benefits in 2012; the House bill would cut benefits for 2 to 4 million poor and unemployed adults. Nearly half of SNAP enrollees are children, and the program helps feed roughly one in three children in America. Additionally, almost 75 percent of SNAP participants are in households with children, seniors, or a disabled individual.

For more information please contact Assistant Executive Director Crystal Swann.

AARP,
September 17, 2013.

DEAR REPRESENTATIVE: AARP opposes HR 3102, ''The Nutrition Reform and Work Opportunity Act of 2013,'' especially the cuts to the Supplemental Nutrition Assistance Program (SNAP), and we urge you to vote against it. The new House nutrition bill retains the provisions opposed by AARP and other anti-hunger advocates in earlier House Farm Bill efforts while adding more stringent conditions to discourage participation in SNAP and generate cost savings that will harm millions of documented hungry and food insecure Americans.

Removal of the nutrition title of the Farm Bill represents an abandonment of the nation's commitment to ensuring essential nutrition access for many U.S. households that face a constant struggle against hunger and food insecurity daily, as well as emergency food assistance in times of economic and natural crises or disasters. SNAP helps states and communities struck by disasters like hurricanes, tornadoes, floods and earthquakes gain access to critical food assistance where local supplies have been destroyed or rendered inaccessible. Along with helping low-income persons eat healthier, more nutritious food, the nutrition programs also benefit the economy. For example, every $5 in new SNAP benefits generates $9—nearly twice as much—in total community spending.

The recent economic recession is testimony to the importance of the Farm Bill nutrition programs in providing food to assistance for families that would have otherwise gone without food. Indeed, the major criticism of SNAP is that the program is too successful in responding to the increased need for assistance in difficult economic times. Despite SNAP having reduced error rates and fraud to levels that are the envy of every other major federal program, the House of Representatives is now proposing to significantly reduce its commitment to ensuring that food insecure households will have adequate access to food based on objective need. AARP believes any outdated rules that encourage waste or fraud should be addressed, but not at the expense of legitimately hungry families—which disproportionately include children, seniors and persons with disabilities.

Hungry children, seniors and families cannot and should not have to wait on the economic and political sidelines for access to an effective nutrition safety net. The slow economy, higher prices for food and energy, and the impending November 1, 2013 elimination of the SNAP benefit boost from the 2009 American Recovery and Reinvestment Act (ARRA) have made the situation acute for all concerned. Indeed, the amount provided to feed the typical family is projected to drop from about $4.50 to less than $4.00 per meal—a scheduled reduction regardless of the outcome of this legislation. We urge you not to punish food insecure Americans, and to vote against HR 3102.

If you have any further questions, please feel free to call me, or have your staff contact Ariel Gonzalez or Larry White on our Government Affairs staff at 202–434–3770.

Sincerely,

A. BARRY RAND,
Chief Executive Officer.

GROUPS WITH LETTERS IN OPPOSITION TO HR 3102

AGRICULTURE GROUPS

National Farmers Union, Rural Coalition.

NUTRITION GROUPS

Feeding America, Feed the Children, (Center on Budget Pores and Priorities, Share Our Strength.

EXECUTIVES

U.S. Conference of Mayors.

RELIGIOUS GROUPS

Mazon, Sojourners, National Association of Evangelicals, Presbyterian Church (USA), US Conference of Catholic Bishops, Leadership Conference of Women Religious, Christian Reformed Church, Society of St. Vincent de Paul, American Baptist Churches USA, Bread for the World, United Methodist Church General Board of Church and Society, The Jewish Federations of North America.

HOMELESS ORGANIZATIONS

California Association of Food Banks, Center for Community Change, CSH, Feed The Children, Horizons for Homeless Children, National Alliance to End Homelessness, National Association for the Education of Homeless Children and Youth, National Center for Housing and Child Welfare, National Coalition for the Homeless, National Health Care for the Homeless Council, National Law Center on Homelessness and Poverty, National Low Income Housing Coalition, National Network for Youth, National Network to End Domestic Violence, Western Center on Law and Poverty, Western Regional Advocacy Project, Goodwill Industries.

JUSTICE ADVOCATES

American Civil Liberties Union, The Bronx Defenders, Charles Hamilton Houston Institute for Race and Justice at Harvard Law School, Council on American Islamic Relations, Face and Voices of Recovery, FedCURE, Grassroots Leadership, Human Rights Defense Center, Human Rights Watch, International Community Corrections Association, Justice Policy Institute, The Leadership Conference on Civil and Human Rights, Legal Action Center, NAACP.

National African American Drug Policy Coalition, National Association of Criminal Defense Lawyers, National Association of Social Workers, National Coalition for the Homeless, National Council of La Raza, National Employment Law Project, National HIRE Network, National Law Center on Homelessness and Poverty, National Workrights Institute, One Million Americans, Ltd., Oriana House, Inc, Reentry Central, Robert F. Kennedy Children's Action Corps, Juvenile Justive Collaborative, Safer Foundation, The Sentencing Project, StoptheDrugWar.org, Treatment Communities of America, WestCare Foundation, Inc.

SENIORS GROUPS

National Council on Aging, AARP.

HEALTHCARE GROUPS

American Public Health Association, Trust for America's Health.

EDUCATION GROUPS

American Federation of Teachers, National Skills Coalition, National Education Assocation.

LABOR UNIONS

AFSCME.

TRIBAL GROUPS

Combined letter from National Indian Education Association and National Congress of American Indians, National Indian Child Welfare Association, National Indian Health Board, Affiliated Tribes of Northwest Indians, United South and Eastern Tribes, Inc., Affiliated Tribes of Northwest Indians, Alaska Federation of Natives, the Alaska Inter Tribal Council, the American Indian Higher Education Consortium, Self Governance Communications and Education Tribal Consortium.

[From The New York Times, Sept. 4, 2013]

ON THE EDGE OF POVERTY, AT THE CENTER OF A DEBATE ON FOOD STAMPS

(By Sheryl Gay Stolberg)

DYERSBURG, TN.—As a self-described ''true Southern man''—and reluctant recipient of food stamps—Dustin Rigsby, a struggling mechanic, hunts deer, doves and squirrels to help feed his family. He shops for grocery bargains, cooks budget-stretching stews and limits himself to one meal a day.

Tarnisha Adams, who left her job skinning hogs at a slaughterhouse when she became ill with cancer, gets $352 a month in food stamps for herself and three college-age sons. She buys discount meat and canned vegetables, cheaper than fresh. Like Mr. Rigsby, she eats once a day—''if I eat,'' she said.

When Congress officially returns to Washington next week, the diets of families like the Rigsbys and the Adamses will be caught up in a debate over deficit reduction. Republicans, alarmed by a rise in food stamp enrollment, are pushing to revamp and scale down the program. Democrats are resisting the cuts.

No matter what Congress decides, benefits will be reduced in November, when a provision in the 2009 stimulus bill expires.

Yet as lawmakers cast the fight in terms of spending, nonpartisan budget analysts and hunger relief advocates warn of a spike in ''food insecurity'' among Americans who, as Mr. Rigsby said recently, ''look like we are fine,'' but live on the edge of poverty, skipping meals and rationing food.

Surrounded by corn and soybean farms—including one owned by the local Republican congressman, Representative Stephen Fincher—Dyersburg, about 75 miles north of Memphis, provides an eye-opening view into Washington's food stamp debate. Mr. Fincher, who was elected in 2010 on a Tea Party wave and collected nearly $3.5 million in farm subsidies from the government from 1999 to 2012, recently voted for a farm bill that omitted food stamps.

''The role of citizens, of Christianity, of humanity, is to take care of each other, not for Washington to steal from those in the country and give to others in the country,'' Mr. Fincher, whose office did not respond to interview requests, said after his vote in May. In response to a Democrat who invoked the Bible during the food stamp debate in Congress, Mr. Fincher cited is own biblical phrase. ''The one who is unwilling to work shall not eat,'' he said.

On Wednesday, the Department of Agriculture released a 2012 survey showing that nearly 49 million Americans were living in ''food insecure'' households meaning, in the bureaucratic language of the agency, that some family members lacked ''consistent access throughout the year to adequate food.'' In short, many Americans went hungry. The agency found the figures essentially unchanged since the economic downturn began in 2008, but substantially higher than during the previous decade.

Experts say the problem is particularly acute in rural regions like Dyersburg, a city of 17,000 on the banks of the Forked Deer River in West Tennessee. More than half the counties with the highest concentration of food insecurity are rural, according to an analysis by Feeding America, the nation's largest network of food banks. In Dyer County, it found, 19.4 percent of residents were ''food insecure'' in 2011, compared with 16.4 percent nationwide.

Over all, nearly 48 million Americans now receive food stamps, an $80 billion-a-year program that is increasingly the target of conservatives. Robert Rector, a scholar at the conservative Heritage Foundation, argues that the food stamp program should be overhauled so that benefits are tied to work, much as welfare was revamped under President Bill Clinton. He advocates mandatory drug testing for food stamp recipients—a position that draws support from Mr. Rigsby, who dreams of becoming a game warden and said it irritated him to see people ''mooch off the system.''

But when benefits drop in November, the Rigsbys, who say they receive about $350 a month, can expect $29 less.

''People have a lot of misimpressions about hunger in America,'' said Maura Daly, a Feeding America spokeswoman. ''People think it's associated with homelessness when, in fact, it is working poor families, it's kids, it's the disabled.'' Hunger is often invisible, she said, and in rural areas it is even more so.

Hunger was easy to see on a recent morning in Dyersburg. Hundreds of people, many of them food stamp recipients, lined up at the county fairgrounds for boxes of free food—21,000 pounds of meat, potatoes, grains and produce—that had been trucked in from a food bank in Memphis. About 80 volunteers set up an assembly line in a warehouse to distribute the food.

More than 700 families get help each month from the charitable program, *Feed the Need*, which was founded in 2009 by Mark Oakes, the chairman of the local Salvation Army, after a string of nearby factories closed.

''We couldn't absorb the work force back into our community,'' Mr. Oakes said, ''and people were hungry.''

Among the first in line at the fairgrounds was Kathy Baucom, 61, a former welder disabled by lupus. She lives alone in a trailer, hunts deer—''last year I bagged seven,'' she said—and makes burgers, roasts and jerky out of venison. Her food stamp benefits for $125 a month were recently reduced to $117.

''I don't buy milk because it's so expensive,'' she said. ''I don't buy cheese.''

Officially called the *Supplemental Nutrition Assistance Program*, or SNAP, food stamps have long been a cornerstone of the federal safety net. Benefits, adjusted for income, are loaded monthly onto a government-issued debit card. Recipients say the money typically lasts a little more than two weeks.

''We don't splurge,'' Ms. Adams said, ''and it doesn't last.''

She shops at Save-A-Lot and cooks frequently with pasta, because it is filling. One recent evening, she baked a tray of mostaccioli, an Italian pasta, with meat and cheese. Hoping it would last for two meals, she had none herself.

''You hate to tell your child, 'You can't eat this, you have to save it for another day,' '' she said.

For the Rigsbys, both 20, the priority is three meals a day for their son, Drake, who is 1. Some months they run out of milk. Mr. Rigsby, who is out of work with a knee injury, recently sold his truck for cash; his wife, Christina, works part time as a clerk at J. C. Penney. On the refrigerator in their sparsely furnished apartment is a calendar marked with the date—the 6th—that their card is refreshed. ''FOOD!'' it declares.

''When we got married, we told each other that we want to be able to sit down at the table and eat as a family,'' Mrs. Rigsby said. ''But we don't really get to do that.''

In Washington, House Republicans propose cutting $40 billion more in food stamps over the next 10 years by imposing work requirements and eliminating waivers for some able-bodied adults. The cuts would push four million to six million low-income people, including millions of ''very low-income unemployed parents'' who want to work but cannot find jobs, off the rolls, according to the *Center on Budget and Policy Priorities*, a left-leaning research organization.

Even if approved in the House, the cuts would face strong opposition from Democrats in the Senate. But the arguments of Mr. Rector, the Heritage Foundation scholar, are gaining traction with conservatives on Capitol Hill. ''I think food stamps have in the Republican mind become the symbol of an out-of-control, means-tested welfare state,'' Mr. Rector said.

Here in Tennessee, Mr. Fincher embraces that view. ''We have to remember there is not a big printing press in Washington that continually prints money over and over,'' he said in May.

Mr. Rigsby said his family would find a way to make do. ''The way I was raised,'' he said, ''it's, 'Be thankful for what you've got.' We're not the worst case out there. But somebody else? How is this going to affect them?''

This article has been revised to reflect the following correction: in earlier version of this article misstated the given name of the 1-year-old son of Dustin and Christina Rigsby. It is Drake, not Blake.

Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, in an era of billion-dollar defense overruns and bank bailouts, the Republican leadership wants to nickel-and-dime poor people. This is a rotten thing to try to do.

But it's not too late, Mr. Speaker. We can defeat this bill and still go to conference on the farm bill.

We can defeat this bill and make it clear that the United States Congress still has a conscience.

We can defeat this bill and reestablish the long and proud tradition of bipartisanship on this issue. Remember Bob Dole working with George McGovern and Bill Emerson working with Tony Hall.

We can defeat this bill and get back to the work of actually ending hunger in America, rather than making hunger worse by passing a bill that cuts $40 billion out of this program and throws 3.8 million people off the program.

And to suggest that this bill won't hurt people, that it will not cut people from SNAP is just plain wrong. Read the bill. Read the bill, the 109-page bill that didn't go through committee that's before us under a closed rule. Read the bill.

This will impact not just people who are trying to look for work and can't find it; it will impact senior citizens; it will impact children; and it will impact veterans. 170,000 veterans will be cut from this program. Shame on us if we do this.

I would say to my colleagues on the Republican side, I know, I know a lot of you believe as I do that it's important that we maintain a safety net for the most vulnerable. I know you believe that it's important that we should end hunger in America. I know you believe that it's wrong to cut $40 billion from this program. And I urge you—and I would plead with you—stand with us on this. Stand with us and reject this move, this harsh move, this rotten thing to do to poor people. I think you will be proud of standing up against this bill. This is the wrong thing to do.

So I urge my colleagues to vote ''no'' on this bill. Do the right thing. Let's

do something in a bipartisan fashion that we can be proud of. And defeating a $40 billion cut to the food stamp program is the right thing to do.

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

Mr. SESSIONS. Mr. Speaker, today we follow the pattern that we did yesterday in talking about the needs of this great Nation, not only men and women who are unemployed, but who also need the benefits of the food stamp program.

And today, the Republican Party, as a result of the work we did in the Rules Committee, is bringing several bills in this rule, two of them talking directly about jobs and job creation.

One, Hood River, Oregon; the gentleman, GREG WALDEN coming to talk about, please, give us a chance to have jobs. Our people want jobs. They don't want to be on food stamps. They want jobs. A narrow, political, shrill agenda, environmentalist agenda, is the reason why we don't have that—the Democrats and Barack Obama.

Secondly, Arizona. Arizona is asking for 3,700 jobs, $60 billion worth of economic activity right in this bill. They are jobs bills.

We are trying to do the things that the Republican Party talks about; that's the middle class of this country, jobs, and job creation.

I urge my colleagues to vote ''yes'' on the rule, ''yes'' for jobs, ''yes'' for the underlying legislation, ''yes'' so that we can employ people back at home, rural areas, people who don't have jobs, ''yes'' for the opportunity for the Republican Party to, once again, stand on this floor and say, we believe the legislation that is here is better for America than the policies that we have today, the policies of unemployment, the policies of less than a 40-hour workweek, now to a 30-hour workweek, the policies of taxes and spending.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in opposition to the rule for H.R. 3102, the Nutrition Reform and Work Opportunity Act.

I am in opposition to this bill for four reasons: hunger is a real problem in the United States; the solution for reducing dependence on government subsidized food programs is full employment, this bill will hurt the poor and most vulnerable in our country and finally the bill is too draconian and pointedly anti Urban.

September has been declared hunger action month—1 in 6 Americans are going without enough food to sustain a healthy life.

The United States is considered to be the world's wealthiest nation but 14.5 percent or almost 49 million Americans do not get enough to eat.

17 million children live in food insecure households. Children with inadequate nutrition are affected by cognitive and behavior development problems.

The majority of SNAP recipients, about 68 percent, do not work; they are children, elderly, disabled or those caring for a disabled family member in their home or for a child less than 6 years of age.

To qualify for SNAP benefits in Texas, a person cannot have more than $2,000 in a bank account and they can make more than $14,079 annually.

The annual income limitations increase by nearly $5,000 for each additional person living in the household.

To qualify for SNAP benefits, the combined income for a family of four cannot exceed $28,665.

According to a report released Wednesday by the U.S. Department of Agriculture, Texas has the third-highest rate of food insecurity in the nation—18.5 percent of households struggled to acquire enough healthy food in 2011. 14.7 percent of U.S. households had difficulty affording healthy food at some point in 2011.

More than 3 million Americans, including 302,800 Texans, will lose food stamp benefits in 2013 if the U.S. Congress approves proposed federal cuts to the SNAP, according to the federal Office of Management and Budget. About 8.5 percent of Texans were enrolled in the program as of June 2012.

Based on the estimates from the OMB, the Texas Food Bank Network calculated the number of Texans that would lose food stamp benefits in 2013 by county.

2 million rural households experience food insecurity. The counties in the United States with the highest disproportionately high rates of food insecurity are rural not urban or suburban.

WE SHOULD PASS THE AMERICAN JOBS ACT

Prior to the financial crisis, 26.3 million individuals a month on average received SNAP benefits, getting an average of $96 per month in benefits. Over the course of the ''Great Recession'' SNAP spending has increased from $33.2 billion for fiscal year 2007 to $78.4 billion for fiscal year 2012. The Congressional Budget Office says the economy is the cause of the nearly 65 percent increase in SNAP spending between 2007 and 2011.

The Congressional Budget Office said in its May 2013 baseline update estimate that SNAP participation would begin to decline as the economy continued to recover, falling to an average of $34.4 million per month.

SNAP benefits also help those who earn 130 percent of the federal poverty guideline. 83 percent of SNAP households have gross income at or below 100 percent of the poverty guideline. This translates into incomes of $19,530 for a family of 3 in 2013. These households receive about 91 percent of all benefits.

Unemployment remains at 7.3 percent with about 11.3 million people unemployed. There are 6 million long term unemployed people who have been searching for work 27 weeks or longer.

In July, unemployment percentages by state: Texas 6.5 percent, California 8.7 percent, Nevada 9.5 percent, North Carolina 8.9 percent, South Carolina 8.1 percent, Rhode Island 8.9 percent, Tennessee 8.5 percent, Michigan 8.8 percent, Arizona 8.0 percent, and Arkansas 7.4 percent.

In August 2013, there were still 2 million fewer jobs than when the ''Great Recession'' began in 2007. There are still 3 unemployed people for every new job created by the private sector. 60 percent of the jobs lost were mid-wage occupations—people who did not need Federal or State food assistance or housing assistance programs.

Mid-wage good paying jobs make up only 22 percent of the new jobs created during the recovery. Low-wage jobs represented 21 percent of the jobs lost but now make up 58 percent of the new jobs.

The need for SNAP is greater because the recovery is not as strong as it should be nor reaching the people it should reach.

Over the last decade the number of households that were working or had no income while receiving SNAP more than tripled, from 2 million in 2000 to about 6.4 million in 2011.

THIS BILL WILL HURT THE MOST VULNERABLE

Having SNAP funds does not guarantee access to nutritious food. The Department of Agriculture says that food deserts make it difficult for urban, suburban and rural poor to find nutritious food.

A food desert according to the Department of Agriculture is a ''low-access community,'' where at least 500 people and/or at least 33 percent of the census tract's population live more than one mile from a supermarket or large grocery store.

The USDA defines a food desert for rural communities exists where the distance to a grocery store is more than 10 miles.

In Harris County, Texas, 149 out of 920 households or 20 percent of residents do not have automobiles and live more than one-half mile from a grocery store.

Hunger is silent—most victims of hunger are ashamed and will not ask for help, they work to hide their situation from everyone.

In 2009–2010 the Houston, Sugar Land and Baytown area had 27.6 percent of households with children experiencing food hardship.

In households without children food hardship was experienced by 16.5. Houston, Sugar Land and Baytown rank 22 among the areas surveyed.

THE BILL IS TOO DRACONIAN AND POINTEDLY ANTI-URBAN

The bill creates a nationwide ''pilot program'' that directs states could impose new work requirements on SNAP recipients, including on parents of young children. The bill authorizes states to conduct drug testing of SNAP applicants as a condition of receiving benefits.

The bill is blatantly anti-urban in calling for a pilot program to reduce retailer fraud be conducted in a large urban area that administers its own SNAP program.

The bill requires that SNAP recipients receive at least $20 or more in aid from the state through the Low Income Home Energy Assistance Program (LIHEAP) before they could receive an increase in SNAP benefits.

The bill before prohibits states from telling someone about SNAP food programs. The bill defines this type of communication as recruiting SNAP participants by advertising the SNAP program.

The bill eliminates states' ability to waive work requirements. In addition the bill would impose new work requirements on parents of young children.

The bill would restrict ''categorical eligibility'' this would impact people who qualify for other low-income aid.

The bill requires that SNAP benefits be used by beneficiaries within 60 days of being posted to an account. If they have the benefits then the benefits should be there when the opportunity to go to a store is available to them—which may be more than a 2 to 4 week period.

People who are poor are not criminals and we should stop trying to treat them as if they

committed a crime. This bill is right out of the 47 percent playbook that was defeated last year during the Presidential Election and this bill needs to be defeated as well.

The Congressional Budget Office estimates that the bill would reduce net SNAP spending by 39 billion over 10 years and that 2.8 million people on average would lose their benefits while 850,000 would see benefits cut.

SNAP benefits help the disabled, which include men and women who have served our nation during times of war. It is reported that nearly $53 million in food stamps had been cashed in by people eligible to shop in base commissaries, including disabled veterans. The use of food stamps in commissaries increased 9 percent from 2012 to 2013. Military commissaries sold about $31 million under the Women, Infants and Children program in 2012 and nearly $15 million by June of this year.

Food is not an option—it is a right that all people living in this Nation must have to exist and to prosper.

Next year if this bill become law the nearly $40 billion cuts in the Supplemental Nutrition Assistance Programs also known as SNAP that is proposed by this bill 4 million Americans would fall though our Nation's food safety net.

In 2011, according to Feeding America: 46.2 million people were in poverty, 9.5 million families were in poverty, 26.5 million of people ages 18–64 were in poverty, 16.1 million children under the age of 18 were in poverty, 3.6 million (9.0 percent) seniors 65 and older were in poverty.

In the State of Texas: 34% of children live in poverty in Texas, 21% of adults (19–64) live in poverty in Texas, 17% of elderly live in poverty in Texas.

In my city of Houston, Texas the U.S. census reports that over the last 12 months 442,881 incomes were below the poverty level.

In 2011: 50.1 million Americans lived in food insecure households, 33.5 million adults and 16.7 million children. households with children reported food insecurity at a significantly higher rate than those without children, 20.6 percent compared to 12.2 percent.

MORE FACTS ON CHILD HUNGER

According to the United States Department of Agriculture (USDA), 16.7 million children under 18 in the United States live in households where they are unable to consistently access enough nutritious food for a healthy life.

FOOD INSECURITY

16.7 million children lived in food insecure households in 2011. 20% or more of the child population in 37 states and D.C. lived in food insecure households in 2011. In 2011, the top five states with the highest rate of food insecure children under 18 were New Mexico, the District of Columbia, Arizona, Oregon, and Georgia.

EMERGENCY FOOD ASSISTANCE

Nearly 14 million children are estimated to be served by Feeding America, over 3 million of which are ages 5 and under. 54 percent of client households with children under the age of 3 participated in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

POVERTY

In 2011, 16.1 million or approximately 22 percent of children in the U.S. lived in poverty.

PARTICIPATION IN FEDERAL NUTRITION PROGRAMS

In fiscal year 2011, 47 percent of all SNAP households contained children. During the 2011 federal fiscal year, more than 31 million low-income children received free or reduced-price meals through the National School Lunch Program. Unfortunately, just 2.3 million children participated in the Summer Food Service Program that same year.

As elected representatives we should see our Nation's vital interest to be to feed hungry children and all hungry Americans.

At the core of our vital interest is a stable and thriving economy, a strong and healthy population that is able to contribute to the economic engine that fuels our economy.

I urge my colleagues to reject this rule and restore fully the food programs to the farm bill.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.J. RES. 59, CONTINUING APPROPRIATIONS RESOLUTION, 2014

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Joint Resolution 59 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 352

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes. All points of order against consideration of the joint resolution are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The joint resolution, as amended, shall be considered as read. All points of order against provisions in the joint resolution, as amended, are waived. The previous question shall be considered as ordered on the joint resolution, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time from the calendar day of September 26, 2013, through the calendar day of September 29, 2013, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentlewoman from Rochester (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and reported a rule for consideration of H.J. Res. 59, the Continuing Appropriations Resolution for Fiscal Year 2014.

The rule is a closed rule and provides for the consideration of a short-term continuing resolution, keeping the government funded until December 15, 2013. The rule provides for 1 hour of debate equally divided between the chairman and the ranking member of the Committee of Appropriations.

Additionally, the rule incorporates an amendment by Representative SCALISE, which fully defunds ObamaCare and also ensures that the government prioritizes interest and principal payments on our national debt and Social Security payments in the event that the debt limit is reached. The rule also provides for one motion to recommit, with or without instructions.

Finally, the rule permits the Speaker to entertain motions to suspend the rules from September 26 to September 29.

Mr. Speaker, I want to commend my friend, Chairman ROGERS, for bringing a bill to avoid a government shutdown to the Rules Committee. Within the Republican Conference, we've had a very spirited debate on this issue; however, it's led us to a good product.

There are a number of things I like about this bill. First, it extends the funding for operations of all programs until December 15, allowing the Appropriations Committee the needed time to finish its work on the 12 full-year spending bills.

Second, this continuing resolution adheres to the post-sequester caps of the Budget Control Act, maintaining our commitment to reduce the deficit.

Third, this bill fully defunds ObamaCare.

Mr. Speaker, it seems the closer that we get to the implementation of the Affordable Health Care Act, the more unpopular it becomes.

Already, the President has agreed with Congress to make major changes to this legislation on seven different occasions. Additionally, he's delayed major provisions like the employer mandate unilaterally another seven times.

If business is chafing under these mandates and in need of a delay, then surely the American people should be given the same relief. The continuing resolution provides them that relief.

Finally, Mr. Speaker, this legislation provides certainty to our creditors that they will get paid. Some of my friends on the other side have called this the ''Pay China First Act''; however, nearly 70 percent of our debt is owed domestically. This legislation would provide for the prioritization of U.S. bondholders and people on Social Security at the front of the line to be paid if the government hits its borrowing limit.

Mr. Speaker, this is the responsible thing to do. Some have said that this is just brinksmanship and an attempt by Republicans to lead to a government shutdown. That could not be further from the truth. The Appropriations Committee has brought this bill to the floor explicitly to avoid the threat of a shutdown.

It's a good bill, and I urge the support of the rule and the underlying legislation.

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

Ms. SLAUGHTER. I thank the gentleman for yielding me the customary 30 minutes.

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

Mr. Speaker, if the House of Representatives fails to act, the government will shut down on October 1.

□ 1415

A government shutdown would result in the furlough of hundreds of thousands of government employees, stop the flow of Social Security checks, and hold up Medicare benefits for our seniors. In short, there are very real and very significant consequences to what we do here today.

Given the stakes, one could reasonably expect the majority to avoid extremism and partisanship and allow this Chamber to keep the government open. But this bill doesn't do that. Unfortunately, the opposite is happening here today.

Unable to pass 8 of 12 annual appropriations bill, the majority has been forced to resort to a continuing resolution—and this CR should have been clean, as the CR is in the Senate. But today's proposal includes a self-executing amendment to defund the Affordable Care Act and put medical decisions back into the hands of the insurance companies. And that will not go through the Senate. So we will, once again, go to the very brink of disaster, hoping that we can pull out of it while letting most Americans hang by their thumbs, wondering what we're going to do.

As the newspaper The Hill wrote this morning, today's proposal makes ''shutdowns more likely'' because the Affordable Care Act will never be repealed as long as President Obama is in office and the Democrats control the Senate.

The fact of the matter is the Affordable Care Act is already delivering on its promise of lower health care costs and more secure health care. States are just 11 days away from opening online health care exchanges, where individuals will be able to compare health plans and purchase an insurance plan that fits their needs. In many cases, these exchanges will allow individuals to purchase health insurance cheaper than ever before.

In my home State of New York, premiums for some insurance plans have already dropped by 50 percent. This week, Secretary Sebelius announced that many monthly premiums will be less than $100.

Perhaps most importantly—not something I'm sure everybody knows—the Affordable Care Act flips the script and takes the power out of insurance companies' hands. Instead of having lifetime and annual caps on what the insurance company will spend on your health care, the Affordable Care Act enforces limits on what you will have to pay out-of-pocket for your health care.

Does everybody know that? Because when your constituents find it out, they're going to be bummed out at you for trying to kill it.

For example, in 2015, those covered under a group health insurance plan will not have to pay more than $6,350 out of their pocket for medical procedures and medicine. That is such a gift. People will no longer have to go bankrupt to pay health bills. That is going to be covered from that point on. Once you've reached that limit, your insurer is going to pick the rest of it up. My constituents don't want to lose that. It's a landmark change and just one of many reasons why the majority's attempt at repeal will never become law.

Today's legislation falls short when it comes to ending the devastating cuts within what we call the sequester. The sequester has been one of the most devastating policies ever implemented in the history of the United States. Just today, the head of the FBI said that the idea of having to get rid of 300 employees and putting all of his employees on 10-day furlough makes it almost impossible for him to run the FBI.

Because of the sequester, tens of thousands of cancer screenings have been canceled at public health clinics right now, more than $1.6 billion has been cut from the National Institutes of Health, and more than 70,000 children have been kicked out of Head Start. And over the next 12 months the CBO estimates that 1.6 million jobs will be lost because of the economic drag caused by the sequester.

Last night, the Budget Committee ranking member, CHRIS VAN HOLLEN, came to the Rules Committee and requested to have a vote on the House floor in order to end the sequester. That was the eighth time that his request has been denied by the Rules Committee. Given the chance for bipartisan cooperation and to rid ourselves of this plague that is so worrying and causing such devastation, the majority simply walked away.

Finally, today's legislation also includes a proposal to protect some bondholders, including China, from any economic fallout that would occur if the majority refuses to lift the Nation's debt. This legislation has no place in a continuing resolution. Furthermore, it should never have been considered, for the faith and credit of the United States should never be in doubt.

Mr. Speaker, every Member of this House is sworn to uphold the Constitution of the United States and to ''promote the general welfare.'' And that's a far cry from what we're doing here today, not only in this bill but in the one that preceded this, where we're cutting $40 billion out of food that will affect, as you heard before, veterans, the elderly, Meals on Wheels, and school nutrition. It's not what we are and not what we do.

Everybody knows, though, that what is happening here today is what every mother knows. When a child has a tantrum—and a tantrum is being had here over health care—you slap a pacifier in the mouth. That's exactly what trying to redo the health care bill is—it's a temporary tantrum retarder so that we can get by today. There is no real plan. It's just how will we get by today.

After the majority passes this bill, the Senate will take the legislation. With a pure majority, they can remove the partisan attacks within it and they will send us back a clean CR if they can get 60 votes, which we will have to pass or chaos will ensue. By the time we get around to all this—which we could be doing today—we're on the edge of a cliff.

In the meantime, the majority's refusal to work on a balanced plan to create jobs, grow the economy, and to invest in our future, which is such an important thing that's been neglected, and stop the brain drain being caused by the sequester is hurting our economy and threatens a government shutdown.

With time running out, the decision to play politics has dire consequences. Think about it for just a moment. We've gotten reports about substandard bridges and roads and the neglect of the railway. We could put all those people to work that would be needed just to rebuild those, and spend some money on ourselves, instead of $2 billion a week on the wars, as we did in Iraq for 10 years.

So I urge my colleagues to vote against today's rule and the underlying legislation so we can consider bipartisan solutions instead of games. I can promise you that our side stands ready and willing. We have nothing to do with any of this today. No Democrats were involved. We want to be a part of it as well.

I reserve the balance of my time.

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

As usual, my friend makes a skillful and thoughtful case in defense of the Affordable Care Act. The problem is that the jury is the American people. They're still not convinced. They haven't been convinced for 4 years.

Repeatedly, poll after poll after poll has shown this to be an extraordinarily unpopular piece of legislation. In fact, I'd suggest my friends probably lost their majority in their pursuit of this legislation. It was their continued defense of it that may well have cost them the opportunity to regain that majority when the President was reelected.

If you look at the evidence, it's not only unpopular as we approach the implementation date, but more of the people that supported it are asking either for delay or for it to be overturned altogether. We had a lot of labor unions recently march down to the White House and request the President—these are people that helped pass the bill—to please fix it, change it, delay it, do something—it's going to hurt our members and their families.

The President himself acknowledged this bill isn't working very well. We're going to have to delay it for a year for all sorts of businesses.

We've been told repeatedly that this was some day going to become popular. But I would suggest the experience of not weeks, not months, but years has taught us that it's never going to be popular with the American people.

My good friend also talked a little bit about the sequester. I think that's worth visiting again because we probably have some common ground there. I would suggest that we ought to get rid of the sequester. But let's remember how it got here and what it was designed to do.

Sequester is in law because of the President of the United States. He's the one who proposed it. He's the one who advocated for it. He's the one who signed it into law. We all agree it's not a very artfully drawn piece of legislation, but the President insisted on it.

We twice in this House acted to provide opportunities to get rid of sequester. Neither time did our friends on the other side pick up those opportunities, either in this Chamber, the Senate, nor the President of the United States.

We are more than willing to renegotiate sequester. We are not willing to give up the savings. We would like to spread those cuts and savings over the entire budget. And we think we can work through the problems without surrendering the savings unilaterally or raising taxes, another thing which we don't think is the appropriate way to deal with this particular piece of legislation.

My friend talked about food stamps, which are not directly relevant for our debate, but it's worth thinking for a minute that, under President Bush, the amount of money we spent on food stamps doubled. And under President Obama it has doubled again. In other words, 100 percent and another 100 percent.

All our bill is suggesting is perhaps 5 percent of that massive increase. At a time when unemployment is coming down and the economy is supposedly on the mend, we could, through reforms, reclaim and save. That's all this is.

Finally, there was some discussion of the Senate and what it will and won't do. I learned a long time ago not to try to predict what the Senate of the United States is going to do. Some of my colleagues, frankly, on our side of the aisle have been asking for an opportunity to express their opinion on ObamaCare and have an opportunity to get in the fight. I think they ought to have that opportunity. Frankly, I suspect there are some Democratic senators who may be on the ballot for the first time since voting for ObamaCare that might want to reconsider their positions and if not defund, perhaps delay.

But in any event, our job here is to do what the American people sent us here to do. That's, number one, to fund the government, which this bill certainly does. And, number two, in the case of the majority, to repeal, reform, delay, or somehow postpone ObamaCare. That's what we're doing.

We'll send this over to the Senate. We'll see what our colleagues can do over there. They've got some remarkable tools that we don't have. They have things like cloture. It doesn't exist on our side of the aisle. They have things like the filibuster. It doesn't exist over here.

Again, the political situation suggests they may be able to find allies. Regardless, they certainly deserve the opportunity to have the fight and debate and discussion that they requested. I think this House is acting wisely and well in giving that chance.

Once they've made their decision—and we're not here to express the will of the Senate, and they're certainly not there to express the will of the House—they'll send something back. At that time I have no doubt that we'll pick it up and react to it and try to respond in an appropriate fashion.

But nothing is going to begin until we pass something out of this House. That's what we're trying to do today.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), the distinguished ranking member of the Committee on Appropriations.

Mrs. LOWEY. Mr. Speaker, I rise today in strong opposition to this rule.

Last night, the Rules Committee spent nearly 3 hours discussing the merits of health reform, food assistance in the farm bill, and U.S. debt held by foreign entities. Yet very little time was devoted to one of the primary jobs of the legislative branch which this bill addresses: appropriating funds.

This rule adds a provision to dictate to the President in what order to pay the Nation's bills in case of default and another provision to defund the Affordable Care Act. The President issued a veto threat this morning, based on these extraneous provisions.

We should be focused as sharply as a laser beam on the American economy and jobs. This brinksmanship on the budget and the debt limit will force the stock market to plummet and businesses to freeze hiring. Continuing sequestration, as this bill does, will cost our economy up to 1.6 million jobs over the next year, according to CBO. That is why I join my Rules Committee colleague and urge the House to reject the previous question to get a vote on the Democratic amendment to stop the sequester job loss.

Voting to add politically motivated provisions to the CR is akin to voting to shut down the government. And shutting down the government means shutting down the Nation's economy. Nonetheless, Republicans place their ideological crusade against health care reform ahead of the American economy and jobs.

I urge my colleagues to reject this rule.

Mr. COLE. Mr. Speaker, I yield myself 1 minute.

I want to assure my good friend we have no intention and no desire to shut down the government. Absolutely not. If that was our aim, we wouldn't be bringing a bill to the floor whose main purpose is to keep government funding open.

□ 1430

We want to take the 75-day window, roughly, and sit down and negotiate with our friends and make sure—particularly my friend and our chairman, Mr. ROGERS, have an opportunity to work through the appropriations process. So that is not our intention.

As for the President's concern about sequester, again I will just remark that this was his idea. This was his proposal. He signed it into law. He is not an innocent bystander in this process. So if he would like to sit down and redo it, we are more than happy to do that; but he's not going to dictate the outcome from the White House.

Mr. Speaker, I yield such time as he may consume to my fellow member of the Rules Committee, my classmate, the distinguished physician from the great State of Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman for yielding.

Mr. Speaker, of course we are here today to discuss the rule that will allow the continuing resolution to come to the floor; and coupled with the continuing resolution is language that will forever affect the funding for what is known as the Patient Protection and Affordable Care Act. Let us pause for a moment to remember how the Patient Protection and Affordable Care Act was visited upon the United States of America.

This was not something that was a product of any House hearing. This was not something that was a product of the House in any way. This was a product of the Senate Finance Committee; developed between Thanksgiving and Christmas in 2009; put on the floor of the Senate on what I like to describe as the ''darkest evening of the year'' in a

cloture vote, December 21, 2009; followed by a vote by the Senate on Christmas Eve.

Many of you will remember that day. There was a snowstorm descending upon Washington, D.C. The Senators wanted to get home, they wanted to get out of town, so they simply voted one after the other until they got the 60 votes for the Affordable Care Act and then left town under the cover of darkness. They never thought that what they were voting on on Christmas Eve 2009 would ever become law.

But a funny thing happened. A dog ate my homework, and I turned in the rough draft and it accidentally got signed by the President 3 months later. That's where we are today. That's why this law has been so difficult to implement. That's why the American people have never embraced this. And now more recent polling in the past several days shows that the American people actually reject what is being visited upon them.

A headline in The Wall Street Journal yesterday, Walgreens has told their employees, well, guess what, we're not going to pay for coverage any longer; we will give you money. Good luck in the exchanges, and we'll see you on the other side. UPS dropping family coverage. The unions wrote the minority leader in the House of Representatives and the majority leader in the Senate and said: please help us. Please help us. We've helped you. We've manned your phone banks; we walked neighborhoods for you; we got you elected. The administration is not listening to us. You have broken the contract with the middle class by voiding the 40-hour work week. By redefining full-time employment as 30 hours, you have essentially broken the back of the middle class.

The American people, regardless of political persuasion, are crying out for our help. Fortunately, today and tomorrow, we are going to be able to provide them that help.

We are frequently hearing about 40 or 41 votes to repeal the Affordable Care Act. I'll tell you what, as many as it takes. But seven of those efforts to restrict and repeal portions of the Affordable Care Act, seven of those have been passed by the Senate and signed by the President. So it's not entirely a fruitless effort.

But probably more telling is the President himself, who has, whenever it suited him, simply jettisoned a portion of the law—a law that he signed in March of 2010 that we all remember. Those of us who were in the House at that time, those of us who watched news shows during the summer of 2009 and on into 2010, the cry that went up: we've got to do something about people with preexisting conditions. There are just far too many people in the country who are frozen out of the insurance market because of an unfortunate medical diagnosis.

But the reality is the large group plans in this country have open enrollment periods. So the preexisting condition conundrum generally is a problem for people in the individual and small group market. How do I know this? How do I know that this number is much more manageable than the 8 to 12 million people that then-Speaker PELOSI and the President of the United States talked about? Because on the eve of the Supreme Court's ruling on the Affordable Care Act, when I thought it was going to be important for this House to respond to those people who had the Federal preexisting program taken away from them by a Supreme Court action, I did an investigation: how many people had been signed up in the so-called ''Federal PCIP program.'' The number at that time was 65,000; by the end of the year, it was nearly 100,000.

Then, Mr. Speaker, something really strange happened. On February 1 of this year, less than 2 years after the Affordable Care Act was signed into law, people showing up at the teller's window over at the Department of Health and Human Services saying I would like to buy my insurance in the Federal preexisting pool were told, sorry, that window is closed. We will only take care of the people who are already enrolled. If you're coming in today wanting that kind of help, so sorry, program terminated. There were no headlines in that regard. There were no cries of anguish that the President had stopped providing coverage for people with preexisting conditions. You had people who were waiting the 6-month waiting period—they were required by law to wait and not have insurance—show up for this Federal preexisting pool. But what did they hear when they got to the window? Sorry, sister, window is closed. Go somewhere else. Eleven months from now you will have the full Elysian Fields of ObamaCare. And maybe if you can make it until then, you'll be fine.

Well, what else went by the wayside? Remember the discussion about: we're going to put a cap on out-of-pocket expenses so no longer will people have to pay excessive copays and deductibles. Oh, by the way, they postponed that for a year. That was supposed to start January 1, 2014. Now it's been put off until January 1, 2015.

The Small Business Health Exchange, supposed to open—we are going to get the power of competition in the small group market—was supposed to open January 1, 2014; delayed for a year, January 1, 2015.

Who can forget the Tuesday evening before the 4th of July holiday this year when on a blog post Valerie Jarrett put out that the employer mandate was in fact suspended for a year. Three days later they had to say that, oh, yeah, by the way, all of those reporting requirements that we were requiring under the employer mandate, well, we're not going to require those either. We're just going to trust people to tell us the truth when they come in to sign up for benefits, not that any Federal program administered by the Department of Health and Human Services has ever had a problem with fraud or misrepresentation.

Probably one of the most telling things is the lack of anyone within the agency to be able to answer a simple yes or no question about: Will the exchanges be open for enrollment on October 1? The head of the Center for Consumer Information and Insurance Oversight was in our Subcommittee on Oversight and Investigations just this morning. I asked that question; a simple yes or no, sir, is all that I require. I got a long answer that, yes, there will be Web sites; yes, you will be able to access Web sites. Yes or no, will people be able to go to register for insurance on October 1? They could not give me a yes or no answer.

Second question: What about will people be able to sign up for the insurance on January 1 as advertised, yes or no? Again, unable to give a yes or no answer to that question.

Will people be able to buy insurance cheaper as the President suggested when he was running for office? Unable to answer with a yes or no.

These are the problems we have, Mr. Speaker. We cannot get people from the agencies to come and give us a simple answer, a simple direct answer to a simple direct question. No wonder the American people are full of questions about this. No wonder they are full of fear about what is just around the corner.

This rule vote will allow the House to vote on a bill that keeps the government funded and open until December 15 of this year. But that vote, very importantly, allows people's voices to be heard that they do not trust what has been quoted in the Affordable Care Act. They feel that the investment has been a bad investment so far, and they are telling us: don't sink one more dime into this.

Ms. SLAUGHTER. Mr. Speaker, I am delighted to yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Appropriations Subcommittee on Labor-HHS.

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this cynical and reckless rule and the underlying funding bill. This is neither a serious nor a good faith effort to address the fundamental responsibilities in our budget. Instead, the majority is trying to hamstring the government. They want it to be broken, and they want to make it seem like it cannot address real problems. That is why now they are committed to pushing us headlong into a government shutdown whereby they would leave the American people on their own in what are difficult, difficult economic times.

This rule does not responsibly address our budget in any way. Instead, the majority is using the resolution to ensure that their dangerously low funding levels are the ceiling for future budget negotiations, and to try for over the 40th time to thwart the law of

the land and to derail the Affordable Care Act, which denies affordable health care to families.

We passed the Affordable Care bill in the House of Representatives. We passed it in the United States Senate. The President signed the bill. The Supreme Court upheld the bill. But now this crowd wants to stop it by not providing the money to fund it and they want to repeal it.

The American public says: don't repeal the Affordable Care Act. Don't do that. Let's implement it. And, yes, if there are fixes to be made, let's do that. Because right now children, their parents can no longer be told by an insurance company we won't provide insurance coverage for your child that might have asthma, or autism, or anything else because we have regarded that in the past as a preexisting condition. It is no longer a preexisting condition. Quite frankly, what they want to do is to turn your health care insurance coverage back to the insurance companies that can say no. I say to them: get over it. It's the law of the land. Let's implement it and make the changes.

And while this majority plays games, the deep and dangerous across-the-board cuts which they are trying to enshrine in this bill are threatening our economy, our health, our well-being, and the future of American families.

Both the nonpartisan Congressional Budget Office and Federal Reserve Chairman Ben Bernanke argued that these across-the-board cuts will cost us as many as 750,000 jobs. That's not all.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield 1 minute to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, more than 57,000 children losing access to early learning through Head Start, you can't make that up. When you've lost that Head Start slot, that child can't go to school; that learning opportunity is done. That is about the future of that youngster.

They would cut off biomedical research that saves lives. I'm a cancer survivor. They would cut off the research that provides us with the opportunity to save people's lives in this Nation.

They cut money for the National Institutes of Health, the Centers for Disease Control, the Food and Drug Administration. Instructional services are being sharply reduced. Education cuts. There are similar cuts in place to every other national priority we care about—court systems, food safety, transportation, you name it. Instead of fixing these cuts, the majority is trying to make it worse for American families.

This resolution is not a serious attempt at addressing the budget; it is an ideological charade. Its purpose is to shut down the government and leave the American people on their own. I urge my colleagues to take no part of this and reject it.

Mr. COLE. Mr. Speaker, I yield such time as he may consume to my great friend, the chairman of the Rules Committee, the distinguished Member from the great State of Texas (Mr. SESSIONS).

Mr. SESSIONS. I want to thank the young gentleman from Oklahoma for his service not only to the Rules Committee, but also the Appropriations Committee, that he very aptly serves this honorable body well.

Mr. Speaker, I'm not surprised that we're seeing the hysteria that we are. The people who are screaming the loudest are the people that ensured, through no—trust me, no other reason, other than the things that they voted for, no unintended consequence but to have this country go from a $9 trillion to a $17 trillion deficit in just 5 short years.

□ 1445

They made sure that this country has become unemployed, that we no longer really have careers, that there is not only hundreds of waivers that have been given to the political friends of this President. Uncertainty is all across this great Nation about employment. People who want to sign paychecks want more employees. It is rampant across America of uncertainty and answers that cannot be given about this massive government-run health care plan that is getting ready to face this Nation in just a few short weeks.

That's why the Republican Party is on the floor of the House of Representatives today. That's why we are here to say we are going to make sure this government gets funded.

But the main culprit of uncertainty of hugely rising insurance and health care costs is ObamaCare. It is not an Affordable Care Act. By the way, I think it works about this same way in Moscow as it does in Havana. It is an out-of-control health care system that will diminish America's greatest health care system.

So why we are here today is to join House Republicans, Mr. Speaker, in our efforts to prevent ObamaCare from becoming reality. Since ObamaCare was proposed in the House in 2010, I and my Republican colleagues, not just from north Texas, as you heard here from Dr. MICHAEL BURGESS, but people from Oklahoma and all across this country, stood firmly to say that we believe that our fight against a government health care-run system is exactly what the American people want.

My Republican colleagues and I in the House are doing everything we can to stop ObamaCare through voting to repeal it, defund it, and to dismantle it. I am proud of that effort. ObamaCare is bad for jobs. It's bad for jobs all across this country. That means it's bad for our economy and it's bad for our Nation's health care systems.

Doctors all across this country are united, as well as consumers, to say we must do something about it. Up to 60 percent of Americans today are worried about the quality of health care and how they will pay for this expensive product that Democrats have brought to America.

ObamaCare will jeopardize 3.2 million jobs across this country in the franchise industry alone. These are people that before had an opportunity to put food on their table that now are having to struggle to pay for this ObamaCare.

Additionally, hardly a week goes by that we do not hear stories about companies having to force their employees off their employee and off their preferred employer provider insurance. President Obama stood right in front of where you are, Mr. Speaker, just a few years ago, and said that famous, what has turned into a lie: If you have health insurance, you can keep your health insurance. That is not true.

Today, we are learning that this is not just the case with just a few people, but also just, effective yesterday, Walgreen's has announced that they will move 160,000 of their employees off their current coverage.

That is why Republicans are on the floor of the House of Representatives today. We are trying to pass this same message to our colleagues in the other body so that they are able to take the fight so that Americans understand that we not only hear them, but we are willing to do something about it.

I want to thank the gentleman from Oklahoma for yielding me time and I end my speech today by saying this: that Republicans will continue to fight for jobs, better health care, and an opportunity for every single American to have a job to make this country even stronger.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds just to say that, while I did not make a Federal case out of it here, I deeply regret that my colleague has disparaged the President of the United States.

I now yield 3 minutes to the gentleman from Maryland (Mr. HOYER)—I wish I could give him an hour and 40 minutes to counter what we have heard, but unfortunately I can only give him 3—the Democratic whip.

Mr. HOYER. Mr. Speaker, I need that hour to correct so much misinformation. But I've got to say something to my friend from Texas, who has now left the floor, or is about to leave the floor, and just remind him: during the last 18 months of the Bush administration, we lost 4,491,000 jobs. Over the last 42 consecutive months, in the private sector, we have gained 7,452,000 jobs. That, my friend, is an 11.5 million turnaround to the benefit of workers. Have we done enough? We have not.

Now, let me speak to this perverse rule. Let me first say to my friend, Mr. COLE, who like so many of his Republican colleagues continues to say the President signed this cloture bill. He did. Why did he sign it? Because our Republican friends threatened, as they are doing today, to put the United States of America into default for the first time in history if he did not. That was the threat. It's the threat again today.

Mr. COLE, my friend, would not really support that policy, I am convinced. He does not have to have a colloquy with me, but he would not support that.

The sequester, however, he did support in the cut, cap, and balance bill that was totally voted on by Republicans, a few less than my hand of Democrats, who said that they wanted the sequester as the fallback position. They got it. They got it because that's the only deal they would make.

The President doesn't want sequester, I don't want sequester, and the chairman of his committee doesn't want sequester. Let me assert, without undermining his credibility, I don't think TOM COLE wants sequester. By the way, I have a quote here which indicates that ERIC CANTOR, the majority leader, doesn't think sequester is so hot either.

Here is what HAL ROGERS said, however—and I would like to debate this for some period of time, but I don't have the time: With this action, we pulled the transportation bill. The appropriations process is broken, irrelevant, dismissed.

By the way, when they marked up their first three bills that they passed in the House, they didn't use their sequester number. They used the number that the Senate is marking to because they knew their number doesn't work, their number that is included in the bill that would be the result of this rule.

Mr. COLE, you are my friend and I have great respect for you and I think you believe that, but here is what HAL ROGERS said: With this action, pulling the transportation bill, the House has declined to proceed on the implementation of the very budget it adopted just 3 months ago.

Mr. ROGERS—conservative, Kentucky, Republican, chairman of the Appropriations—said: I believe the House has made its choice.

Sequestration and its unrealistic and ill-conceived discretionary cuts must be brought to an end.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield an additional 2 minutes to the gentleman.

Mr. HOYER. He then went on to say: The House, Senate, and White House must come together as soon as possible on a comprehensive compromise.

This bill represents zero compromise.

Come together 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—realistic—top line discretionary spending level to fund the government in a responsible and attainable way.

I've been here for some period of time. I know about compromise. My side needs to compromise. There is no compromise yet on the other side of the aisle, ladies and gentlemen—none, zero. And I say lamentably, and I say this with great sadness, in my view, there are only about 60 on your side of the aisle who want this hard-line approach, this unrealistic approach, this approach that the Senator from North Carolina who served in this House and on the Appropriations Committee said was unreasonable.

Now, let me tell you what the chief executive of The Heritage Foundation said: We are pushing back on these gimmicks.

Who are the gimmicks? Mr. BOEHNER and Mr. CANTOR, saying we'll pass it, we'll get a vote on health care. If they reject it, we will still fund government.

Your side wants to defund government. It may not want to shut the door on government. It wants to defund it badly and undermine our national security, our economy, and the operations of the government. Every member of the Appropriations Committee knows that to be the case. No member of the Appropriations Committee, in my view, Republican or Democrat, believes that the sequestration levels that are in this bill that this rule provides for are viable. They will not work. They will hurt Americans.

But what does Michael Needham say about these gimmicks and about pursuing this? He says: I think it's exciting. It's a game.

It's a game that will hurt America.

Reject this rule, reject this bill, let's have real compromise.

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

I know that Bob Woodward is a widely read author. I can look at the book sales that he racks up and know that there's a lot of people in this town that read what he has to say. But evidently my friends on the other side have never read what he had to say.

Let's be clear: sequester was the President's idea and proposal. Now, where I agree with the President is that I think we need to save money in the Federal budget. Sequester was supposed to be a trigger to force that negotiation.

Unfortunately, for whatever reason, I was not a member of the supercommittee; but I think all of them worked hard and in good faith, and I cast no aspersion, but they didn't get there. So sequester, the President's recommended method, happened.

We would still like to sit down with the President and our friends on the other side and renegotiate where those cuts occur. Sequester is about $85 billion on an annual basis in a $3.5 trillion budget that is roughly $700 billion out of balance as it is. So the idea that we can't find 2.5 percent if we negotiated over the entire budget I think is probably, frankly, not a very sustainable proposition. We could do that without some of the distortions we are going through now. We would be more than happy to do that with my friends on the other side, and certainly with the President of the United States.

Mr. HOYER. Will the gentleman yield?

Mr. COLE. No, I will hold my time, but I will yield in a moment.

But let's be clear whose idea this was and who has not put a solution on the table. I could go ad nauseam into cuts that did not have to occur in the Defense Department that have occurred because the administration insisted on them, but that's for another time and another debate.

I agree with my friend that this is a time to come to a deal. That's what we are trying to do, actually, in this rule and in the underlying legislation: set aside a 75-day window to sit down and let the appropriators and those above them come to an agreement, and let's get out of this cycle—I agree with my friend—of short-term fixes and deals and let's move back to what I know my friend wants to do, and that's to establish regular order.

But to do that, we have to start the process; we have to begin now. Let's pass this resolution. It reflects the will of the majority. Let's move it to the Senate and let's see what the Senate is prepared to do. They will send us something back. Then, hopefully, at the end of that process, a CR will be arrived at.

My friend alluded to the fact that people want to shut down the government. That's the last thing we want to do. I thank my friend for accurately putting my position out there on both government shutdown and on default. I've made it abundantly clear I think those are bad ideas. I thought they were bad ideas.

By the way, TOM COBURN quotes me in his book in 1995 telling him not to do it. I was his political consultant back then. So I have never thought this was an appropriate tactic in government. I don't think we need to do it now.

But let's do that, and at the same time let's give the Senate an opportunity to vote up or down, whatever they want to do, on ObamaCare. We've gotten to do it multiple times. They seem to be anxious to have the opportunity. I think they should. But they will send us back a product, and I'm sure we will respond.

With that, I yield to my friend if he had a point he wanted to make.

Mr. HOYER. I thank my friend for yielding.

Mr. Speaker, I might say not only have I read Bob Woodward's book; I invited Bob Woodward into my office and we discussed this assertion that you and others like to refer to ad nauseam, very frankly. Does the gentleman agree that before that was ever suggested by Jack Lew to HARRY REID as a possible way to getting us not to default on our debt that you and the overwhelming majority, all but eight of your colleagues, voted for your cut, cap, and balance bill which had within it in July of 2011 a sequester so that this was a proposal that you put in legislative action?

□ 1500

Mr. COLE. In reclaiming my time, it's certainly true that we've had multiple proposals to try and limit spending. We walked in with a $1.4 trillion

deficit, so we thought maybe we ought to try and bring it down a little bit. Is it the exact form of this sequester? Absolutely not. No Republican ever came up with a sequester and had 50 percent of the cuts coming out of defense. So, in that sense, I don't think you can equate that.

Regardless, let's not argue over history here for a minute; although, again, just for the record, I, too, have had Bob Woodward in my office, and I actually had him sign 60 of those books, which I gave to my colleagues, because I thought it was such an interesting look, and the players and the process are still the same.

The bottom line: let's pass this legislation. It's going to move out of the House. Let's let the Senate act. Then let's see what they send back to us, and let's act in turn.

Mr. HOYER. Will the gentleman yield?

Mr. COLE. I yield just quickly to the gentleman from Maryland because I'm running low on time, and I do have other speakers.

Mr. HOYER. Does the gentleman agree with me that the sequester is irrational?

Mr. COLE. I certainly wouldn't agree if it yields the cuts, but I think the structure of it is inappropriate, and it's flawed.

Mr. HOYER. And we ought not to continue with it?

Mr. COLE. We ought to repeal it and get savings across the entire budget. I think that's what we should do.

Mr. HOYER. I am glad the gentleman agrees.

Mr. COLE. With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New Jersey, Mr. ROB ANDREWS.

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

Mr. ANDREWS. Mr. Speaker, I have not had Bob Woodward in my office, but I have had in my office a guy who remodels kitchens for a living. He told me that, even though the economy has picked up a little bit, it's still not as good as it needs to be, and his concern is the one that I bring to the floor here today.

I believe that the majority is putting the country on the perilous path to a government shutdown with this vote, and the government shutdown is bad enough. It's bad enough that, on October 1, I think it's now likely that the people who inspect our food, that the people who now help pursue criminals at the FBI and that the people who run our National Guard Armories won't be showing up for work because of the government shutdown. That's bad enough. The problem here is not just a government shutdown—it's a shutdown of the economy. That's what this causes.

The way the American economy works is, when a person at the USDA or the FBI gets a paycheck, he goes out and he has his kitchen remodeled. The kitchen remodeler is then more likely to buy a house, so the real estate broker is more likely to earn a commission. Then she is more likely to buy a car, so the car salesman is more likely to earn his commission, and he's more likely to go buy a refrigerator. The person running the appliance store is more likely to hire more people at the store, and more truck drivers have work in delivering the appliances. On it goes or on it doesn't go.

When the sequester was locked in, economists in this country predicted that a third of the projected economic growth wouldn't happen. They were right. When the latest growth figures came out, instead of growing at about 2.5 percent, the economy grew at 1.7. It's not a mystery as to why. The problem here is not simply the government shutdown—it's the shutdown of the economy that this represents. This bill will probably pass the House. It will not pass the Senate. It represents an obsession with the health care law rather than good faith negotiation.

We should begin those good faith negotiations right now. We should have on the floor right now a proposal that Mr. VAN HOLLEN has made for a very long time that says: let's get rid of the sequester for a period of time; let's not lay off the person at the National Guard Armory or the FBI or the USDA; and let's replace the spending cuts with a fair and honest set of proposals that would include things like taking tax breaks away from oil companies that are making billions of dollars a year.

We are not getting a chance to vote on that today or tomorrow, and I suspect I know the reason why—because it would pass. It would keep the government running. It would further reduce the deficit. It would put more Americans back to work—but it doesn't fit the political script of the majority.

Vote ''no'' on the rule and ''no'' on the bill.

The SPEAKER pro tempore. The Chair would advise Members that the gentleman from Oklahoma has 2½ minutes remaining, and the gentlewoman from New York has 8 minutes remaining.

Mr. COLE. I yield myself 15 seconds.

Mr. Speaker, some of my friends on the other side of the aisle have, from time to time, wondered about where the business community is on this issue, so I would like to insert for the RECORD a letter from the U.S. Chamber of Commerce, which notes, as ''the world's largest business federation representing the interests of more than 3 million businesses . . . '' it favors the passage of H.J. Res. 59, the Continuing Appropriations Resolution for 2014, to ensure the uninterrupted funding of the Federal Government into the next fiscal year and to defund ObamaCare.

I reserve the balance of my time.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, D.C., September 18, 2013.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: THE U.S. CHAMBER OF COMMERCE, THE WORLD'S LARGEST BUSINESS FEDERATION REPRESENTING THE INTERESTS OF MORE THAN THREE MILLION BUSINESSES AND ORGANIZATIONS OF ALL SIZES, SECTORS, AND REGIONS, AS WELL AS STATE AND LOCAL CHAMBERS AND INDUSTRY ASSOCIATIONS, AND DEDICATED TO PROMOTING, PROTECTING AND DEFENDING AMERICA'S FREE ENTERPRISE SYSTEM, URGES THE HOUSE OF REPRESENTATIVES TO PASS H.J. RES. 59, THE ''CONTINUING APPROPRIATIONS RESOLUTION, 2014,'' TO ENSURE THE UNINTERRUPTED FUNDING OF THE FEDERAL GOVERNMENT INTO THE NEXT FISCAL YEAR AT SPENDING LEVELS CONSISTENT WITH P.L. 112–25, THE BUDGET CONTROL ACT OF 2011.

The U.S. Chamber of Commerce fully recognizes the importance of restraining federal spending, both discretionary spending and mandatory spending, to reduce federal budget deficits, contain the growth of federal debt, and thereby re-establish fiscal discipline in the near-term and for the long haul. However, as the Department of Labor's recent lackluster jobs report reminds us, the U.S. economy continues to underperform, reinforcing the need for the federal government to preserve its normal operations pending a successful outcome of broader budgetary reforms. It is not in the best interest of the U.S. business community or the American people to risk even a brief government shutdown that might trigger disruptive consequences or raise new policy uncertainties washing over the U.S. economy.

Likewise, the U.S. Chamber respectfully urges the House of Representatives to raise the debt ceiling in a timely manner and thus eliminate any question of threat to the full faith and credit of the United States government. Treasury Secretary Jacob Lew has indicated the Treasury may exhaust its borrowing capacity and cash management tools as early as mid-October.

The nation faces many serious fiscal issues on which the Congress and the President have thus far yet to reach agreement. These issues include correcting the unaffordable path of entitlement spending to stabilize federal finances and the need for fundamental tax reform to strengthen the American economy. These issues also include the need to correct the many grave deficiencies in the Affordable Care Act. The Chamber believes each of these and related issues demand immediate attention. The Chamber also asks the Congress to work to clear the individual spending bills so that the improvements and changes reflected in this year's work may be signed into law.

It is readily apparent none of these important issues are ripe for resolution. We therefore urge the House to act promptly to pass a Continuing Resolution to fund the government and to raise the debt ceiling, and then to return to work on these other vital issues.

Sincerely,

R. BRUCE JOSTEN.

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to finally let the House vote on Mr. VAN HOLLEN's proposal to replace the sequester with a sort of balanced deficit reduction plan that bipartisan panels of experts have all recommended.

To discuss this bill, I am pleased to yield 4 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member of the House Committee on the Budget.

Mr. VAN HOLLEN. I thank my friend, the ranking member of the Rules Committee.

Mr. Speaker, it is simply reckless for our Republican colleagues to say they

will shut down the United States Government unless we shut down the Affordable Care Act, a law which is already providing protections to millions of children in this country who have preexisting conditions—like asthma, like pediatric cancer, like diabetes—and to millions of seniors on Medicare who have high drug costs; but what's also irresponsible and undemocratic is that the Republican majority has refused to allow us even a vote on a plan to replace the sequester.

Now, what's the sequester?

The sequester is Washington speak for a job-killing mechanism. It's meat-ax, immediate, across-the-board cuts that are doing damage to our economy. You don't have to take my word for it. The independent, nonpartisan Congressional Budget Office, which is the referee around here, says that, at this time next year, we could have up to 1.6 million fewer jobs in this country as a result of that sequester. By this time next year, we could see economic growth cut in half as a result of the sequester.

Look, the good news is the economy is growing, and the bad news is that it's growing very slowly. The last thing the American people need is a self-inflicted wound by this Congress that slows down the economy and puts fewer people back to work, but that's what the sequester does.

We should do something about it, which is why the Democrats have a proposal to replace it, to replace it with targeted cuts over a period of time and, as Mr. ANDREWS said, targeted cuts to big tax breaks, like oil subsidies. If you do that, you will eliminate the bad parts of the sequester, but you actually get the deficit reduction part. In fact, our plan would give you even more deficit reduction during the period of this plan.

We've tried eight times now to get a vote on that—just a vote. In this House, the so-called ''people's House,'' we haven't been able to get a vote. I hear our Republican colleagues say they don't like the sequester—I hear them say that to their constituents—but what they don't tell them is they've denied us the chance to have a vote on a plan to replace the sequester seven times.

Mr. Speaker, guess what else they don't tell them?

How many times during this Congress have our Republican colleagues put a plan on this floor to replace the sequester? Zero. Zero times.

Now, Mr. COLE, I have to correct you because we have now a concrete plan to replace the sequester for 2014. It's right here.

We'd like a vote on that plan, Mr. Speaker. We'd like a vote. We think Members should be held accountable when they go back home and tell their constituents they want to get rid of the sequester and then come here to the United States Congress and deny us an opportunity to have that vote, deny the people of this country the right of accountability for their Members of Congress.

So let's take action today. Let's vote ''no'' on the previous question, and then this House can have a chance to vote on our plan to replace the sequester and get rid of the drag on the economy, which, according to the CBO, is going to cost us up to 1.6 million jobs. That's democracy. That's just letting this House work its will. What I'm afraid of, Mr. Speaker, is that our colleagues are afraid to have that vote in the light of day. There is no other explanation for why they would be denying the American people that opportunity.

So what I ask is: either say to your constituents you really do like the sequester, and you support the sequester, and you don't mind the jobs that are being lost as a result of the sequester, or vote for our sequester replacement, or at least come to the floor of this House with one of your own because, right now, we've tried eight times for a vote, and our Republican colleagues have tried zero times in this Congress to replace that sequester.

So we ask that you vote against the previous question and give the American people the chance to hold us accountable for what we say at home. Hold us accountable right here in the Halls of this Chamber.

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

Ms. SLAUGHTER. Mr. Speaker, may I inquire if my colleague has more speakers. If not, I am ready to close.

Mr. COLE. I am prepared to close whenever my colleague would like to do that.

Ms. SLAUGHTER. Thank you, Mr. COLE.

Mr. Speaker, in closing, as my Democrat colleagues and I have stated, instead of proposing a clean and noncontroversial continuing resolution, today the majority wishes to bring a proposal to the floor that would defund ObamaCare—their favorite—and prioritize bond payments to China in the event of financial default.

This type of legislative maneuver unnecessarily injects partisanship and politics where it does not belong. With time running out on the fiscal year, we have to put politics aside and come together to keep the government open and serving the American people.

To that end, I want to state to all of my colleagues in their offices—or wherever they may be—who are preparing to come over and vote: this vote on this previous question may be one of the most important votes that you have ever taken.

All of us, while we were at home during our district work period, heard over and over and over again from businesspeople, from hospitals, from schools—from everybody—that the sequester was ruining them. We have visited this plague upon them, and we can take it away. We can do it now.

I will remind you that this CR continues the sequester. Let's take this opportunity we have now with this previous question, and everybody vote ''no'' on it on both sides, please. The simple thing that will happen here is we can vote on Mr. VAN HOLLEN's proposal, which he just explained. It not only replaces the money that the sequester would cut, but we get more deficit reduction from Mr. VAN HOLLEN's proposal than we get from the sequester.

Every one of us who fails to vote ''no'' so that we can do that, which is the least of our responsibilities here, ought to have to explain it every single day to our constituents as to why we did not want to remove that awful burden which we inflicted. I am sure that every one of us—I'm certainly guilty of it myself—told our constituents back home that the House would never do that, that it was too dumb to be believed. But no. Now that we've done it, we like it—but you don't see the consequences.

Dr. Francis Collins, who is the head of the NIH, says that we are losing our scientists and that we are losing our research edge as we know we are falling further and further behind in education, in jobs, in the future of this country. We've failed to invest anything in our future. We are living with crumbling roads, crumbling infrastructure—everything around us—but the uncertainty overrides it all: What next? What does this mean for me? Will I get to keep my job? Am I going to have to lay off all of those employees? How can I run the FBI when people are out on furlough?

Why in the world would we put our people through this disgraceful charade here simply because we made a mistake?

We have an opportunity now by voting ''no'' on the previous question, which would simply allow Mr. VAN HOLLEN to get a vote on his measure. For heaven's sakes, please do that.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, with all of my heart, I urge everybody to vote ''no.''

I want you to vote ''no,'' too, Mr. Speaker.

I urge a ''no'' vote on this rule. The underlying bill is not as important to me as getting this sequester out of the way. Vote ''no'' on this at least, whatever you do.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I don't want to put you under any pressure, but we're counting on you.

I yield myself such time as I may consume.

I want to thank my good friend, the gentlelady. It's always great to have the opportunity to come down here and

exchange views with her. I want to make a couple of points in closing.

First, remember, we did bring down legislation—and passed it out of this House—to deal with sequester twice. The Democrats in the Senate didn't pick it up, and the President didn't pick it up.

To my friend Mr. VAN HOLLEN, frankly, your legislation hasn't made it out of committee. You've got to get it out of committee before it comes to the floor, and so far, as persuasive as you are, you've not been that persuasive. Frankly, I don't think it would work on the floor.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. COLE. If I finish my remarks, I certainly will yield to the gentleman.

□ 1515

My friends on the other side have repeatedly said we want to shut down the government. That's the last thing we want to do. This bill actually keeps the government open. It's not about shutting down the government; it's about keeping it open so we can negotiate and arrive at a larger deal.

We intend to send this to the Senate with the defunding of ObamaCare, something the majority of this House feels strongly about, and then we're going to wait and see what the Senate sends back to us. My guess is at the end of the day—as you never know what's going to happen over there, maybe I won't make a guess. We'll just wait and see what comes back. But I certainly want to give some of my friends over there the opportunity to carry on this fight.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Speaker, as the gentleman knows in a new Congress, all the legislation that was considered in the previous Congress goes away. The fact is that in this Congress, we've not had one concrete proposal from our Republican colleagues to replace the sequester.

Mr. COLE. Reclaiming my time, after you turned us down twice, we just think you guys are an awfully hard sell. The Senate is also a difficult sell on this. So let's move and do this CR and sit down in the next 75 days. I think we have an opportunity, frankly, to come to a very large deal where we can deal with sequester, we can deal with the long-term deficit that we know is a huge problem for us, and we can move forward, I hope, in a bipartisan manner. This is our opportunity to do it. Let's pass this rule, pass this bill, and get to work.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 352 OFFERED BY MS. SLAUGHTER OF NEW YORK

Strike page 1, line 1 through page 2, line 11 and insert the following:

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; (2) an amendment received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and caused to be printed by Representative Van Hollen of Maryland, if offered by Representative Van Hollen of Maryland or a designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 352, if ordered, and adoption of House Resolution 351.

The vote was taken by electronic device, and there were—yeas 232, nays 193, not voting 7, as follows:

[Roll No. 472]

YEAS—232

Aderholt	Cotton	Griffin (AR)
Alexander	Cramer	Griffith (VA)
Amash	Crawford	Grimm
Amodei	Crenshaw	Guthrie
Bachmann	Culberson	Hall
Bachus	Daines	Hanna
Barletta	Davis, Rodney	Harper
Barr	Denham	Harris
Barton	Dent	Hartzler
Benishek	DeSantis	Hastings (WA)
Bentivolio	DesJarlais	Heck (NV)
Bilirakis	Diaz-Balart	Hensarling
Bishop (UT)	Duffy	Holding
Black	Duncan (SC)	Hudson
Blackburn	Duncan (TN)	Huelskamp
Boustany	Ellmers	Huizenga (MI)
Brady (TX)	Farenthold	Hultgren
Bridenstine	Fincher	Hunter
Brooks (AL)	Fitzpatrick	Hurt
Brooks (IN)	Fleischmann	Issa
Broun (GA)	Fleming	Jenkins
Buchanan	Flores	Johnson (OH)
Bucshon	Forbes	Johnson, Sam
Burgess	Fortenberry	Jones
Calvert	Foxx	Jordan
Camp	Franks (AZ)	Joyce
Campbell	Frelinghuysen	Kelly (PA)
Cantor	Gardner	King (IA)
Capito	Garrett	King (NY)
Carter	Gerlach	Kingston
Cassidy	Gibbs	Kinzinger (IL)
Chabot	Gibson	Kline
Chaffetz	Gingrey (GA)	Labrador
Coble	Gohmert	LaMalfa
Coffman	Goodlatte	Lamborn
Cole	Gosar	Lance
Collins (GA)	Gowdy	Lankford
Collins (NY)	Granger	Latham
Conaway	Graves (GA)	Latta
Cook	Graves (MO)	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
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
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—193

Andrews
Barber
Barrow (GA)
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
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
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
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
Visclosky
Walz
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Engel
Herrera Beutler
McCarthy (NY)
Polis
Rush
Stockman
Waters

□ 1541

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

Messrs. MCINTYRE and FRANKS of Arizona changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 230, nays 192, not voting 10, as follows:

[Roll No. 473]

YEAS—230

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
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—192

Andrews
Barber
Barrow (GA)
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
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
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
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
Visclosky
Walz
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Bass
Beatty
Davis, Rodney
Engel
Herrera Beutler
McCarthy (NY)
Nunnelee
Polis
Rush
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1547

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. Speaker, on rollcall No. 473 I was unavoidably detained and missed the vote. Had I been present, I would have voted "yea"

PROVIDING FOR CONSIDERATION OF H.R. 687, SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION ACT OF 2013; PROVIDING FOR CONSIDERATION OF H.R. 1256, RESTORING HEALTHY FORESTS FOR HEALTHY COMMUNITIES ACT; PROVIDING FOR CONSIDERATION OF H.R. 3102, NUTRITION REFORM AND WORK OPPORTUNITY ACT OF 2013; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 351) providing for consideration of the bill (H.R. 687) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes; providing for consideration of the bill (H.R. 1526) to restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from National Forest System land, to provide a temporary extension of the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes; providing for consideration of the bill (H.R. 3102) to amend the Food and Nutrition Act of 2008; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 231, nays 193, not voting 8, as follows:

[Roll No. 474]

YEAS—231

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
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Ellmers
Farenthold
Fincher
Fitzpatrick
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Goodlatte
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Graves (GA)
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Griffin (AR)
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Grimm
Guthrie
Hall
Hanna
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Hastings (WA)
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Marchant
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Price (GA)
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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
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
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Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
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Stockman
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Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
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Williams
Wilson (SC)
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Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
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
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Davis (CA)
Davis, Danny
DeGette
Delaney
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DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Enyart
Eshoo
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Farr
Fattah
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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.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
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Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
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McIntyre
McNerney
Meeks
Meng
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Miller, George
Moore
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Napolitano
Neal
Negrete McLeod
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Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
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Peters (CA)
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Peterson
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Pocan
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Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
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Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Blumenauer
Engel
Gohmert
Herrera Beutler
McCarthy (NY)
Polis
Rush
Waters

□ 1554

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 527. An act to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

NUTRITION REFORM AND WORK OPPORTUNITY ACT OF 2013

Mr. LUCAS. Mr. Speaker, pursuant to House Resolution 351, I call up the bill (H.R. 3102) to amend the Food and Nutrition Act of 2008, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 351, the bill is considered read.

The text of the bill is as follows:

H.R. 3102

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Nutrition Reform and Work Opportunity Act of 2013".

(b) TABLE OF CONTENTS.—The table of contents of this Act is the following:

Sec. 1. Short title; table of contents.

TITLE I—SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
Sec. 101. Preventing payment of cash to recipients of supplemental nutrition assistance benefits for the return of empty bottles and cans used to contain food purchased with benefits provided under the program.
Sec. 102. Retailers.
Sec. 103. Enhancing services to elderly and disabled supplemental nutrition assistance program participants.
Sec. 104. Food distribution program on Indian reservations.
Sec. 105. Updating program eligibility.
Sec. 106. Exclusion of medical marijuana from excess medical expense deduction.
Sec. 107. Standard utility allowances based on the receipt of energy assistance payments.
Sec. 108. Eligibility disqualifications.
Sec. 109. Repeal of State work program waiver authority.
Sec. 110. Ending supplemental nutrition assistance program benefits for lottery or gambling winners.
Sec. 111. Improving security of food assistance.
Sec. 112. Demonstration projects on acceptance of benefits of mobile transactions.
Sec. 113. Use of benefits for purchase of community-supported agriculture share.
Sec. 114. Restaurant meals program.
Sec. 115. Mandating State immigration verification.
Sec. 116. Data exchange standardization for improved interoperability.
Sec. 117. Pilot projects to improve Federal-State cooperation in identifying and reducing fraud in the supplemental nutrition assistance program.
Sec. 118. Prohibiting Government-sponsored recruitment activities.
Sec. 119. Repeal of bonus program.
Sec. 120. Funding of employment and training programs.
Sec. 121. Monitoring employment and training programs.
Sec. 122. Cooperation with program research and evaluation.
Sec. 123. Pilot projects to reduce dependency and increase work effort in the supplemental nutrition assistance program.
Sec. 124. Authorization of appropriations.
Sec. 125. Limitation on use of block grant to Puerto Rico.
Sec. 126. Assistance for community food projects.
Sec. 127. Emergency food assistance.
Sec. 128. Nutrition education.
Sec. 129. Retailer trafficking.
Sec. 130. Technical and conforming amendments.
Sec. 131. Tolerance level for excluding small errors.
Sec. 132. Commonwealth of the Northern Mariana Islands pilot program.
Sec. 133. Annual State report on verification of SNAP participation.
Sec. 134. Termination of existing agreement.
Sec. 135. Service of traditional foods in public facilities.
Sec. 136. Testing applicants for unlawful use of controlled substances.
Sec. 137. Eligibility disqualifications for certain convicted felons.
Sec. 138. Expungement of unused supplemental nutrition assistance program benefits.
Sec. 139. Pilot projects to promote work and increase State accountability in the supplemental nutrition assistance program.
Sec. 140. Improved wage verification using the National Directory of New Hires.
Sec. 141. Feasibility study for Indian tribes.
TITLE II—COMMODITY DISTRIBUTION PROGRAMS
Sec. 201. Commodity distribution program.
Sec. 202. Commodity supplemental food program.
Sec. 203. Distribution of surplus commodities to special nutrition projects.
Sec. 204. Processing of commodities.
TITLE III—MISCELLANEOUS
Sec. 301. Farmers' market nutrition program.
Sec. 302. Nutrition information and awareness pilot program.
Sec. 303. Fresh fruit and vegetable program.
Sec. 304. Additional authority for purchase of fresh fruits, vegetables, and other specialty food crops.
Sec. 305. Encouraging locally and regionally grown and raised food.
Sec. 306. Review of public health benefits of white potatoes.
Sec. 307. Healthy Food Financing Initiative.
Sec. 308. Review of sole-source contracts in Federal nutrition programs.
Sec. 309. Purchase of Halal and Kosher food for emergency food assistance program.

TITLE I—SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

SEC. 101. PREVENTING PAYMENT OF CASH TO RECIPIENTS OF SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS FOR THE RETURN OF EMPTY BOTTLES AND CANS USED TO CONTAIN FOOD PURCHASED WITH BENEFITS PROVIDED UNDER THE PROGRAM.

Section 3(k)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)(1)) is amended—

(1) by striking ''and hot foods'' and inserting ''hot foods''; and

(2) by adding at the end the following: ''and any deposit fee in excess of amount of the State fee reimbursement (if any) required to purchase any food or food product contained in a returnable bottle or can, regardless of whether such fee is included in the shelf price posted for such food or food product,''.

SEC. 102. RETAILERS.

(a) DEFINITION OF RETAIL FOOD STORE.—Section 3(p)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)(1)(A)) is amended by striking ''at least 2'' and inserting ''at least 3''.

(b) ALTERNATIVE BENEFIT DELIVERY.—Section 7(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) IMPOSITION OF COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall require participating retailers (including restaurants participating in a State option restaurant program intended to serve the elderly, disabled, and homeless) to pay 100 percent of the costs of acquiring, and arrange for the implementation of, electronic benefit transfer point-of-sale equipment and supplies.

''(B) EXEMPTIONS.—The Secretary may exempt from subparagraph (A)—

''(i) farmers' markets and other direct-to-consumer markets, military commissaries, nonprofit food buying cooperatives, and establishments, organizations, programs, or group living arrangements described in paragraphs (5), (7), and (8) of section 3(k); and

''(ii) establishments described in paragraphs (3), (4), and (9) of section 3(k), other than restaurants participating in a State option restaurant program.''; and

(2) by adding at the end the following:

''(4) TERMINATION OF MANUAL VOUCHERS.—

''(A) IN GENERAL.—Effective beginning on the effective date of this paragraph, except as provided in subparagraph (B), no State shall issue manual vouchers to a household that receives supplemental nutrition assistance under this Act or allow retailers to accept manual vouchers as payment, unless the Secretary determines that the manual vouchers are necessary, such as in the event of an electronic benefit transfer system failure or a disaster situation.

''(B) EXEMPTIONS.—The Secretary may exempt categories of retailers or individual retailers from subparagraph (A) based on criteria established by the Secretary.

''(5) UNIQUE IDENTIFICATION NUMBER REQUIRED.—In an effort to enhance the anti-fraud protections of the program, the Secretary shall require all parties providing electronic benefit transfer services to provide for and maintain a unique business identification and a unique terminal identification number information through the supplemental nutrition assistance program electronic benefit transfer transaction routing system. In developing the regulations implementing this paragraph, the Secretary shall consider existing commercial practices for other point-of-sale debit transactions. The Secretary shall issue proposed regulations implementing this paragraph not earlier than 2 years after the date of enactment of this paragraph.''.

(c) ELECTRONIC BENEFIT TRANSFERS.—Section 7(h)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(3)(B)) is amended by striking ''is operational—'' and all that follows through ''(ii) in the case of other participating stores,'' and inserting ''is operational''.

(d) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

(1) in the 2d sentence of subsection (a)(1) by striking ''; and (C)'' and inserting ''; (C) whether the applicant is located in an area with significantly limited access to food; and (D)''; and

(2) by adding at the end the following:

''(g) EBT SERVICE REQUIREMENT.—An approved retail food store shall provide adequate EBT service as described in section 7(h)(3)(B).''.

SEC. 103. ENHANCING SERVICES TO ELDERLY AND DISABLED SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM PARTICIPANTS.

(a) ENHANCING SERVICES TO ELDERLY AND DISABLED PROGRAM PARTICIPANTS.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

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

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

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

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

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

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

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

''(II) physically or mentally handicapped or otherwise disabled;

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

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

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

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

(b) IMPLEMENTATION.—

(1) ISSUANCE OF RULES.—The Secretary of Agriculture shall issue regulations that—

(A) establish criteria to identify a food purchasing and delivery service referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 as amended by this Act, and

(B) establish procedures to ensure that such service—

(i) does not charge more for a food item than the price paid by the such service for such food item,

(ii) offers food delivery service at no or low cost to households under such Act,

(iii) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of such Act,

(iv) limits the purchase of food, and the delivery of such food, to households eligible to receive services described in section 3(p)(5) of such Act as so amended,

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

(vi) such other requirements as the Secretary deems to be appropriate.

(2) LIMITATION.—Before the issuance of rules under paragraph (1), the Secretary of Agriculture may not approve more than 20 food purchasing and delivery services referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 as amended by this Act, to participate as retail food stores under the supplemental nutrition assistance program.

SEC. 104. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

Section 4(b)(6)(F) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(6)(F)) is amended by striking ''2012'' and inserting ''2016''.

SEC. 105. UPDATING PROGRAM ELIGIBILITY.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the 2d sentence of subsection (a) by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance'', and

(2) in subsection (j) by striking ''or who receives benefits under a State program'' and inserting ''or who receives cash assistance under a State program''.

SEC. 106. EXCLUSION OF MEDICAL MARIJUANA FROM EXCESS MEDICAL EXPENSE DEDUCTION.

Section 5(e)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(5)) is amended by adding at the end the following:

''(C) EXCLUSION OF MEDICAL MARIJUANA.—The Secretary shall promulgate rules to ensure that medical marijuana is not treated as a medical expense for purposes of this paragraph.''.

SEC. 107. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section 5(e)(6)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(C)) is amended—

(1) in clause (i) by inserting '', subject to clause (iv)'' after ''Secretary''; and

(2) by striking subclause (I) of clause (iv) and inserting the following:

''(I) IN GENERAL.—Subject to subclause (II), if a State agency elects to use a standard utility allowance that reflects heating and cooling costs, the standard utility allowance shall be made available to households that received a payment, or on behalf of which a payment was made, under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) or other similar energy assistance program, if in the current month or in the immediately preceding 12 months, the household either received such payment, or such payment was made on behalf of the household, that was greater than $20 annually, as determined by the Secretary.''; and

(b) CONFORMING AMENDMENT.—Section 2605(f)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended by inserting before the semicolon the following: '', except that, for purposes of the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), such payments or allowances were greater than $20 annually, consistent with section 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I)), as determined by the Secretary of Agriculture''.

(c) EFFECTIVE DATE AND IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on October 1, 2013, and shall apply with respect to certification periods that begin after such date.

(2) STATE OPTION TO DELAY IMPLEMENTATION FOR CURRENT RECIPIENTS.—A State may, at the option of the State, implement a policy that eliminates or reduces the effect of the amendments made by this section on households that received a standard utility allowance as of the date of enactment of this Act, for not more than a 180-day period that begins on the date on which such amendments would otherwise apply to the respective household.

SEC. 108. ELIGIBILITY DISQUALIFICATIONS.

Section 6(e)(3)(B) of Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)(3)(B)) is amended by striking ''section;'' and inserting the following: ''section, subject to the condition that the course or program of study—''

''(i) is part of a program of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that may be completed in not more than 4 years at an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

''(ii) is limited to remedial courses, basic adult education, literacy, or English as a second language;''.

SEC. 109. REPEAL OF STATE WORK PROGRAM WAIVER AUTHORITY.

Section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)) is amended—

(1) in paragraph (2)(D) by striking ''(5), or (6)'' and inserting ''or (5)'';

(2) by striking paragraph (4);

(3) in paragraph (6)—

(A) in subparagraph (A)(ii)—

(i) by striking subclause (II);

(ii) in subclause (V) by striking ''(5)'' and inserting ''(4)''; and

(iii) by redesignating subclauses (III), (IV), and (V) as subclauses (II), (III), and (IV), respectively;

(B) in subparagraph (B) by striking ''(G)'' and inserting ''(H)'';

(C) in subparagraph (D) by striking ''and each subsequent fiscal year'' and inserting ''through fiscal year 2013'';

(D) in subparagraph (F) by striking ''and each subsequent fiscal year'' and inserting ''through fiscal year 2013''; and

(E) by adding at the end the following:

''(H) FISCAL YEAR 2014 AND THEREAFTER.—Subject to subparagraph (G), for fiscal year 2014 and each subsequent fiscal year, a State agency may provide a number of exemptions such that the average monthly number of the exemptions in effect during the fiscal year does not exceed 15 percent of the number of individuals identified as 'Nondisabled Adults Age 18-49 in Childless Households' in the table 'B.5 Distribution of Participating Households by Household Composition and by State' of the report entitled Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2011 (Supplemental Nutrition Assistance Program Report No. SNAP–12–CHAR) prepared for and published by the Office of Research and Analysis of the Food and Nutrition Service of the Department of Agriculture in November 2012.''; and

(4) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

SEC. 110. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNERS.

(a) IN GENERAL.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

''(r) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

''(1) IN GENERAL.—Any household in which a member receives substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

''(2) DURATION OF INELIGIBILITY.—A household described in paragraph (1) shall remain ineligible for participation until the household meets the allowable financial resources and income eligibility requirements under subsections (c), (d), (e), (f), (g), (i), (k), (l), (m), and (n) of section 5.

''(3) AGREEMENTS.—As determined by the Secretary, each State agency, to the maximum extent practicable, shall establish agreements with entities responsible for the regulation or sponsorship of gaming in the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings.''.

(b) CONFORMING AMENDMENTS.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the 2d sentence by striking ''sections 6(b), 6(d)(2), and 6(g)'' and inserting ''subsections (b), (d)(2), (g), and (r) of section 6''.

SEC. 111. IMPROVING SECURITY OF FOOD ASSISTANCE.

Section 7(h)(8) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(8)) is amended—

(1) in the heading by striking ''CARD FEE'' and inserting ''OF CARDS'';

(2) by striking ''A State'' and inserting the following:

''(A) FEES.—A State''; and

(3) by adding after subparagraph (A) (as so designated by paragraph (2)) the following:

''(B) PURPOSEFUL LOSS OF CARDS.—

''(i) IN GENERAL.—Subject to terms and conditions established by the Secretary in accordance with clause (ii), if a household makes excessive requests for replacement of the electronic benefit transfer card of the household, the Secretary may require a State agency to decline to issue a replacement card to the household unless the household, upon request of the State agency, provides an explanation for the loss of the card.

''(ii) REQUIREMENTS.—The terms and conditions established by the Secretary shall provide that—

''(I) the household be given the opportunity to provide the requested explanation and meet the requirements under this paragraph promptly;

''(II) after an excessive number of lost cards, the head of the household shall be required to review program rights and responsibilities with State agency personnel authorized to make determinations under section 5(a); and

''(III) any action taken, including actions required under section 6(b)(2), other than the

withholding of the electronic benefit transfer card until an explanation described in subclause (I) is provided, shall be consistent with the due process protections under section 6(b) or 11(e)(10), as appropriate.

''(C) PROTECTING VULNERABLE PERSONS.—In implementing this paragraph, a State agency shall act to protect homeless persons, persons with disabilities, victims of crimes, and other vulnerable persons who lose electronic benefit transfer cards but are not intentionally committing fraud.

''(D) EFFECT ON ELIGIBILITY.—While a State may decline to issue an electronic benefits transfer card until a household satisfies the requirements under this paragraph, nothing in this paragraph shall be considered a denial of, or limitation on, the eligibility for benefits under section 5.''.

SEC. 112. DEMONSTRATION PROJECTS ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.

Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by adding at the end the following:

''(14) DEMONSTRATION PROJECTS ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.—

''(A) IN GENERAL.—The Secretary shall pilot the use of mobile technologies determined by the Secretary to be appropriate to test the feasibility and implications for program integrity, by allowing retail food stores, farmers markets, and other direct producer-to-consumer marketing outlets to accept benefits from recipients of supplemental nutrition assistance through mobile transactions.

''(B) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under subsection (a), a retail food store, farmers market, or other direct producer-to-consumer marketing outlet shall submit to the Secretary for approval a plan that includes—

''(i) a description of the technology;

''(ii) the manner by which the retail food store, farmers market or other direct producer-to-consumer marketing outlet will provide proof of the transaction to households;

''(iii) the provision of data to the Secretary, consistent with requirements established by the Secretary, in a manner that allows the Secretary to evaluate the impact of the demonstration on participant access, ease of use, and program integrity; and

''(iv) such other criteria as the Secretary may require.

''(C) DATE OF COMPLETION.—The demonstration projects under this paragraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2016.

''(D) REPORT TO CONGRESS.—The Secretary shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes a finding, based on the data provided under subparagraph (C) whether or not implementation in all States is in the best interest of the supplemental nutrition assistance program.''.

SEC. 113. USE OF BENEFITS FOR PURCHASE OF COMMUNITY-SUPPORTED AGRICULTURE SHARE.

Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended in the 1st sentence by inserting ''agricultural producers who market agricultural products directly to consumers shall be authorized to redeem benefits for the initial cost of the purchase of a community-supported agriculture share,'' after ''food so purchased,''.

SEC. 114. RESTAURANT MEALS PROGRAM.

(a) IN GENERAL.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (22) by striking ''and'' at the end;

(2) in paragraph (23)(C) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(24) if the State elects to carry out a program to contract with private establishments to offer meals at concessional prices, as described in paragraphs (3), (4), and (9) of section 3(k)—

''(A) the plans of the State agency for operating the program, including—

''(i) documentation of a need that eligible homeless, elderly, and disabled clients are underserved in a particular geographic area;

''(ii) the manner by which the State agency will limit participation to only those private establishments that the State determines necessary to meet the need identified in clause (i); and

''(iii) any other conditions the Secretary may prescribe, such as the level of security necessary to ensure that only eligible recipients participate in the program; and

''(B) a report by the State agency to the Secretary annually, the schedule of which shall be established by the Secretary, that includes—

''(i) the number of households and individual recipients authorized to participate in the program, including any information on whether the individual recipient is elderly, disabled, or homeless; and

''(ii) an assessment of whether the program is meeting an established need, as documented under subparagraph (A)(i).''.

(b) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended by adding at the end the following:

''(h) PRIVATE ESTABLISHMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), no private establishment that contracts with a State agency to offer meals at concessional prices as described in paragraphs (3), (4), and (9) of section 3(k) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the private establishment is required to meet a documented need in accordance with section 11(e)(24).

''(2) EXISTING CONTRACTS.—

''(A) IN GENERAL.—If, on the day before the effective date of this subsection, a State has entered into a contract with a private establishment described in paragraph (1) and the Secretary has not determined that the participation of the private establishment is necessary to meet a documented need in accordance with section 11(e)(24), the Secretary shall allow the operation of the private establishment to continue without that determination of need for a period not to exceed 180 days from the date on which the Secretary establishes determination criteria, by regulation, under section 11(e)(24).

''(B) JUSTIFICATION.—If the Secretary determines to terminate a contract with a private establishment that is in effect on the effective date of this subsection, the Secretary shall provide justification to the State in which the private establishment is located for that termination.

''(3) REPORT TO CONGRESS.—Not later than 90 days after September 30, 2014, and 90 days after the last day of each fiscal year thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the effectiveness of a program under this subsection using any information received from States under section 11(e)(24) as well as any other information the Secretary may have relating to the manner in which benefits are used.''.

(c) CONFORMING AMENDMENTS.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended by inserting ''subject to section 9(h)'' after ''concessional prices'' each place it appears.

SEC. 115. MANDATING STATE IMMIGRATION VERIFICATION.

Section 11(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(p)) is amended to read as follows:

''(p) STATE VERIFICATION OPTION.—In carrying out the supplemental nutrition assistance program, a State agency shall be required to use an income and eligibility, or an immigration status, verification system established under section 1137 of the Social Security Act (42 U.S.C. 1320b–7), in accordance with standards set by the Secretary.''.

SEC. 116. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) DATA EXCHANGE STANDARDIZATION.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

''(v) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

''(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget, and considering State government perspectives, designate data exchange standards to govern, under this part—

''(A) necessary categories of information that State agencies operating such programs are required under applicable law to electronically exchange with another State agency; and

''(B) Federal reporting and data exchange required under applicable law.

''(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

''(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

''(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

''(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

''(D) be consistent with and implement applicable accounting principles;

''(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

''(F) be capable of being continually upgraded as necessary.

''(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards for Federal reporting found to be effective and efficient.''.

(b) EFFECTIVE DATE.—The Secretary shall issue a proposed rule within 24 months after the date of the enactment of this Act. The rule shall identify federally required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges. It should also specify state implementation options and describe future milestones.

SEC. 117. PILOT PROJECTS TO IMPROVE FEDERAL-STATE COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended by adding at the end the following:

''(i) PILOT PROJECTS TO IMPROVE FEDERAL-STATE COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out, under such terms and conditions as determined by the Secretary, pilot projects to test innovative Federal-State partnerships to identify, investigate, and reduce retailer fraud in the supplemental nutrition assistance program, including allowing States to operate retail Food Store investigation programs. At least 1 such pilot project shall be carried out in an urban area that is among the 10 largest urban areas in the United States (based on population) if the supplemental nutrition assistance program is separately administered in such area and if the administration of such program in such area complies with the other applicable requirements of such program.

''(2) SELECTION CRITERIA.—Pilot projects shall be selected based on criteria the Secretary establishes, which shall include—

''(A) enhancing existing efforts by the Secretary to reduce retailer fraud;

''(B) requiring participant States to maintain their overall level of effort at addressing recipient fraud, as determined by the Secretary, prior to participation in the pilot project;

''(C) collaborating with other law enforcement authorities as necessary to carry out an effective pilot project;

''(D) commitment of the participant State agency to follow Federal rules and procedures with respect to retailer investigations; and

''(E) the extent to which a State has committed resources to recipient fraud and the relative success of those efforts.

''(3) EVALUATION.—

''(A) The Secretary shall evaluate the projects selected under this subsection to measure the impact of the pilot projects.

''(B) Such evaluation shall include—

''(i) each pilot project's impact on increasing the Secretary's capacity to address retailer fraud;

''(ii) the effectiveness of the pilot projects in identifying, preventing and reducing retailer fraud; and

''(iii) the cost effectiveness of such pilot projects.

''(4) REPORT TO CONGRESS.—Not later than September 30, 2017, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate, a report that includes a description of the results of each pilot project, including an evaluation of the impact of the project on retailer fraud and the costs associated with each pilot project.

''(5) FUNDING.—Any costs incurred by the State to operate the pilot projects in excess of the amount expended under this Act for retailer fraud in the respective State in the previous fiscal year shall not be eligible for Federal reimbursement under this Act.''.

SEC. 118. PROHIBITING GOVERNMENT-SPONSORED RECRUITMENT ACTIVITIES.

(a) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(a)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)(4)) is amended by inserting after ''recruitment activities'' the following: ''designed to persuade an individual to apply for program benefits or that promote the program via television, radio, or billboard advertisements''.

(b) LIMITATION ON USE OF FUNDS AUTHORIZED TO BE APPROPRIATED UNDER ACT.—Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

''(g) BAN ON RECRUITMENT AND PROMOTION ACTIVITIES.—(1) Except as provided in paragraph (2), no funds authorized to be appropriated under this Act shall be used by the Secretary for—

''(A) recruitment activities designed to persuade an individual to apply for supplemental nutrition assistance program benefits;

''(B) television, radio, or billboard advertisements that are designed to promote supplemental nutrition assistance program benefits and enrollment; or

''(C) any agreements with foreign governments designed to promote supplemental nutrition assistance program benefits and enrollment.

''(2) Paragraph (1)(B) shall not apply to programmatic activities undertaken with respect to benefits made available in response to a natural disaster.''.

(c) BAN ON RECRUITMENT ACTIVITIES BY ENTITIES THAT RECEIVE FUNDS.—Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

''(h) BAN ON RECRUITMENT BY ENTITIES THAT RECEIVE FUNDS.—The Secretary shall issue regulations that forbid entities that receive funds under this Act to compensate any person for conducting outreach activities relating to participation in, or for recruiting individuals to apply to receive benefits under, the supplemental nutrition assistance program if the amount of such compensation would be based on the number of individuals who apply to receive such benefits.''.

SEC. 119. REPEAL OF BONUS PROGRAM.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is repealed.

SEC. 120. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

Section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) is amended by striking ''$90,000,000'' and all that follows through ''$79,000,000'', and inserting ''$79,000,000 for each fiscal year''.

SEC. 121. MONITORING EMPLOYMENT AND TRAINING PROGRAMS.

(a) REPORTING MEASURES.—Section 16(h)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(5)) is amended to read:

''(5)(A) IN GENERAL.—The Secretary shall monitor the employment and training programs carried out by State agencies under section 6(d)(4) and assess their effectiveness in—

''(i) preparing members of households participating in the supplemental nutrition assistance program for employment, including the acquisition of basic skills necessary for employment; and

''(ii) increasing the numbers of household members who obtain and retain employment subsequent to their participation in such employment and training programs.

''(B) REPORTING MEASURES.—The Secretary, in consultation with the Secretary of Labor, shall develop reporting measures that identify improvements in the skills, training education or work experience of members of households participating in the supplemental nutrition assistance program. Measures shall be based on common measures of performance for federal workforce training programs, so long as they reflect the challenges facing the types of members of households participating in the supplemental nutrition assistance program who participate in a specific employment and training component. The Secretary shall require that each State employment and training plan submitted under section 11(e)(19) identify appropriate reporting measures for each of their proposed components that serve at least 100 people. Such measures may include:

''(i) the percentage and number of program participants who received employment and training services and are in unsubsidized employment subsequent to the receipt of those services;

''(ii) the percentage and number of program participants who obtain a recognized postsecondary credential, including a registered apprenticeship, or a regular secondary school diploma or its recognized equivalent, while participating in or within 1 year after receiving employment and training services;

''(iii) the percentage and number of program participants who are in an education or training program that is intended to lead to a recognized postsecondary credential, including a registered apprenticeship or on-the-job training program, a regular secondary school diploma or its recognized equivalent, or unsubsidized employment;

''(iv) subject to the terms and conditions set by the Secretary, measures developed by each State agency to assess the skills acquisition of employment and training program participants that reflect the goals of their specific employment and training program components, which may include, but are not limited to—

''(I) the percentage and number of program participants who are meeting program requirements in each component of the State's education and training program; and

''(II) the percentage and number of program participants who are gaining skills likely to lead to employment as measured through testing, quantitative or qualitative assessment or other method; and

''(v) other indicators as approved by the Secretary.

''(C) STATE REPORT.—Each State agency shall annually prepare and submit to the Secretary a report on the State's employment and training program that includes the numbers of supplemental nutrition assistance program participants who have gained skills, training, work or experience that will increase their ability to obtain regular employment using measures identified in subparagraph (B).

''(D) MODIFICATIONS TO THE STATE EMPLOYMENT AND TRAINING PLAN.—Subject to the terms and conditions established by the Secretary, if the Secretary determines that the state agency's performance with respect to employment and training outcomes is inadequate, the Secretary may require the State agency to make modifications to their employment and training plan to improve such outcomes.

''(E) PERIODIC EVALUATION.—

''(i) IN GENERAL.—Subject to terms and conditions established by the Secretary, not later than October 1, 2016, and not less frequently than once every 5 years thereafter, the Secretary shall conduct a study to review existing practice and research to identify employment and training program components and practices that—

''(I) effectively assist members of households participating in the supplemental nutrition assistance program in gaining skills, training, work, or experience that will increase their ability to obtain regular employment, and

''(II) are best integrated with statewide workforce development systems.

''(ii) REPORT TO CONGRESS.—The Secretary shall submit a report that describes the results of the study under clause (i) to the Committee on Agriculture in the House of Representatives, and the Committee on Agriculture, Nutrition and Forestry in the Senate.''.

(b) EFFECTIVE DATE.—Notwithstanding section 4(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)), the Secretary shall issue interim final regulations implementing the amendment made by subsection (a) no later than 18 months after the date of enactment of this Act. States shall include such reporting measures in their employment and

training plans for the 1st fiscal year thereafter that begins no sooner than 6 months after the date that such regulations are published.

SEC. 122. COOPERATION WITH PROGRAM RESEARCH AND EVALUATION.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by adding at the end the following:

''(1) COOPERATION WITH PROGRAM RESEARCH AND EVALUATION.—States, State agencies, local agencies, institutions, facilities such as data consortiums, and contractors participating in programs authorized under this Act shall cooperate with officials and contractors acting on behalf of the Secretary in the conduct of evaluations and studies under this Act and shall submit information at such time and in such manner as the Secretary may require.''.

SEC. 123. PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK EFFORT IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026), as amended by section 121, is amended by adding at the end the following:

''(m) PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK EFFORT IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to identify best practices for employment and training programs under this Act to raise the number of work registrants who obtain unsubsidized employment, increase their earned income, and reduce their reliance on public assistance, including but not limited to the supplemental nutrition assistance program.

''(2) SELECTION CRITERIA.—Pilot projects shall be selected based on criteria the Secretary establishes, that shall include—

''(A) enhancing existing employment and training programs in the State;

''(B) agreeing to participate in the evaluation described in paragraph (3), including making available data on participants' employment activities and post-participation employment, earnings, and public benefit receipt;

''(C) collaborating with the State workforce board and other job training programs in the State and local area;

''(D) the extent to which the pilot project's components can be easily replicated by other States or political subdivisions; and

''(E) such additional criteria that ensure that the pilot projects—

''(i) target a variety of populations of work registrants, including childless adults, parents, and individuals with low skills or limited work experience;

''(ii) are selected from a range of existing employment and training programs including programs that provide—

''(I) section 20 workfare;

''(II) skills development for work registrants with limited employment history;

''(III) post-employment support services necessary for maintaining employment; and

''(IV) education leading to a recognized postsecondary credential, registered apprenticeship, or secondary school diploma or its equivalent;

''(iii) are located in a range of geographic areas, including rural, urban, and Indian reservations; and

''(iv) include participants who are exempt and not exempt under section (6)(d)(2).

''(3) EVALUATION.—The Secretary shall provide for an independent evaluation of projects selected under this subsection to measure the impact of the pilot projects on the ability of each pilot project target population to find and retain employment that leads to increased household income and reduced dependency, compared to what would have occurred in the absence of the pilot project.

''(4) REPORT TO CONGRESS.—By September 30, 2017, the Secretary shall submit, to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that includes a description of—

''(A) the results of each pilot project, including an evaluation of the impact of the project on the employment, income, and public benefit receipt of the targeted population of work registrants;

''(B) the Federal, State, and other costs of each pilot project;

''(C) the planned dissemination of the reports' findings with State agencies; and

''(D) the steps and funding necessary to incorporate components of pilot projects that demonstrate increased employment and earnings into State employment and training programs.

''(5) FUNDING.—From amounts made available under section 18(a)(1), the Secretary shall make $10,000,000 available for each of the fiscal years 2014, 2015, and 2016 to carry out this subsection. Such amounts shall remain available until expended.

''(6) USE OF FUNDS.—

''(A) Funds provided under this subsection for pilot projects shall be used only for—

''(i) pilot projects that comply with the provisions of this Act;

''(ii) the costs and administration of the pilot projects;

''(iii) the costs incurred in providing information and data to the independent evaluation under paragraph (3); and

''(iv) the costs of the evaluation under paragraph (3).

''(B) Funds made available under this subsection may not be used to supplant non-Federal funds used for existing employment and training activities.''.

SEC. 124. AUTHORIZATION OF APPROPRIATIONS.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended in the 1st sentence by striking ''2012'' and inserting ''2016''.

SEC. 125. LIMITATION ON USE OF BLOCK GRANT TO PUERTO RICO.

Section 19(a)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028(a)(2)(B)) is amended by adding at the end the following:

''(iii) LIMITATION ON USE OF FUNDS.—None of the funds made available to the Commonwealth of Puerto Rico under this subparagraph may be used to provide nutrition assistance in the form of cash benefits.''.

SEC. 126. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

(a) DEFINITION.—Section 25(a)(1)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2034(a)(1)(B)(i)) is amended—

(1) in subclause (II) by striking ''and'' at the end;

(2) in subclause (III) by striking ''or'' at the end and inserting ''and''; and

(3) by adding at the end the following:

''(IV) to provide incentives for the consumption of fruits and vegetables among low-income individuals; or''.

(b) ADDITIONAL FUNDING.—Section 25(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended by adding at the end the following:

''(3) FUNDING.—

''(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than $10,000,000 for fiscal year 2014 and each fiscal year thereafter. Of the amount made available under this subparagraph for each such fiscal year, $5,000,000 shall be available to carry out subsection (a)(1)(B)(I)(IV).

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section, the funds transferred under subparagraph (A) without further appropriation.

''(C) MAINTENANCE OF FUNDING.—The funding provided under subparagraph (A) shall supplement (and not supplant) other Federal funding made available to the Secretary to carry out this section.''.

SEC. 127. EMERGENCY FOOD ASSISTANCE.

(a) PURCHASE OF COMMODITIES.—Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1) by striking ''2008 through 2012'' and inserting ''2013 through 2016'';

(2) in paragraph (2) by striking subparagraphs (A), (B), and (C), and inserting the following:

''(A) for fiscal year 2013, $265,750,000;

''(B) for fiscal year 2014, the dollar amount of commodities specified in subparagraph (A) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2012 and June 30, 2013, and increased by $70,000,000;

''(C) for fiscal year 2015, the dollar amount of commodities determined for fiscal year 2014 under subparagraph (B) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2013 and June 30, 2014;

''(D) for fiscal year 2016, the dollar amount of commodities determined for fiscal year 2015 under subparagraph (C) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2014 and June 30, 2015, and reduced by $50,000,000; and

''(E) for each subsequent fiscal year, the dollar amount of commodities determined for the preceding fiscal year adjusted to reflect the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) for the 12-month period ending on the preceding June 30.''; and

(3) by adding at the end the following:

''(3) FUNDS AVAILABILITY.—For purposes of the funds described in this subsection, the Secretary shall—

''(A) make the funds available for 2 fiscal years; and

''(B) allow States to carry over unexpended balances to the next fiscal year pursuant to such terms and conditions as are determined by the Secretary.''.

(b) EMERGENCY FOOD PROGRAM INFRASTRUCTURE GRANTS.—Section 209(d) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7511a(d)) is amended by striking ''2012'' and inserting ''2016''.

SEC. 128. NUTRITION EDUCATION.

Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is amended—

(1) in subsection (b) by inserting ''and physical activity'' after ''healthy food choices''; and

(2) in subsection (d)(1)—

(A) in subparagraph (D) by striking ''$401,000,000;'' and inserting ''$372,000,000; and'';

(B) by striking subparagraph (E); and

(C) in subparagraph (F) by striking ''(F) for fiscal year 2016'' and inserting ''(E) for fiscal year 2015''.

SEC. 129. RETAILER TRAFFICKING.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

''SEC. 29. RETAILER TRAFFICKING.

''(a) PURPOSE.—The purpose of this section is to provide the Department of Agriculture

with additional resources to prevent trafficking in violation of this Act by strengthening recipient and retailer program integrity. Additional funds are provided to supplement the Department's payment accuracy, and retailer and recipient integrity activities.

''(b) FUNDING.—

''(1) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than $5,000,000 for fiscal year 2014 and each fiscal year thereafter.

''(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1) without further appropriation.

''(3) MAINTENANCE OF FUNDING.—The funding provided under paragraph (1) shall supplement (and not supplant) other Federal funding for programs carried out under this Act.''.

SEC. 130. TECHNICAL AND CONFORMING AMENDMENTS.

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

(1) in subsection (g) by striking ''coupon,'' the last place it appears and inserting ''coupon'';

(2) in subsection (k)(7) by striking ''or are'' and inserting ''and'';

(3) by striking subsection (l);

(4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (s) (as so redesignated) the following:

''(t) 'Supplemental nutritional assistance program' means the program operated pursuant to this Act.''.

(b) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)) is amended by striking ''benefits'' the last place it appears and inserting ''Benefits''.

(c) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the last sentence of subsection (i)(2)(D) by striking ''section 13(b)(2)'' and inserting ''section 13(b)''; and

(2) in subsection (k)(4)(A) by striking ''paragraph (2)(H)'' and inserting ''paragraph (2)(G)''.

(d) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended—

(1) in subparagraph (B)(vii) by moving the left margin 4 ems to the left, and

(2) in subparagraph (F)(iii) by moving the left margin 6 ems to the left.

(e) Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by redesignating the 2d paragraph (12) as paragraph (13).

(f) Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended—

(1) in subsection (b)(3)(C) by striking ''civil money penalties'' and inserting ''civil penalties''; and

(2) in subsection (g)(1) by striking ''(7 U.S.C. 1786)'' and inserting ''(42 U.S.C. 1786)''.

(g) Section 15(b)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2024(b)(1)) is amended in the 1st sentence by striking ''an benefit'' both places it appears and inserting ''a benefit''.

(h) Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the proviso following paragraph (8) by striking '', as amended.''.

(i) Section 18(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(e)) is amended in the 1st sentence by striking ''sections 7(f)'' and inserting ''section 7(f)''.

(j) Section 22(b)(10)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(10)(B)(i)) is amended in the last sentence by striking ''Food benefits'' and inserting ''Benefits''.

(k) Section 26(f)(3)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2035(f)(3)(C)) is amended by striking ''subsection'' and inserting ''subsections''.

(l) Section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) is amended by striking ''(Public Law 98–8; 7 U.S.C. 612c note)'' and inserting ''(7 U.S.C. 7515)''.

(m) Section 509 of the Older Americans Act of 1965 (42 U.S.C. 3056g) is amended in the section heading by striking ''**FOOD STAMP PROGRAMS**'' and inserting ''**SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**''.

(n) Section 4115(c)(2)(H) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1871) is amended by striking ''531'' and inserting ''454''.

(o) Section 3803(c)(2)(C)(vii) of title 31 of the United States Code is amended by striking ''section 3(l)'' and inserting ''section 3(s)''.

(p) Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193) is amended—

(1) in subsection (a)(2) by striking ''section 3(l)'' and inserting ''section 3(s)'';

(2) in subsection (b)(2) by striking ''section 3(l)'' and inserting ''section 3(s)''; and

(3) in subsection (e)(2) by striking ''section 3(l)'' and inserting ''section 3(s)''.

(q) The Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c) is amended—

(1) in section 4(a) by striking ''Food Stamp Act of 1977'' and inserting ''Food and Nutrition Act of 2008''; and

(2) in section 5—

(A) in subsection (i)(1) by striking ''Food Stamp Act of 1977'' and inserting ''Food and Nutrition Act of 2008''; and

(B) in subsection (l)(2)(B) by striking ''Food Stamp Act of 1977'' and inserting ''Food and Nutrition Act of 2008''.

(r) The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in the heading of section 453(j)(10) by striking ''FOOD STAMP'' and inserting ''SUPPLEMENTAL NUTRITION ASSISTANCE'';

(2) in section 1137—

(A) in subsection (a)(5)(B) by striking ''food stamp'' and inserting ''supplemental nutrition assistance''; and

(B) in subsection (b)(4) by striking ''food stamp program under the Food Stamp Act of 1977'' and inserting ''supplemental nutrition assistance program under the Food and Nutrition Act of 2008''; and

(3) in the heading of section 1631(n) by striking ''FOOD STAMP'' and inserting ''SUPPLEMENTAL NUTRITION ASSISTANCE''.

SEC. 131. TOLERANCE LEVEL FOR EXCLUDING SMALL ERRORS.

The Secretary shall set the tolerance level for excluding small errors for the purposes of section 16(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c))—

(1) for fiscal year 2014 at an amount no greater than $25; and

(2) for each fiscal year thereafter, the amount specified in paragraph (1) adjusted by the percentage by which the thrifty food plan is adjusted under section 3(u)(4) of such Act between June 30, 2012, and June 30 of the immediately preceding fiscal year.

SEC. 132. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS PILOT PROGRAM.

(a) STUDY.—

(1) IN GENERAL.—Prior to establishing the pilot program under subsection (b), the Secretary shall conduct a study to be completed not later than 2 years after the effective date of this section to assess—

(A) the capabilities of the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program in the same manner in which the program is operated in the States (as defined in section 3 of the Food and Nutrition Act (7 U.S.C. 2011 et seq.)); and

(B) alternative models of the supplemental nutrition assistance program operation and benefit delivery that best meet the nutrition assistance needs of the Commonwealth of the Northern Mariana Islands.

(2) SCOPE.—The study conducted under paragraph (1)(A) will assess the capability of the Commonwealth to fulfill the responsibilities of a State agency, including—

(A) extending and limiting participation to eligible households, as prescribed by sections 5 and 6 of the Act;

(B) issuing benefits through EBT cards, as prescribed by section 7 of the Act;

(C) maintaining the integrity of the program, including operation of a quality control system, as prescribed by section 16(c) of the Act;

(D) implementing work requirements, including operating an employment and training program, as prescribed by section 6(d) of the Act; and

(E) paying a share of administrative costs with non-Federal funds, as prescribed by section 16(a) of the Act.

(b) ESTABLISHMENT.—If the Secretary determines that a pilot program is feasible, the Secretary shall establish a pilot program for the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program in the same manner in which the program is operated in the States.

(c) SCOPE.—The Secretary shall utilize the information obtained from the study conducted under subsection (a) to establish the scope of the pilot program established under subsection (b).

(d) REPORT.—Not later than June 30, 2019, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the pilot program carried out under this section, including an analysis of the feasibility of operating in the Commonwealth of the Northern Mariana Islands the supplemental nutrition assistance program as it is operated in the States.

(e) FUNDING.—

(1) STUDY.—Of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008, the Secretary may use not more than $1,000,000 in each of fiscal years 2014 and 2015 to conduct the study described in subsection (a).

(2) PILOT PROGRAM.—Of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008, for the purposes of establishing and carrying out the pilot program established under subsection (b) of this section, including the Federal costs for providing technical assistance to the Commonwealth, authorizing and monitoring retail food stores, and assessing pilot operations, the Secretary may use not more than—

(A) $13,500,000 in fiscal year 2016; and

(B) $8,500,000 in each of fiscal years 2017 and 2018.

SEC. 133. ANNUAL STATE REPORT ON VERIFICATION OF SNAP PARTICIPATION.

(a) ANNUAL REPORT.—Not later 1 year after the date specified by the Secretary in the 180-period beginning on the date of the enactment of this Act, and annually thereafter, each State agency that carries out the supplemental nutrition assistance program shall submit to the Secretary a report containing sufficient information for the Secretary to determine whether the State agency has, for the then most recently concluded fiscal year preceding such annual date, verified that households to which such State agency provided such assistance in such fiscal year—

(1) did not obtain benefits attributable to a deceased individual;

(2) did not include an individual who was simultaneously included in a household receiving such assistance in another State; and

(3) did not include, during the time benefits were provided, an individual who was then disqualified from receiving benefits.

(b) PENALTY FOR NONCOMPLIANCE.—For any fiscal year for which a State agency fails to comply with subsection (a), the Secretary shall reduce by 50 percent the amount otherwise payable to such State agency under section 16(a) of the Food and Nutrition Act of 2008 with respect to such fiscal year.

SEC. 134. TERMINATION OF EXISTING AGREEMENT.

Effective on the date of the enactment of this Act, the memorandum of understanding entered into on July 22, 2004, by the Secretary of Agriculture of the United States Department of Agriculture and the Secretary of Foreign Affairs of the Republic of Mexico and known as the ''Partnership for Nutrition Assistance Initiative'' is null and void.

SEC. 135. SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

(a) DEFINITIONS.—In this section:

(1) FOOD SERVICE PROGRAM.—The term ''food service program'' includes—

(A) food service at a residential child care facility with a license from an appropriate State agency;

(B) a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f(b));

(C) food service at a hospital or clinic or long term care facility; and

(D) a senior meal program.

(2) INDIAN; INDIAN TRIBE; INDIAN TRIBAL ORGANIZATION.—The terms ''Indian''; ''Indian tribe''; and ''Indian Tribal Organization'' have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term ''traditional food'' means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term ''traditional food'' includes—

(i) wild game meat;

(ii) fish;

(iii) seafood;

(iv) marine mammals;

(v) plants; and

(vi) berries.

(b) PROGRAM.—Notwithstanding any other provision of law, the Secretary shall allow the donation to and serving of traditional food through a food service program at a public facility, nonprofit facility, including facilities operated by an Indian tribe or tribal organization that primarily serves Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food; and

(5) labels donated traditional food with the name of the food and stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator.

(c) LIABILITY.—Liability for damages from donated traditional food and products to the participating food service program shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of donated food.

SEC. 136. TESTING APPLICANTS FOR UNLAWFUL USE OF CONTROLLED SUBSTANCES.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015), as amended by section 109, is amended by adding at the end the following:

''(s) TESTING APPLICANTS FOR UNLAWFUL USE OF CONTROLLED SUBSTANCES.—

''(1) Nothing in this Act, or in any other Federal law, shall be considered to prevent a State, at the full cost to such State, from—

''(A) enacting legislation to provide for testing any individual who is a member of a household applying for supplemental nutrition assistance benefits, for the unlawful use of controlled substances as a condition for receiving such benefits; and

''(B) finding an individual ineligible to participate in the supplemental nutrition assistance program on the basis of the positive result of the testing conducted by the State under such legislation.

''(2) For purposes of this subsection, term 'controlled substance' has the meaning given such term in section 102 of the Controlled Substances Act ((21 U.S.C. 802).''.

SEC. 137. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

(a) AMENDMENT.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015), as amended by sections 109 and 135, is amended by adding at the end the following:

''(t) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

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

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

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

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

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

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

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

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

(b) CONFORMING AMENDMENT.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)), as amended by section 109, is amended in the 2d sentence by striking ''and (r)'' and inserting '', (r), and (t)''.

(c) INAPPLICABILITY TO CONVICTIONS OCCURRING ON OR BEFORE ENACTMENT.—The amendments made by this section shall not apply to a conviction if the conviction is for conduct occurring on or before the date of the enactment of this Act.

SEC. 138. EXPUNGEMENT OF UNUSED SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020), as amended by section 115, is amended by adding at the end the following:

''(w) EXPUNGEMENT OF UNUSED BENEFITS.—The State agency shall expunge from the EBT account of a household benefits that are not used before the expiration of the 60-day period beginning on the date such benefits are posted to such account.''.

SEC. 139. PILOT PROJECTS TO PROMOTE WORK AND INCREASE STATE ACCOUNTABILITY IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) PILOT PROJECTS.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026), as amended by sections 122 and 123, is amended by adding at the end the following:

''(n) PILOT PROJECTS TO PROMOTE WORK AND INCREASE STATE ACCOUNTABILITY IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out pilot projects to develop and test methods allowing States to run a work program with certain features comparable to the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), with the intent of increasing employment and self-sufficiency through increased State accountability and thereby reducing the need for supplemental nutrition assistance benefits.

''(2) AGREEMENTS.—

''(A) IN GENERAL.—In carrying out this subsection, the Secretary shall enter into cooperative agreements with States in accordance with pilot projects that meet the criteria required under this subsection.

''(B) APPLICATION.—To be eligible to enter into a cooperative agreement to operate a pilot project under this subsection, a State shall amend its State plan under section 11(d) to include a description of its pilot project and explanations of how such project meets the criteria required under this subsection. The Secretary may not disapprove a pilot project which meets the requirements under this subsection.

''(C) ASSURANCES.—A State shall include in its plan assurances that its pilot project will—

''(i) operate for at least three 12-month periods but not more than five 12-month periods;

''(ii) have a robust data collection system for program administration that is designed and shared with project evaluators to ensure proper and timely evaluation; and

''(iii) intend to offer a work activity described in paragraph (3) to adults assigned and required to participate under paragraph (4)(A) and who are not exempt under paragraph (4)(B).

''(D) NUMBER OF PILOT PROJECTS.—Any State may carry out a pilot project that meets the requirements of this subsection.

''(E) EXTENT OF PILOT PROJECTS.—Pilot projects shall cover no less than the entire State.

''(3) WORK ACTIVITY.—(A) For purposes of this subsection, the term 'work activity' means any of the following:

''(i) Employment in the public or private sector that is not subsidized by any public program.

''(ii) Employment in the private sector for which the employer receives a subsidy from public funds to offset some or all of the wages and costs of employing an adult.

''(iii) Employment in the public sector for which the employer receives a subsidy from public funds to offset some or all of the wages and costs of employing an adult.

''(iv) A work activity that—

''(I) is performed in return for public benefits;

''(II) provides an adult with an opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment;

''(III) is designed to improve the employability of those who cannot find unsubsidized employment; and

''(IV) is supervised by an employer, work site sponsor, or other responsible party on an ongoing basis.

''(v) Training in the public or private sector that is given to a paid employee while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job.

''(vi) Job search, obtaining employment, or preparation to seek or obtain employment, including—

''(I) life skills training;

''(II) substance abuse treatment or mental health treatment, determined to be necessary and documented by a qualified medical, substance abuse, or mental health professional; or

''(III) rehabilitation activities, supervised by a public agency or other responsible party on an ongoing basis.

''(vii) Structured programs and embedded activities—

''(I) in which adults perform work for the direct benefit of the community under the auspices of public or nonprofit organizations;

''(II) that are limited to projects that serve useful community purposes in fields such as health, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, public safety, and child care;

''(III) that are designed to improve the employability of adults not otherwise able to obtain unsubsidized employment; and

''(IV) that are supervised on an ongoing basis; and

''(V) with respect to which a State agency takes into account, to the extent possible, the prior training, experience, and skills of a recipient in making appropriate community service assignments.

''(viii) Career and technical training programs (not to exceed 12 months with respect to any adult) that are directly related to the preparation of adults for employment in current or emerging occupations and that are supervised on an ongoing basis.

''(ix) Training or education for job skills that are required by an employer to provide an adult with the ability to obtain employment or to advance or adapt to the changing demands of the workplace and that are supervised on an ongoing basis.

''(x) Education that is related to a specific occupation, job, or job offer and that is supervised on an ongoing basis.

''(xi) In the case of an adult who has not completed secondary school or received such a certificate of general equivalence, regular attendance—

''(I) in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to such certificate; and

''(II) supervised on an ongoing basis.

''(xii) Providing child care to enable another recipient of public benefits to participate in a community service program that—

''(I) does not provide compensation for such community service;

''(II) is a structured program designed to improve the employability of adults who participate in such program; and

''(III) is supervised on an ongoing basis.

''(B) PROTECTIONS.—Work activities under this subsection shall be subject to all applicable health and safety standards. Except as described in clauses (i), (ii), and (iii) of subparagraph (A), the term 'work activity' shall be considered work preparation and not defined as employment for purposes of other law.

''(4) PILOT PROJECTS.—Pilot projects carried out under this subsection shall include interventions to which adults are assigned that are designed to reduce unnecessary dependence, promote self-sufficiency, increase work levels, increase earned income, and reduce supplemental nutrition assistance benefit expenditures among households eligible for, applying for, or participating in the supplemental nutrition assistance program.

''(A) Adults assigned to interventions by the State shall—

''(i) be subject to mandatory participation in work activities specified in paragraph (3);

''(ii) participate in work activities specified in paragraph (3) for a minimum of 20 hours per week per household;

''(iii) be a maximum age of not less than 50 and not more than 60, as defined by the State;

''(iv) be subject to penalties during a period of nonparticipation without good cause ranging from, at State option, a minimum of the removal of the adults from the household benefit amount, up to a maximum of the discontinuance of the entire household benefit amount; and

''(v) not be penalized for nonparticipation if child care is not available for 1 or more children under 6 years of age.

''(B) The State shall allow certain individuals to be exempt from work requirements—

''(i) those participating in work programs under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) for an equal or greater number of hours;

''(ii) those with 1 or more dependent children under 1 year of age;

''(iii) 1 adult family member per household who is needed in the home to care for a disabled family member;

''(iv) an adult who is receiving temporary or permanent disability benefits provided by a governmental entity; and

''(v) those with a good cause reason for nonparticipation, such as victims of domestic violence, as defined by the State.

''(5) EVALUATION AND REPORTING.—

''(A) EVALUATION.—

''(i) INDEPENDENT EVALUATION.—

''(I) IN GENERAL.—The Secretary shall provide for each State that enters into a cooperative agreement under paragraph (2) an independent, longitudinal evaluation of its pilot project under this subsection to determine total program savings over the entire course of the pilot project with results reported in consecutive 12-month increments.

''(II) PURPOSE.—The purpose of the evaluation is to measure the impact of interventions provided by the State under the pilot project on the ability of adults in households eligible for, applying for, or participating in the supplemental nutrition assistance program to find and retain employment that leads to increased household income and reduced dependency.

''(III) REQUIREMENT.—The independent evaluation under subclause (I) shall use valid statistical methods which can determine the difference between supplemental nutrition assistance benefit expenditures, if any, as a result of the interventions as compared to a control group that—

''(aa) is not subject to the interventions provided by the State under the pilot project under this subsection; and

''(bb) maintains services provided under 16(h) in the year prior to the start of the pilot project under this subsection.

''(IV) OPTION.—States shall have the option to evaluate pilot projects by matched counties or matched geographical areas using a constructed control group design to isolate the effects of the intervention of the pilot project.

''(V) DEFINITION.—Constructed control group means there is no random assignment, and instead program participants (those subject to interventions) and non-participants (control described in subclause (III)) are equated using matching or statistical procedures on characteristics that may be associated with program outcomes.

''(B) REPORTING.—Not later than 90 days after the end of fiscal year 2014 and of each fiscal year thereafter, until the completion of the last evaluation under subparagraph (A), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that includes a description of—

''(i) the status of each pilot project carried out under this subsection;

''(ii) the results of the evaluation completed during the previous fiscal year; and

''(iii) to the maximum extent practicable—

''(I) baseline information relevant to the stated goals and desired outcomes of the pilot project;

''(II) the impact of the interventions on appropriate employment, income, and public benefit receipt outcomes among households participating in the pilot project;

''(III) equivalent information about similar or identical measures for control groups;

''(IV) the planned dissemination of the report findings to State agencies; and

''(V) the steps and funding necessary to incorporate into State employment and training programs the components of pilot projects that demonstrate increased employment and earnings.

''(C) PUBLIC DISSEMINATION.—In addition to the reporting requirements under subparagraph (B), evaluation results shall be shared broadly to inform policy makers, service providers, other partners, and the public in order to promote wide use of successful strategies, including by posting evaluation results on the Internet website of the Department of Agriculture.

''(6) FUNDING.—

''(A) ADDITIONAL AVAILABLE FUNDS.—From amounts made available under section 18(a)(1), the Secretary shall make available—

''(i) up to $1,000,000 for each of the fiscal years 2014 through 2017 for evaluations described in paragraph (5) to carry out this subsection, with such amounts to remain available until expended; and

''(ii) amounts equal to one-half of the accumulated supplemental nutrition assistance benefit dollars saved over each consecutive 12-month period according to the evaluation under paragraph (5) for bonus grants to States under paragraph (7)(B).

''(B) ADMINISTRATIVE EXPENSES.—

''(i) REIMBURSEMENT.—Except as provided in clause (ii)—

''(I) if, in carrying out a pilot project under this subsection during a fiscal year, a State incurs costs that exceed the amount allocated to the State agency under section 16(h)(1), the Secretary shall pay such State an amount equal to 50 percent of such costs; and

''(II) the Secretary shall also reimburse the State in an amount equal to 50 percent of the total amount of payments made or costs incurred by the State agency in connection with transportation costs and other expenses reasonably necessary and directly related to participation in a pilot project under this subsection, except that the amount of the reimbursement for dependent care expenses shall not exceed an amount equal to the payment made under section 6(d)(4)(I)(i)(II) but not more than the applicable local market

rate, and such reimbursement shall not be made out of funds allocated under section 16(h)(1).

''(ii) LIMITATION.—For any fiscal year, the Secretary may not pay under clause (i) to a State an amount the exceeds the amount equal to the product of—

''(I) the amount of administrative expenses that would be reimbursable for such fiscal year to such State under clause (i) without regard to this clause; and

''(II) $277,000,000 (plus the amount carried over, if any, under clause (iii)), divided by the aggregate amount of administrative expenses that would be reimbursable for such fiscal year to all of the States under clause (i) without regard to this clause.

''(iii) CARRYOVER.—The amount by which $277,000,000 exceeds the aggregate amount paid under clause (i) for a particular fiscal year shall remain available for payments under such clause for any subsequent fiscal year.

''(C) OTHER FUNDS.—Any additional funds required by a State to carry out a pilot project under this subsection may be provided by the State from funds made available to the State for such purpose and in accordance with State and other Federal laws, including the following:

''(i) Section 403 of the Social Security Act (42 U.S.C. 603).

''(ii) The Workforce Investment Act of 1998 (29 U.S.C. 9201 et seq.).

''(iii) The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) and section 418 of the Social Security Act (42 U.S.C. 618).

''(iv) The social services block grant under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

''(7) USE OF FUNDS.—

''(A) SPECIFIC USES.—Funds provided under this subsection for evaluation of pilot projects under paragraph (6)(A)(i) shall be used only for—

''(i) pilot projects that comply with this subsection;

''(ii) the costs incurred in gathering and providing information and data used to conduct the independent evaluation under paragraph (5); and

''(iii) the costs of the evaluation under paragraph (5).

''(B) LIMITATION.—Funds provided for bonus grants to States for pilot projects under subparagraph (6)(A)(ii) shall be used only for—

''(i) pilot projects that comply with this subsection; and

''(ii) any State purpose, not to be restricted to the supplemental nutrition assistance program or its beneficiary population.''.

(b) CONFORMING AMENDMENTS.—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended—

(1) in section 16, as amended by section 121 of this Act—

(A) in subsection (a) by striking ''subsection (k)'' and inserting ''subsections (k) and (h) and section 20''; and

(B) in subsection (h)—

(i) in paragraph (1)—

(I) in subparagraph (A) by inserting ''under sections 6(d)(4) and 17(n)'' after ''programs''; and

(II) by striking subparagraph (E);

(ii) by striking paragraphs (2) and (3), and inserting the following:

''(2) EXCLUSION OF REIMBURSEMENT FOR ADMINISTRATIVE COSTS.—No funds may be paid under subsection (a) to a State agency for administrative costs incurred to carry out any of such programs in such fiscal year.'';

(iii) in paragraph (4) by inserting ''or 17(n)'' after ''section 6(d)(4)''; and

(iv) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(2) in section 20 by amending subsection (g) to read as follows:

''(g) EXCLUSION OF REIMBURSEMENT FOR ADMINISTRATIVE COSTS.—No funds may be paid under this section to a State agency for administrative costs incurred to carry out a workfare program operated under this section.''; and

(3) in section 22(d)(1)(B)(ii) by striking '', (g), (h)(2), and (h)(3)'' and inserting ''and (g)''.

SEC. 140. IMPROVED WAGE VERIFICATION USING THE NATIONAL DIRECTORY OF NEW HIRES.

Effective October 1, 2013, section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (3) by inserting ''and after compliance with the requirement specified in paragraph (24)'' after ''section 16(e) of this Act'',

(2) in paragraph (22) by striking ''and'' at the end,

(3) in paragraph (23) by striking the period at the end and inserting ''; and'', and

(4) by adding at the end the following:

''(24) that the State agency shall request wage data directly from the National Directory of New Hires established under section 453(i) of the Social Security Act (42 U.S.C. 653(i)) relevant to determining eligibility to receive supplemental nutrition assistance program benefits and determining the correct amount of such benefits.''.

SEC. 141. FEASIBILITY STUDY FOR INDIAN TRIBES.

Section 4 of the Food and Nutrition Act of 2008 (7 U.S.C. 2013) is amended by adding at the end the following:

''(d) FEASIBILITY STUDY FOR INDIAN TRIBES.—

''(1) STUDY.—Subject to the availability of appropriations to carry out this subsection, the Secretary shall conduct a study to determine the feasibility of a tribal demonstration project for tribes to administer all Federal food assistance programs, services, functions, and activities (or portions thereof) of the agency.

''(2) CONSIDERATIONS.—In conducting the study, the Secretary shall consider—

''(A) the probable effects on specific programs and program beneficiaries of such a demonstration project;

''(B) statutory, regulatory, or other impediments to implementation of such a demonstration project;

''(C) strategies for implementing such a demonstration project;

''(D) probable costs or savings associated with such a demonstration project;

''(E) methods to assure quality and accountability in such a demonstration project; and

''(F) such other issues that may be determined by the Secretary or developed through consultation with pursuant to paragraph (4).

''(3) REPORT.—Not later than 18 months after the effective date of this subsection, the Secretary shall submit a report to the Committee on Agriculture, Nutrition and Forestry of the Senate and the Committee on Agriculture of the House of Representatives. The report shall contain—

''(A) the results of the study under this subsection;

''(B) a list of programs, services, functions, and activities (or portions thereof) within each agency with respect to which it would be feasible to include in a tribal demonstration project;

''(C) a list of programs, services, functions, and activities (or portions thereof) included in the list provided pursuant to subparagraph (B) that could be included in a tribal demonstration project without amending a statute, or waiving regulations that the Secretary may not waiver; and

''(D) a list of legislative actions required in order to include those programs, services, function, and activities (or portions thereof) included in the list provided pursuant to subparagraph (B) but not included in the list provided pursuant to subparagraph (C), in a tribal demonstration project.

''(4) CONSULTATION WITH INDIAN TRIBES.—The Secretary shall consult with Indian tribes to determine a protocol for consultation under paragraph (1) prior to consultation under such paragraph with the other entities described in such paragraph. The protocol shall require, at a minimum, that—

''(A) the government-to-government relationship with Indian tribes forms the basis for the consultation process;

''(B) the Indian tribes and the Secretary jointly conduct the consultations required by this subsection; and

''(C) the consultation process allows for separate and direct recommendations from the Indian tribes and other entities described in paragraph (1).

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $1,000,000.''.

TITLE II—COMMODITY DISTRIBUTION PROGRAMS

SEC. 201. COMMODITY DISTRIBUTION PROGRAM.

Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended in the 1st sentence by striking ''2012'' and inserting ''2016''.

SEC. 202. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended—

(1) in paragraphs (1) and (2)(B) of subsection (a) by striking ''2012'' each place it appears and inserting ''2016'';

(2) in the 1st sentence of subsection (d)(2) by striking ''2012'' and inserting ''2016'';

(3) by striking subsection (g) and inserting the following:

''(g) ELIGIBILITY.—Except as provided in subsection (m), the States shall only provide assistance under the commodity supplemental food program to low-income individuals aged 60 and older.''; and

(4) by adding at the end the following:

''(m) PHASE-OUT.—Notwithstanding any other provision of law, an individual who receives assistance under the commodity supplemental food program on the day before the effective date of this subsection shall continue to receive that assistance until the date on which the individual no longer qualifies for assistance under the eligibility criteria for the program in effect on the day before the effective date of this subsection.''.

SEC. 203. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the 1st sentence by striking ''2012'' and inserting ''2016''.

SEC. 204. PROCESSING OF COMMODITIES.

(a) Section 17 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by—

(1) striking the heading and inserting ''**COMMODITY DONATIONS AND PROCESSING**''; and

(2) adding at the end the following:

''(c) PROCESSING.—For any program included in subsection (b), the Secretary may, notwithstanding any other provision of State or Federal law relating to the procurement of goods and services—

''(1) retain title to commodities delivered to a processor, on behalf of a State (including a State distributing agency and a recipient agency), until such time as end products containing such commodities, or similar commodities as approved by the Secretary, are delivered to a State distributing agency or to a recipient agency; and

''(2) promulgate regulations to ensure accountability for commodities provided to a processor for processing into end products, and to facilitate processing of commodities into end products for use by recipient agencies. Such regulations may provide that—

''(A) a processor that receives commodities for processing into end products, or provides a service with respect to such commodities or end products, in accordance with its agreement with a State distributing agency or a recipient agency, provide to the Secretary a bond or other means of financial assurance to protect the value of such commodities; and

''(B) in the event a processor fails to deliver to a State distributing agency or a recipient agency an end product in conformance with the processing agreement entered into under this Act, the Secretary take action with respect to the bond or other means of financial assurance pursuant to regulations promulgated under this paragraph and distribute any proceeds obtained by the Secretary to one or more State distributing agencies and recipient agencies as determined appropriate by the Secretary.''.

(b) DEFINITIONS.—Section 18 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) The term 'commodities' means agricultural commodities and their products that are donated by the Secretary for use by recipient agencies.

''(2) The term 'end product' means a food product that contains processed commodities.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237) is amended—

(1) in subsection (a)—

(A) in paragraph (2) by striking subparagraph (B) and inserting the following:

''(B) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));''; and

(B) in paragraph (3)(D) by striking ''the Committee on Education and Labor'' and inserting ''the Committee on Education and the Workforce'';

(2) in subsection (b)(1)(A)(ii) by striking ''section 32 of the Agricultural Adjustment Act (7 U.S.C. 601 et seq.)'' and inserting ''section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)'';

(3) in subsection (e)(1)(D)(iii) by striking subclause (II) and inserting the following:

''(II) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));''; and

(4) in subsection (k) by striking ''the Committee on Education and Labor'' and inserting ''the Committee on Education and the Workforce''.

TITLE III—MISCELLANEOUS

SEC. 301. FARMERS' MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended—

(1) in the section heading by striking ''**SENIORS**'';

(2) by amending subsection (a) to read as follows:

''(a) FUNDING.—

''(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the farmers market nutrition program $20,600,000 for each of fiscal years 2014 through 2016.

''(2) ADDITIONAL FUNDING.—There is authorized to be appropriated such sums as are necessary to carry out this subsection for each of the fiscal years specified in paragraph (1).

''(3) REQUIREMENT.—Not less than 50 percent of the funds made available to carry out this section in any fiscal year shall be used to provide assistance to seniors.'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''seniors''; and

(B) in paragraph (1) by inserting '', and low-income families who are determined to be at nutritional risk'' after ''low-income seniors'';

(4) in subsection (c) by striking ''seniors'';

(5) in subsection (d) by striking ''seniors'';

(6) in subsection (e) by striking ''seniors'';

(7) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively; and

(8) by inserting after subsection (b) the following:

''(c) STATE GRANTS AND OTHER ASSISTANCE.—The Secretary shall carry out the Program through grants and other assistance provided in accordance with agreements made with States, for implementation through State agencies and local agencies, that include provisions—

''(1) for the issuance of coupons or vouchers to participating individuals;

''(2) establishing an appropriate annual percentage limitation on the use of funds for administrative costs; and

''(3) specifying other terms and conditions as the Secretary deems appropriate to encourage expanding the participation of small scale farmers in Federal nutrition programs.''.

SEC. 302. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.

Section 4403 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107–171) is repealed.

SEC. 303. FRESH FRUIT AND VEGETABLE PROGRAM.

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

(1) in the section heading, by striking ''**FRESH**'';

(2) in subsection (a), by striking ''fresh'';

(3) in subsection (b), by striking ''fresh''; and

(4) in subsection (e), by striking ''fresh''.

SEC. 304. ADDITIONAL AUTHORITY FOR PURCHASE OF FRESH FRUITS, VEGETABLES, AND OTHER SPECIALTY FOOD CROPS.

Section 10603 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c–4) is amended—

(1) in subsection (b), by striking ''2012'' and inserting ''2016'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

''(c) PILOT GRANT PROGRAM FOR PURCHASE OF FRESH FRUITS AND VEGETABLES.—

''(1) IN GENERAL.—Using amounts made available to carry out subsection (b), the Secretary of Agriculture shall conduct a pilot program under which the Secretary will give not more than five participating States the option of receiving a grant in an amount equal to the value of the commodities that the participating State would otherwise receive under this section for each of fiscal years 2014 through 2016.

''(2) USE OF GRANT FUNDS.—A participating State receiving a grant under this subsection may use the grant funds solely to purchase fresh fruits and vegetables for distribution to schools and service institutions in the State that participate in the food service programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

''(3) SELECTION OF PARTICIPATING STATES.—The Secretary shall select participating States from applications submitted by the States.

''(4) REPORTING REQUIREMENTS.—

''(A) SCHOOL AND SERVICE INSTITUTION REQUIREMENT.—Schools and service institutions in a participating State shall keep records of purchases of fresh fruits and vegetables made using the grant funds and report such records to the State.

''(B) STATE REQUIREMENT.—Each participating State shall submit to the Secretary a report on the success of the pilot program in the State, including information on—

''(i) the amount and value of each type of fresh fruit and vegetable purchased by the State; and

''(ii) the benefit provided by such purchases in conducting the school food service in the State, including meeting school meal requirements.''.

SEC. 305. ENCOURAGING LOCALLY AND REGIONALLY GROWN AND RAISED FOOD.

(a) COMMODITY PURCHASE STREAMLINING.—The Secretary may permit each school food authority with a low annual commodity entitlement value, as determined by the Secretary, to elect to substitute locally and regionally grown and raised food for the authority's allotment, in whole or in part, of commodity assistance for the school meal programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), if—

(1) the election is requested by the school food authority;

(2) the Secretary determines that the election will reduce State and Federal administrative costs; and

(3) the election will provide the school food authority with greater flexibility to purchase locally and regionally grown and raised foods.

(b) FARM-TO-SCHOOL DEMONSTRATION PROGRAMS.—

(1) IN GENERAL.—The Secretary may establish farm-to-school demonstration programs under which school food authorities, agricultural producers producing for local and regional markets, and other farm-to-school stakeholders will collaborate with the Agriculture Marketing Service to, on a cost neutral basis, source food for the school meal programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) from local farmers and ranchers in lieu of the commodity assistance provided to the school food authorities for the school meal programs.

(2) REQUIREMENTS.—

(A) IN GENERAL.—Each demonstration program carried out under this subsection shall—

(i) facilitate and increase the purchase of unprocessed and minimally processed locally and regionally grown and raised agricultural products to be served under the school meal programs;

(ii) test methods to improve procurement, transportation, and meal preparation processes for the school meal programs;

(iii) assess whether administrative costs can be saved through increased school food authority flexibility to source locally and regionally produced foods for the school meal programs; and

(iv) undertake rigorous evaluation and share information about results of the demonstration program, including cost savings, with the Secretary, other school food authorities, agricultural producers producing for the local and regional market, and the general public.

(B) PLANS.—In order to be selected to carry out a demonstration program under this subsection, a school food authority shall submit to the Secretary a plan at such time and in such manner as the Secretary may require, and containing information with respect to the requirements described in clauses (i) through (iv) of subparagraph (A).

(3) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to demonstration program participants to assist such participants to acquire bids from potential vendors in a timely and cost-effective manner.

(4) LENGTH.—The Secretary shall determine the appropriate length of time for each demonstration program under this subsection.

(5) COORDINATION.—The Secretary shall coordinate among relevant agencies of the Department of Agriculture and non-governmental organizations with appropriate expertise to facilitate the provision of training and technical assistance necessary to successfully carry out demonstration programs under this subsection.

(6) NUMBER.—Subject to the availability of funds to carry out this subsection, the Secretary shall select at least 10 demonstration programs to be carried out under this subsection.

(7) DIVERSITY AND BALANCE.—In selecting demonstration programs to be carried out under this subsection, the Secretary shall, to the maximum extent practicable, ensure—

(A) geographical diversity;

(B) that at least half of the demonstration programs are completed in collaboration with school food authorities with small annual commodity entitlements, as determined by the Secretary;

(C) that at least half of the demonstration programs are completed in rural or tribal communities;

(D) equitable treatment of school food authorities with a high percentage of students eligible for free or reduced price lunches, as determined by the Secretary; and

(E) that at least one of the demonstration programs is completed on a military installation as defined in section 2687(e)(1) of title 10, United States Code.

SEC. 306. REVIEW OF PUBLIC HEALTH BENEFITS OF WHITE POTATOES.

The Secretary shall conduct a review of the economic and public health benefits of white potatoes on low-income families who are determined to be at nutritional risk. Not later than 1 year after the date of the enactment of this Act, the Secretary shall report the findings of this review to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 307. HEALTHY FOOD FINANCING INITIATIVE.

(a) IN GENERAL.—Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) is amended by adding at the end the following:

"SEC. 242. HEALTHY FOOD FINANCING INITIATIVE.

''(a) PURPOSE.—The purpose of this section is to enhance the authorities of the Secretary to support efforts to provide access to healthy food by establishing an initiative to improve access to healthy foods in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities by providing loans and grants to eligible fresh, healthy food retailers to overcome the higher costs and initial barriers to entry in underserved areas.

''(b) DEFINITIONS.—In this section:

''(1) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term 'community development financial institution' has the meaning given the term in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

''(2) INITIATIVE.—The term 'Initiative' means the Healthy Food Financing Initiative established under subsection (c)(1).

''(3) NATIONAL FUND MANAGER.—The term 'national fund manager' means a community development financial institution that is—

''(A) in existence on the date of enactment of this section; and

''(B) certified by the Community Development Financial Institution Fund of the Department of Treasury to manage the Initiative for purposes of—

''(i) raising private capital;

''(ii) providing financial and technical assistance to partnerships; and

''(iii) funding eligible projects to attract fresh, healthy food retailers to underserved areas, in accordance with this section.

''(4) PARTNERSHIP.—The term 'partnership' means a regional, State, or local public-private partnership that—

''(A) is organized to improve access to fresh, healthy foods;

''(B) provides financial and technical assistance to eligible projects; and

''(C) meets such other criteria as the Secretary may establish.

''(5) PERISHABLE FOOD.—The term 'perishable food' means a staple food that is fresh, refrigerated, or frozen.

''(6) QUALITY JOB.—The term 'quality job' means a job that provides wages and other benefits comparable to, or better than, similar positions in existing businesses of similar size in similar local economies.

''(7) STAPLE FOOD.—

''(A) IN GENERAL.—The term 'staple food' means food that is a basic dietary item.

''(B) INCLUSIONS.—The term 'staple food' includes—

''(i) bread;

''(ii) flour;

''(iii) fruits;

''(iv) vegetables; and

''(v) meat.

''(c) INITIATIVE.—

''(1) ESTABLISHMENT.—The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—

''(i) IN GENERAL.—In carrying out the Initiative, the Secretary shall provide funding to entities with eligible projects, as described in subparagraph (B), subject to the priorities described in subparagraph (C).

''(ii) USE OF FUNDS.—Funds provided to an entity pursuant to clause (i) shall be used—

''(I) to create revolving loan pools of capital or other products to provide loans to finance eligible projects or partnerships;

''(II) to provide grants for eligible projects or partnerships;

''(III) to provide technical assistance to funded projects and entities seeking Initiative funding; and

''(IV) to cover administrative expenses of the national fund manager in an amount not to exceed 10 percent of the Federal funds provided.

''(B) ELIGIBLE PROJECTS.—Subject to the approval of the Secretary, the national fund manager shall establish eligibility criteria for projects under the Initiative, which shall include the existence or planned execution of agreements—

''(i) to expand or preserve the availability of staple foods in underserved areas with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food and staple food items, as determined by the Secretary, in those areas; and

''(ii) to accept benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

''(C) PRIORITIES.—In carrying out the Initiative, priority shall be given to projects that—

''(i) are located in severely distressed low-income communities, as defined by the Community Development Financial Institutions Fund of the Department of Treasury; and

''(ii) include 1 or more of the following characteristics:

''(I) The project will create or retain quality jobs for low-income residents in the community.

''(II) The project supports regional food systems and locally grown foods, to the maximum extent practicable.

''(III) In areas served by public transit, the project is accessible by public transit.

''(IV) The project involves women- or minority-owned businesses.

''(V) The project receives funding from other sources, including other Federal agencies.

''(VI) The project otherwise advances the purpose of this section, as determined by the Secretary.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000, to remain available until expended.''.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in paragraph (6) by striking ''or'' at the end;

(2) in paragraph (7) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(8) the authority of the Secretary to establish and carry out the Health Food Financing Initiative under section 242.''.

SEC. 308. REVIEW OF SOLE-SOURCE CONTRACTS IN FEDERAL NUTRITION PROGRAMS.

The Secretary shall conduct an evaluation of sole-source contracts in Federal nutrition programs, and the effect such contracts have on program participation, program goals, nonprogram consumers, retailers, and free market dynamics. Not later than 1 year after the date of the enactment of this Act, the Secretary shall report the findings of this review to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 309. PURCHASE OF HALAL AND KOSHER FOOD FOR EMERGENCY FOOD ASSISTANCE PROGRAM.

Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by adding at the end the following:

''(h) KOSHER AND HALAL FOOD.—As soon as practicable after the date of enactment of this subsection, the Secretary shall finalize and implement a plan—

''(1) to increase the purchase of Kosher and Halal food from food manufacturers with a Kosher or Halal certification to carry out the program established under this Act if the Kosher and Halal food purchased is cost neutral as compared to food that is not from food manufacturers with a Kosher or Halal certification; and

''(2) to modify the labeling of the commodities list used to carry out the program in a manner that enables Kosher and Halal food bank operators to identify which commodities to obtain from local food banks.''.

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. LUCAS) and the gentlewoman from Ohio (Ms. FUDGE) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LUCAS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3102, the Nutrition Reform and Work Opportunity Act of 2013.

As we all know, in July, the House passed a farm bill—farm bill only. This legislation did not include title IV, which consists of the nutrition programs, including the Supplemental Nutrition Assistance Program, or SNAP.

Since that time, our Leader CANTOR has put together a working group, of which I was a part, to create a bill that better targets Federal nutrition programs to serve those in need of assistance. H.R. 3102 is the by-product of that effort.

Before I begin to highlight some of its provisions, let me take a moment to say what we all know to be true. There's no denying that SNAP provides important support for many Americans who are struggling. It serves a noble purpose: to help you when you hit bottom. But it's not meant to keep you at the bottom, and that's why it's important we ensure the integrity of the program, so that it's working in the most effective and efficient way, that it works to get you back up on your feet.

□ 1600

Let me highlight some of the provisions that make this possible.

First, it incorporates all of the savings and reforms that were in H.R. 1947 that was favorably reported by the House Agriculture Committee in a large bipartisan vote. H.R. 1947 saved more than $20 billion by eliminating categorical eligibility to ensure that States are enforcing the asset and income test in SNAP law. It closed the heat-and-eat loophole to prevent States from sending out $1 LIHEAP checks to SNAP recipients to artificially increase their benefit levels.

It ended the practice of giving States bonuses for responsibly administering SNAP, which is their duty. It tightened restrictions to prevent lottery winners and traditional college students from participating in the program. And it restricted the Department of Agriculture from advertising SNAP on radio and television shows, such as soap operas. The bill we are considering today also incorporates many reforms that were adopted on the floor when the House considered H.R. 1947 in June.

And, finally, the efforts of the working group. This bill includes additional reforms that eliminate a State's ability to waive the current work requirements for able-bodied adults without dependents. It encourages employment and training by providing cost-share funds to States that adopt provisions under a new work pilot program. And it increases funding for food banks, which have been successful in effectively utilizing government dollars and securing private-sector donations in order to feed hungry Americans.

Ultimately, this bill encourages and enables work participation and makes commonsense reforms, closes program loopholes and eliminates waste, fraud, and abuse in the SNAP program, saving the American taxpayer nearly $40 billion.

I will admit to you this has been an unusual process. But it remains my goal to get a 5-year farm bill enacted. I'm doing everything possible to make sure that that happens this year. This is a step toward that goal. It is my hope that we'll pass this bill so the farm bill process will continue. We have a responsibility to get this done. Quite simply, it shouldn't be this hard to pass a bill that ensures all of us in this economy have enough to eat. And that's what a farm bill does.

Mr. Speaker, I urge my colleagues to join me in supporting this bill so the process can continue.

With that, Madam Speaker, I reserve the balance of my time.

Ms. FUDGE. Madam Speaker, I yield myself such time as I may consume.

I ask my colleagues in this House, Why are we here today? The original farm bill, H.R. 1947, passed out of the Agriculture Committee with bipartisan support. While this bill eventually died when it came to the floor, I have to thank the chairman and the ranking member for their leadership and desire to work together for the common good of all of the American people.

Today's exercise is nothing more than a waste of our time and an insult to every American in need. The Cantor bill includes the same toxic amendments that derailed the farm bill's passage the first time around. The fact that we are considering this legislation makes me question whether the Republican leadership even wants a farm bill to pass.

The Cantor bill guts nutrition for those most in need and says to the poor, to hungry children, to the disabled, seniors and our veterans, You don't matter. You are not worthy of our help.

They deserve better.

I've heard the stories from my constituents who struggle every month on whether to pay for medicine or food because they cannot afford both. SNAP recipients will already see a reduction in their benefits beginning November 1 when the 2009 Recovery Act temporary benefit boost ends. It will be reduced by as much as $300 per year for some people. That is a staggering amount.

Many of my colleagues on the other side of the aisle look at SNAP purely from a dollars-and-cents standpoint. Earlier this year, I participated in a panel on poverty. One of the young ladies from Witnesses to Hunger said:

> People do a lot of talking about us. They refer to SNAP beneficiaries as statistics. But I'm not a statistic, I'm a real person struggling to get by.

This bill would abandon 5.7 million people during a time when they need us the most. No one can justify a bill of $40 billion in cuts when 47 percent of all SNAP recipients are children under the age of 18. I cannot justify such cuts when 16.5 percent of all SNAP households include seniors. This bill is more than a sucker punch to those in need. It may be their fatal blow.

I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I rise for the purpose of a colloquy with the gentleman from Michigan (Mr. ROGERS), and I yield to the gentleman.

Mr. ROGERS of Michigan. Mr. Chairman, thank you for the opportunity to discuss the issue of our veterans as it relates to H.R. 3102. I commend you for working to include important reforms of the SNAP program in this bill. However, some concerns have been raised regarding the bill's impact on veterans who rely on SNAP benefits.

While the eligibility and work requirement reforms included in this legislation are important, I believe they will have unintended consequences on our veterans. Some of our veterans returning from Iraq and Afghanistan live in a world that is somewhere between battle fatigue and PTSD. That means they may need a little extra time to transition from service to employment than their fellow citizens. And, unfortunately, veterans have been hit hard during the recession. They are unemployed at higher rates than the rest of the country. In Michigan alone, there are 25,000 unemployed veterans staring down at a north of 9 percent unemployment rate.

I ask the chairman if he would commit to work with me in conference to include language ensuring veterans remain protected in the future the way they are protected today. While this would not impact a large number of soldiers, sailors, and marines, it would have a huge impact on the confidence our servicemembers have in their government to keep our promise to them. And that promise is that when you put your life on the line for the United States of America, you will have the support, especially in these difficult economic times, of the people of the United States.

Our Nation's veterans have sacrificed for this country, and it is especially important that in difficult times they have this support.

Thank you, Mr. Chairman.

Mr. LUCAS. Madam Speaker, reclaiming my time, as the gentleman from Michigan knows because he's been a leader in this area, this Congress is committed to ensuring that our Nation's veterans have the support they need to enter successful civilian careers after their military service. This House led by passing the VOW to Hire Heroes Act, a comprehensive jobs bill to reduce veteran unemployment by retraining veterans to make them more competitive in today's job market. I'm pleased that the Senate followed our lead and that the VOW Act is now law.

This bill does not target veterans, though I understand the concerns you have raised today. So long as a veteran meets the asset and income test currently in SNAP law and complies with the applicable work requirement, he or she will continue to receive nutrition benefits. As with all disabled adults, veterans who have a physical or mental disability are exempt from work requirements. There are also numerous Federal job training and education programs specifically targeting veterans that spend over $10 billion a year to ensure our veterans can get back to work. Additionally, we currently provide up to 73 weeks of unemployment benefits for veterans in our highest unemployment States.

Even so, I know I speak for the entire Agriculture Committee when I say we are committed to protecting our veterans in a way that honors their service and sacrifice to our Nation, and I look forward to working with the gentleman to make sure that the final conference committee agreement does just that.

Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Madam Speaker, I rise today in strong support of H.R. 3102, the Nutrition Reform and Work Opportunity Act.

Today, the House of Representatives has the opportunity to pass a bill that makes the greatest reforms to SNAP since the bipartisan 1996 welfare reform act, and results in less spending. Opposing this bill is a vote for the status quo in Washington.

Our goal throughout this process has not been to take millions of people off of food stamps but to restore the integrity of the program and ensure this safety net is preserved for the families most in need. The arguments you will hear from the other side of the aisle are just theatrics. If you listen to them out of context, you would assume that we're destroying or eliminating the entire SNAP program. But we are not talking about eliminating the SNAP program. We're committed to finding solutions that work with the resources we actually have.

Today, we have an opportunity to modernize the nutrition program, to close loopholes, and most importantly, keep the safety net intact for qualified American families who depend on this assistance every day.

This bill rids nutrition policy of provisions that have weakened the system. It will seek to limit the public assistance program to those who qualify and close the loopholes that have been used to game the system. It will also create a more efficient and effective program for the Americans who really need it. This bill gives people the tools to become self-sufficient, find work, and make a better life for themselves and their children.

The Nutrition Reform and Work Opportunity Act is a good bill that reforms nutrition policy and returns accountability to the food stamp program. And yes, Madam Speaker, it does reduce spending.

I urge my colleagues to vote ''yes'' and support this good work.

Ms. FUDGE. Let me just say that I find it's not theatrics that 5,000 Active Duty families would be kicked off of food stamps if this bill passes as it is given to us today.

Madam Speaker, it is my distinct honor to yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN), our assistant Democratic leader.

Mr. CLYBURN. I thank the gentlelady for yielding me the time.

Madam Speaker, I rise today in opposition to H.R. 3102, the latest attempt by the Republican majority to add more insults to the injuries that have been inflicted upon many working families, making their lives much more difficult.

It's become clear to me that some of my colleagues on the other side either don't believe or don't care that their preferred policies would make the poor poorer and the hungry hungrier. They seem unmoved by the arguments of many, including former Senate majority leader and Republican Presidential nominee Bob Dole, that this bill would make it more difficult for millions of Americans to feed themselves and their families.

For the last half century, the farm bill has always included both agriculture subsidies and nutrition assistance. This combination makes a lot of sense. Every time the EBT card is swiped, farmers—large and small—grocers—national chains to local mom-and-pop stores, and banks—Wall Street and Main Street—all benefit. For American farmers and agribusiness industry to succeed, they need consumers to purchase the food that they produce.

With the comprehensive nature of past farm bills, it is no surprise that 532 agriculture, conservation, rural development, finance, energy, and crop insurance groups oppose the Republican leadership's cynical ploy to separate nutrition assistance from the rest of the farm bill.

We talk about how SNAP's benefits go to individuals, but if the truth be told, the real beneficiaries are local communities and enterprises. My Republican colleagues claim to be big supporters of small businesses. But you can't support small businesses if you don't support their customers. This ill-advised legislation would also hurt businesses that have nothing to do with food.

In my district, the average household income among SNAP recipients is less than $25,000 a year. If these low-income people lose access to nutrition assistance, money they would otherwise spend on other needs would be spent instead on food, taking customers away from other businesses throughout our economy.

Out-of-a-job supermarket workers will also have less money to spend. Less demand means fewer jobs. An analysis by the Department of Agriculture of similar SNAP cuts last year found that more than 50,000 jobs would be affected. SNAP funding is crucial to our economy because those dollars go directly into the local economy.

My Republican colleagues and I might differ on how to grow the economy, but at the very least, we should be able to agree that we can't grow the economy by shrinking it.

Madam Speaker, I recognize that there are legitimate philosophical differences between the two parties on the role of the federal government.

But if you disagree with me about the moral consequences of this legislation, I hope you will pause to consider its harmful economic consequences and vote down this bill.

□ 1615

Mr. LUCAS. Madam Speaker, I yield 1½ minutes to the gentleman from Arkansas (Mr. CRAWFORD), one of my subcommittee chairmen.

Mr. CRAWFORD. Madam Speaker, I rise in support of H.R. 3102, the Nutrition Reform and Work Opportunity Act. This legislation takes a significant step in reforming the food stamp program by preserving benefits for Americans truly in need of help, while holding accountable those who are capable of helping themselves.

Throughout the Obama Presidency, we have seen the food stamp program grow exponentially because the government continues to turn a blind eye to a system fraught with abuse. This legislation will no longer allow States to exploit various loopholes, such as artificially making people eligible simply by mailing a TANF brochure, or substantially increasing benefits by sending a nominal LIHEAP check.

This legislation also no longer allows States to waive work requirements that were put in place in the 1996 welfare reform law. As another Arkansan, President Bill Clinton, said when he signed the reform bill into law, we are making ''welfare what it was meant to be, a second chance, not a way of life.''

The reforms in this bill will give people a second chance by ensuring food stamps will be there when people fall on hard times, but promoting self-sufficiency through employment training programs so able-bodied Americans can get back to work.

Madam Speaker, this bill preserves and protects the food stamp program for the most vulnerable Americans by putting an end to institutional abuses that threaten its future viability. We can't expect to continue to provide assistance to the poor if we allow abuse to bankrupt the food stamp system.

I urge my colleagues to support this legislation so that we may restore integrity to the program and continue to provide for those in need.

Ms. FUDGE. Madam Speaker, let me just say that the First District of Arkansas, which my colleague represents, has a SNAP recipient percentage of 18.2 percent.

Madam Speaker, I yield such time as he may consume to the gentleman

from North Carolina (Mr. MCINTYRE), one of my fellow subcommittee ranking members on the Agriculture Committee.

Mr. MCINTYRE. Madam Speaker, on Monday I visited a food bank in my district to discuss the importance of healthy food for healthy families. It is clear from their example, among many, that a healthy mind and a healthy body means a healthy workforce and a more productive economy.

In May, the Agriculture Committee passed a bipartisan farm bill with reforms to nutrition that would have saved almost $40 billion. That bill was defeated, and now we're considering a bill with serious ramifications that have proposed cuts that are not bipartisan and that go way too far. They will take away food from children, seniors, veterans, and military families.

Our children are our future, and ensuring their access to healthy meals at school and at home is critical. The Greatest Generation paved our path to prosperity. How dare we not honor our seniors and we take food from them on their tables.

Third, those who serve in our military, we should keep our promises and make sure that they and their families and our veterans do not go hungry. As one who has worked with both sides of the aisle, I implore my colleagues to oppose this bill. Work together. Find a bipartisan, commonsense solution that stays true to our Nation's commitments to our children, our seniors, our veterans, and our military families. For I was hungry, and you gave me nothing to eat.

GENERAL LEAVE

Mr. LUCAS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3102.

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

There was no objection.

Mr. LUCAS. Madam Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING), the primary subcommittee chairman on this important issue.

Mr. KING of Iowa. I thank the chairman for yielding me time, and I rise in support of H.R. 3102.

Madam Speaker, I'd like to explain my position with this bit of a narrative. When I came into this Congress a little over a decade ago, I was watching the growth in the nutrition program, the food stamp program—and I'm well aware that it was established to try to put an end to malnutrition in America. Now, it was growing too fast for me at that time. At that time there were 19 million Americans that were on the food stamp program. By 2008, there were then 28.2 million Americans on the program. The cost in 2003 was about $25 billion. The cost in 2008 was $37.6 billion. Today, our number is knocking on the door of 47 million people. From 19 million to 47 million people, from $25 billion to $78.4 billion, and we're watching an administration that has been advancing the expansion of the signup of the nutrition program by spending millions of dollars in advertising to get more people to sign up, and hiring people to go out and recruit people to sign up for more food stamps.

I listened to the testimony before the committee that we had from La Raza that said that food insecurity is now a reason for obesity in America; that people have insecurity about where some of their future meals might come from. Therefore, they tend to overeat when they do get food. And we can help solve this obesity problem by giving an unlimited supply of food stamps, the EBT benefits, to people. Then we will somehow get thinner.

This thing has been turned completely around on its head from a problem of malnutrition to a problem of obesity—all tried by Democrats to solve with the same solution, which is more and more spending into a program.

There won't be needy people that are taken off this. There isn't going to be food coming out of the mouths of babes. This is categorical. This is so that the resources are available to the people that need it, those that are truly hungry.

By the way, this remark that it is a cynical ploy I completely disagree with. This is a sincere effort to manage our budget.

Ms. FUDGE. Madam Speaker, I just want to say to the ranking member on the subcommittee that oversees SNAP—who has not called one meeting all year—that he has 10 percent SNAP recipients in his district.

Madam Speaker, I yield 1 minute to the gentleman from California (Mr. COSTA), another of my fellow subcommittee ranking members on the Agriculture Committee and a member of the Congressional Hispanic Caucus,

Mr. COSTA. I thank the gentlewoman.

Madam Speaker, I rise today in strong opposition to this irresponsible nutrition bill.

Should these cuts take effect, hundreds and thousands of Californians in need will lose access to a very important lifeline. This would include one of my constituents, Pazong Moua, a mother of two who works 33 hours a week and goes to school part time in hopes of becoming a teacher to get out of this network, this lifeline that she is presently in.

For her, the working poor—and in many cases some of the most vulnerable veterans across our country—SNAP is a hand ''up,'' not a hand ''out.'' It is a temporary safety net, not a lifestyle.

As we emerge from the Great Recession, now is not the time to play politics with hunger. With our rich agricultural heritage, we are also a Nation that has a duty to fight hunger here at home.

Former President Reagan maybe said it best:

As long as there is one person in this country who is hungry, that is one person too many.

Let's do the right thing. Vote ''no'' on this bill and fix it.

Mr. LUCAS. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. I thank my colleague for yielding time.

Madam Speaker, I rise today in support of the Nutrition Reform and Work Opportunity Act.

The unfortunate reality is that one in seven people in this country is on food stamps. Spending on the program has doubled since 2008, and the number of Americans on SNAP has doubled since 2003.

Just as I believe that we must take care of fellow Americans who truly need the help, I also believe that we must address fraud and abuse in the SNAP program and provide opportunities and encouragement to put people back to work.

When unemployment declines, the number of food stamp recipients still increases under our current system. This is simply unsustainable.

It's time for some real change. This bill enforces the work requirements of able-bodied adults without dependents, similar to the reforms in Bill Clinton's 1996 bipartisan welfare reform bill. It eliminates taxpayer-funded advocacy campaigns, closes the ''heat and eat'' loophole, eliminates categorical eligibility to ensure program integrity, and ends State bonuses for administering the program.

I also support the work and job-training requirements in this bill. These programs offer real work skills. Investing in these skills will make individuals more marketable in the workplace. I have introduced a bill on the same topic. It's called the Opportunity Knocks Act. It's going to encourage Americans to take job-training courses while still being able to keep their unemployment benefits. These types of initiatives put Americans back to work.

The most important step we can take to help those 47 million Americans on SNAP is to grow our economy and promote opportunities to put our family, friends, and neighbors back to work.

The farm bill is a jobs bill. Let's move the process forward and support these reforms so that the taxpayers' dollars are spent much more wisely.

Ms. FUDGE. Madam Speaker, I appreciate my colleague. Job training is great, but there is nothing in this bill that ensures any money will go towards job training.

I also want to say that in Mr. DAVIS' district, 12.8 percent of his residents are on SNAP.

Madam Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. DELBENE), one of my colleagues on the Agriculture Committee.

Ms. DELBENE. Madam Speaker, we're debating an extreme bill with no chance of becoming law, when we could be weeks into conferencing a farm bill.

SNAP has prevented millions from falling into poverty. In the western part of Washington State, 690,000 people are still experiencing hunger, and we should not be arbitrarily cutting off aid.

This bill would force States to cut off people struggling to find a job, also stripping them of transportation and childcare assistance. If States don't comply, they lose funds for the SNAP employment and training programs like the model program we have in Washington State that has led many to self-sufficiency. Even at the height of the recession, 60 percent in Washington's programs found employment and more than half were off assistance 2 years after the program.

House leadership says this bill will lead to more people working. But how does cutting programs proven to help people find jobs accomplish this? All this bill does is cut the lifeline for 3.8 million hungry American families, children, veterans, and seniors. This is not a serious proposal. I urge my colleagues to vote ''no.''

Mr. LUCAS. Madam Speaker, I yield myself such time as I may consume to engage in a colloquy with the gentleman from Colorado (Mr. COFFMAN), and I yield to the gentleman.

Mr. COFFMAN. Madam Speaker, I rise to engage in a colloquy with Chairman LUCAS.

Colorado has been a leader in training programs. And I want to ensure, when passing this Supplemental Nutrition Assistance Program reform bill, that the formulas for States to receive Federal funds for operating training programs are done in a way that encourages States to be active in helping individuals become self-sufficient.

To clarify, I would like to work with the chairman to make sure Federal dollars are available to States like Colorado that actively move people to self-sufficiency.

Mr. LUCAS. Reclaiming my time, I am aware of the leadership of Colorado in this area. I look forward to working with the gentleman from Colorado as we move forward with this legislation to ensure that Federal dollars are available to States that actively move people to self-sufficiency.

Ms. FUDGE. Madam Speaker, yes, Colorado has been a leader, but the bill specifically gives States the ability to spend savings any way they choose.

Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. NEGRETE MCLEOD), another one of my colleagues on the Agriculture Committee.

Mrs. NEGRETE MCLEOD. Madam Speaker, I strongly oppose the proposed cuts offered by H.R. 3102.

As a member of the Agriculture Committee, I am greatly concerned that this is a $39 billion cut to our Nation's most powerful antipoverty tool—a tool because each month SNAP helps feed 3.4 million households with elderly individuals.

In 2011, 4.8 million Americans over the age of 60 lacked access to food. Some seniors are already making the decision between food and their medicine. Cuts to SNAP will only intensify the problem, setting seniors into deeper destitution and hunger. I ask the bill's supporters: How will these Americans eat without the means to afford food?

I urge my colleagues to remember the most vulnerable constituents in their States and to vote ''no'' on this bill.

Mr. LUCAS. Madam Speaker, I yield 1 minute to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Madam Speaker, I don't question the sincerity of our Democrat colleagues' desire to feed the truly needy; I share in that commitment. But, Madam Speaker, I do resent the idea that somehow asking able-bodied adults without dependent children to at least be looking for work as a requirement to receive these benefits is somehow immoral.

When did America trade the dignity of a job for a culture of permanent dependency? President Theodore Roosevelt writes in his autobiography about his life as a North Dakota rancher. In chapter four, ''In Cowboy Land,'' he writes:

> We knew toil and hardship, hunger and thirst, but we felt the beat of hardy life in our veins because ours was the glory of work and the joy of living.

□ 1630

Madam Speaker, I say let's encourage the dignity of work again and pass these modest reforms.

Ms. FUDGE. Madam Speaker, I just want to say to my friend that able-bodied work has always been in the farm bill. What has changed by this bill is that it takes away the opportunities for Governors to request a waiver when their unemployment rate is very high.

Madam Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. LUJAN GRISHAM), another member of the Agriculture Committee.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I thank my colleague from Ohio.

Madam Speaker, I rise in opposition to this disastrous bill that cuts $40 billion from SNAP, a vital program that feeds over 442,000 New Mexicans, half of whom are children.

I want to share the story of LaNae Havens, which shows just how much SNAP means to the people in my district.

LaNae is a single mother with a handsome 9-year-old son named Konnor. She works full time, but she doesn't make a lot of money. She has to pay for childcare, rent, transportation to work, utility costs, and all the other expenses families face. That doesn't leave much money for food—and certainly not for the healthy, nutritious food that growing children need.

Konnor suffers from anemia. Without her $33 a week in food assistance, LaNae says there's no way she is able to feed her son the protein- and iron-rich foods he desperately needs. She is terrified of what happens if she loses SNAP.

I did the SNAP challenge, and it's just enough to get by. You can't buy fresh vegetables. You can't buy enough protein. The thought that we would make it even less for those Americans who need it is unconscionable. I don't want Konnor to go hungry.

I urge all of my colleagues to vote against this bill.

Mr. LUCAS. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SOUTHERLAND), who's worked very diligently on this bill.

Mr. SOUTHERLAND. I would like to thank and commend you, Mr. Chairman, on your great work.

Madam Speaker, there's been a lot of things talked about today and in the past about the motivation. I've been very involved in this bill. The ranking member, she and I have gotten to know each other, and it has been a pleasure. I mean that sincerely. I want you to know, Madam Speaker, that my motivation has only been to introduce the blessing of work to able-bodied people.

Madam Speaker, from your chair, if you look down the center aisle, you can see one of 23 faces that are at the top of this room. The face you are looking at is the face of Moses. That is the only face that is a full frontal view and not a side view like the other 22 faces that surround this room. It was his work, the work of Moses, that in the very first chapter of Genesis, God created Adam and placed him in the garden to work it.

Work is not a penalty; work is a blessing. God's very first work was to introduce the responsibility of an able-bodied individual to do not just a physical activity, not just an economic activity, but, in every sense of the word, a spiritual activity.

What we have done in this country is wrong. We have failed in introducing the blessing of work to able-bodied people who have the ability, who are mentally, physically, psychologically able to work, and we have robbed them of knowing a better life that they helped create for themselves and their families.

I want to be very clear. This bill excludes children. It excludes the disabled. It excludes seniors. It makes sure that able-bodied individuals who are mentally, physically, and psychologically able to work know the blessing that God intended.

There's been a lot of talk about Scripture and a lot of talk about God's plan. I want people to know that it was Moses—Moses—who in this very room is placed in a position of prominence. It was his very first chapter that he gave us God's plan for able-bodied.

Ms. FUDGE. Madam Speaker, I do consider Mr. SOUTHERLAND a friend, but I would just say that we cannot pick and choose what we take out of the Bible. The Bible mentions the words ''poor'' and ''hungry'' more than 200 times.

Madam Speaker, I yield 1 minute to the gentlewoman from New Hampshire (Ms. KUSTER), another member of the Agriculture Committee.

Ms. KUSTER. Madam Speaker, I want to address my remarks to my colleagues on the other side of the aisle because I, too, believe in work. But in the northern part of my district, we have veterans who are unable to find work.

I recently visited the Bridge House in the rural north country of New Hampshire which provides for the homeless, many of them veterans. It is already hard for folks to find a job, especially for returning veterans who had faithfully served our country, yet this bill says that they should go hungry.

My constituents are frugal Yankees. They believe that every tax dollar should be spent wisely or not spent at all. They agree that we cannot afford the subsidies for agribusiness that this underlying bill that has now gone over to the Senate continues to include.

Let's ask ourselves: Who are we as a people? Would we truly not feed a homeless veteran? We are Americans, and Americans take care of each other. The United States is an exceptional country, and now is the time to prove it.

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

Mr. LUCAS. Madam Speaker, I have the honor and privilege to yield 1 minute to the majority floor leader of the United States House of Representatives, Mr. CANTOR.

Mr. CANTOR. Madam Speaker, I thank the chairman, the gentleman from Oklahoma, for the leadership that he has demonstrated throughout this process on this bill, on the farm bill, and know that his heart has been placed into this process and know that the outcome will be one that has been benefited by his leadership throughout the last several years in his dedication and leadership on this issue.

Madam Speaker, I do rise today in support of the Nutrition Reform and Work Opportunity Act. This bill is designed to give people a hand when they need it most. Most people don't choose to be on food stamps. Most people want a job. Most people want to go out and be productive so that they can earn a living, so that they can support a family, so that they can have hope for a more prosperous future. They want what we want.

If others, and there may be some, choose to abuse the system—that's not out of the realm of possibility—frankly, it's wrong for hardworking, middle class Americans to pay for that.

Madam Speaker, I want to tell you a story that's very fitting for this bill. There was a woman from Arkansas. Her name was Sherry. She moved there to that State with her two children, ages 11 and 14. She lived with her mom. The four of them shared a two-bedroom apartment.

Sherry didn't have much work experience as a stay-at-home mom, so she applied for help through Temporary Assistance for Needy Families, otherwise known as the TANF program, the welfare program that President Clinton and a Republican Congress reformed in 1996 to impose work requirements for able-bodied adults. Sherry's case officer worked with her to obtain an on-the-job training position at a local hotel where she was hired for an entry-level position before she was quickly promoted to being a team leader.

As the Department of Workforce Services in Arkansas reported, Sherry's welfare case was closed and she continued her job at that hotel, a job she loved, going so far as to equate her coworkers with family. And like a family, when the hotel was remodeled, they gave Sherry the hotel furniture for her own apartment.

Madam Speaker, there is dignity in work. I am supporting this bill today because I want to see, as I know all of us do, more success stories like Sherry's. The reforms made by this bill will put people on the path to self-sufficiency and independence.

I also want to say, Madam Speaker, there's been a lot of demagoguery around this bill and, unfortunately, a lot of misinformation. Because the truth is anyone subjected to the work requirements under this bill who are able-bodied, who are able-bodied under 50, will not be denied benefits if only they are willing to sign up for the opportunity for work. There is no requirement that jobs exist. There are workfare programs. There are options under the bill for community service. This bill is a bill that points to the dignity of a job to help people when they need it most with what they want most, which is a job.

Again, I would like to thank the gentleman from Oklahoma, Chairman LUCAS, for his leadership and the gentleman from Florida, who just spoke before, Congressman STEVE SOUTHERLAND, for their hard work on this issue.

I would also like to recognize a member of my staff, who I can tell you has personally been a teacher to me on welfare policy and how the wrong policies can destroy a person's self-identity and lull them into a life of dependence, but how the right policies can help lift people out of poverty and on a path to independence. Roger Mahan, Madam Speaker, who is here in the Chamber, has dedicated his professional life to helping lawmakers adopt the right policies. I'm privileged to have Roger as a part of my team and as my teacher. This House and this country benefit from his knowledge and dedication on this very emotional issue, and I thank him for his service and guidance.

Madam Speaker, I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The gentleman from Oklahoma has 10½ minutes remaining. The gentlewoman from Ohio has 17 minutes remaining.

Ms. FUDGE. Madam Speaker, I just want to say that one in eight Virginians are on SNAP and that able-bodied adults without dependents already work if there is a job. We all know that there are three people for every available job in this country.

Madam Speaker, I yield 1 minute to the gentlewoman from New York (Ms. MENG).

Ms. MENG. Madam Speaker, unfortunately, this is the second time this year that the other side of the aisle has proposed funding SNAP at a level that completely disregards the purpose of the program. This newest iteration disrespects families struggling to survive and parents who are unable to feed their children. It doubles down on a determination to end hunger assistance and increase the suffering of our Nation's most vulnerable.

There is only one word that comes to mind: ''cruel''—cruel to seniors, cruel to children, cruel to veterans, cruel to people struggling to survive with a shred of dignity. Children, elderly, disabled, and currently employed make up 92 percent of SNAP recipients. Yesterday, an elderly veteran called my office about his incredible struggle to purchase enough food. He said that without SNAP, he does not know how he will survive.

I want to take time to thank the organizations in my district and throughout New York City—Queens Jewish Community Council, Masbia, CPC, KCS, South Asian Council for Social Services, and the Hispanic Federation—for the amazing work they do every day to help our community.

I want to take this opportunity to reaffirm my commitment to the millions of people relying on SNAP and the millions more that oppose cutting this program.

Mr. LUCAS. Mr. Speaker, I yield 1 minute to the gentleman from the great State of Kansas (Mr. HUELSKAMP), my next-door neighbor from across the State line.

Mr. HUELSKAMP. Mr. Speaker, today I rise in support of H.R. 1302.

Participation in SNAP has grown 83 percent since 2008 and will cost us nearly $80 billion this year alone. It is imperative that Congress takes steps to rein in this out-of-control entitlement, and I believe this bill does that.

The work requirements in this bill go to the heart of the reforms I have been advocating since I began working on similar bills nearly 3 years ago. It follows a simple line of thought: if you are a healthy adult and don't have someone relying on you to care for them, you ought to earn the benefits you receive. Look for work, start job training to improve your skills, or do community service, but you can no longer sit on your couch or ride a surfboard, like Jason in California, and expect the Federal taxpayer to feed you.

I also would like to applaud my home State of Kansas for moving to reinstate work requirements for Kansas adults. The folks in Kansas recognize that if you want to help people get back to work, you shouldn't pay them not to work. Washington should follow our example.

Support fiscal responsibility. Support a paycheck over a welfare check. Support the bill.

□ 1645

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, the last time we considered devastating cuts to nutrition programs, I brought messages my constituents had written on paper plates, telling stories of how much the SNAP program has helped them. I read aloud each plate's personal, heartbreaking story of the difference food assistance makes for a parent, a student, or a family, but today I have an empty plate because that's what so many of my constituents would see if this bill became law—in fact, 27,000 to be specific. I thought about bringing 27,000 plates down here—like this one—to make my point, but I decided not to create that kind of a waste just to make a point that is already so obvious.

The Republicans want you to believe that we don't have the money to feed hungry kids but that we can afford subsidies for Big Oil and tax breaks for corporate jet owners. It is ridiculous. If this week doesn't show the backward priorities of the Republican majority, I don't know what will. This short-sighted, slash-and-burn approach to governing won't get this country moving forward.

Taking food away from children?

The sad truth is, all that's being served up by the Republicans is a lack of vision.

Mr. LUCAS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I rise today in full support of H.R. 3102.

This commonsense bill reforms the SNAP program and simply requires that able-bodied adults without dependents obtain employment, participate in job training activities, or perform voluntary community service activities in exchange for continued benefits.

I've been hearing a lot of chatter these days about how there aren't any jobs out there to get people back to work. Perhaps if government weren't killing businesses through overregulation, increased taxes, and bureaucratic delays, it might be easier to get people back to work.

The President did state 3 days ago that the economy was improving and jobs were being created, so it seems reasonable to get people into job training programs in order to get these job openings filled. Let's say the President is wrong about these. Even in the most economically challenged areas of this Nation, there are opportunities to better one's community through volunteerism.

Who in this body can argue with work or volunteer requirements for able-bodied adults without dependents? When did asking able-bodied adults to look for work become an unrealistic or a demeaning request?

This bill preserves the SNAP program for those who need the assistance while also helping them to find employment and live the American Dream.

How does any of that sound unreasonable?

Ms. FUDGE. Mr. Speaker, I just want to say that, in Mr. LAMALFA's district, 10 percent of all households are on SNAP.

I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Speaker, I rise to oppose H.R. 3102.

Ending nutrition assistance for millions of hungry children and adults in the middle of a fragile economic recovery is, frankly, close to the very last thing we should be doing right now. As former Republican Senate leader Bob Dole wrote in the LA Times this week, ''this is no time to play politics with hunger.''

Furthermore, Mr. Speaker, the district I represent has one of the highest concentrations of veterans in all of the United States, and I feel morally compelled to point out that the legislation before us would end nutrition assistance for as many as 170,000 veterans who currently receive it. These are men and women who have served our country with honor and who were prepared to give the last full measure of devotion to America.

So, while I absolutely appreciate Mr. ROGERS' pointing out the flaw herein, assurances, however genuine, that we will try to take care of this later do not measure up to the sacrifices these men and women have made. Whatever your stereotypical image in your head you carry around of the average recipient, please understand that that includes the men and women who wore our Nation's uniform, and when you know that, you will vote ''no.''

Mr. LUCAS. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Mr. Speaker, I rise today in support of H.R. 3102, the Nutrition Reform and Work Opportunity Act.

I commend the chairman for his tireless work on this effort, the effort to put in place sensible reforms and close loopholes in order to improve this nutrition program. One reform which has been mentioned many times is that of the modest work requirements of people who are able to do so.

We will be able to save nearly $40 billion over 10 years. All we are asking is that those receiving benefits—who do not have children, who are without disabilities, and who do not have any other extreme circumstances—simply work, volunteer, train or go to school for 20 hours a week.

Mr. Speaker, we are preserving this program for those who truly need it. I urge my colleagues to support these important reforms so that the truly vulnerable never go hungry.

Ms. FUDGE. Mr. Speaker, would you tell us how much time is still left in debate.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentlewoman from Ohio has 13¾ minutes remaining, and the gentleman from Oklahoma has 7½ minutes remaining.

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GARAMENDI), another of my colleagues on the Agriculture Committee.

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

Mr. GARAMENDI. Thank you for the opportunity to speak here.

Mr. Speaker, if this were only about work reforms, that would be something, but it's far, far more. These are devastating cuts. Hunger is real. In my northern counties, the counties along the Sacramento River—Sutter, Glenn, Colusa, and Yuba—20 percent of the citizens are hungry. They need food. This bill would dramatically affect that.

My daughter is a teacher. She has a community garden. She went to find a kid from her kindergarten class who wasn't getting on the bus. He was hidden underneath the cucumbers in the garden, stuffing his pockets full of tomatoes and cucumbers, so that on the weekend he would have food for himself and his brother.

Hunger is real—it's real in every one of our districts—and this particular bill devastates the food programs for seniors, for working men and women, and for those who desperately need help.

I oppose the bill. I would ask for compassion from our colleagues on the Republican side and to put this bill down and get on with decent legislation.

Mr. LUCAS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. BENTIVOLIO).

Mr. BENTIVOLIO. Mr. Speaker, as a member of the Anti-Poverty Initiative, I have been blessed to work closely with the people ''on the ground'' who are committed to lifting people out of poverty. Many in Washington believe a hand out is a hand up. It's not. We need a social safety net that focuses on the empowering of the individual.

The men and women I've met with all have wanted me to hear their stories. I asked them directly: What do we do that works? What do we do that doesn't work, and how can I make it better? All of the men and women shared the same themes: Lift me spiritually, not just economically. They told me they don't want to be taken care of. They want to be able to take care of themselves and are challenged to find and utilize the gifts God blessed them with.

I am proud to say many of the reforms in this bill didn't come from a bunch of people in suits and ties here in Washington, D.C. They came directly from the American families we are trying to help. This bill is a forward-looking approach that propels

people towards opportunity. It fulfills the promise made in the Declaration—that our country believes in the right to pursue happiness however each citizen defines it.

Ms. FUDGE. Mr. Speaker, I yield 3 minutes to the Democratic whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentlelady, and I thank her for her leadership on this issue.

Mr. Speaker, I lament with Mr. LUCAS that we don't have a bipartisan bill, because I know that's what he wanted, that that's what he forged and that that's what has been abandoned, unfortunately, by his party. I think that's sad for the country. It's even sadder for the people who will be so adversely affected.

Mr. Speaker, several weeks after House Republicans broke with longstanding practice and cut nutrition program funding out of the farm bill, they are now bringing a nutrition-denying bill to the floor. Shockingly, their version of nutrition assistance is to cut $40 billion over the next 10 years from the Supplemental Nutrition Assistance Program, called ''SNAP.''

What does this mean for the 14 percent of our fellow citizens? Luckily, 86 percent of us are doing pretty well—we can put a meal on the table, and we can feed our children; but 14 percent of our fellow citizens can't have confidence that they can do that.

Has America fallen so low in its moral compass that we are not prepared to make sure that, in the richest country on the face of the Earth, they have food on their tables? Have we fallen that low?

It means 210,000 children dropped from the school meals program. It means 170,000 veterans in need losing some or all of their food assistance. It will affect Americans of all ages, and it will especially harm seniors, students, and individuals with disabilities.

Tuesday's Census Bureau report confirms that too many Americans remain in poverty as a result of lingering effects from the recession. This is reflected in the rise over the past few years in the number of Americans who rely on food assistance to eat a decent meal from day to day. In the wealthiest country on Earth, there is no reason why so many Americans should have to go hungry, and now is certainly not the time for Congress to make it harder for them to feed themselves and their families.

Do we need to bring down the deficit? We do. Do we need to do it on the backs of the poor? We do not.

Instead, we ought to be helping Americans find jobs and access to opportunities so they will no longer need SNAP assistance. We should go to conference with the Senate, as I know my friend Mr. LUCAS wanted to do, which passed a bipartisan farm bill in June by a vote of 66–27. Two-thirds of the Members of the United States Senate, a majority of the House Agriculture Committee, and, in my view, a majority of this House wanted to do this, but we did not do it. Of course, we should have gone to conference weeks ago, but, sadly, this Congress remains dysfunctional.

I urge my colleagues to defeat this punitive legislation, and I call on the Speaker to appoint conferees for the farm bill so we can see a compromised version reflecting the compassion and wisdom shown by bipartisan-acting Congresses over the last four decades.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. FUDGE. I yield the gentleman an additional 30 seconds.

Mr. HOYER. I thank Mr. LUCAS for his leadership, and I regret that it is not being followed.

Mr. LUCAS. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Speaker, I rise to urge my colleagues to support H.R. 3102, the Nutrition Reform and Work Opportunity Act. This is an opportunity to enact commonsense reforms.

I would like to thank Leader CANTOR and especially Chairman LUCAS for their leadership and long hours of hard work.

Mr. Speaker, food stamps and farm policy should be considered individually and on their own merits. It's just common sense, and it's exactly why we are here.

In July, we passed a farm-only farm bill that ended direct payments and made other reforms. Today, we have an opportunity to continue that work by passing a food stamp bill that doubles the savings that the House originally considered. We can save taxpayers $40 billion by eliminating loopholes, ensuring work requirements, and putting food assistance on a fiscally responsible path.

In the real world, we measure success by results. It's time for Washington to measure success by how many families are lifted out of poverty and are helped back on their feet, not by how much Washington bureaucrats spend year after year.

I urge all of my colleagues to support this commonsense step in the right direction.

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. VARGAS), another member of the Agriculture Committee.

□ 1700

Mr. VARGAS. Mr. Speaker, I rise in opposition of this bill. Senator Dole is right: this is no time to play politics with hunger.

I want to thank those in the faith community that have come out against these cuts to the nutrition program because of the moral imperative in the Bible from Matthew 25:

> When I was hungry, you gave me to eat.

I want to thank in particular Reverend David Beckman, who writes:

> The proposed cuts are a clear indication that some in Congress underestimate the hunger that is present in American homes. The bill picks on the poorest people in the country. This is morally and economically unacceptable, especially as some areas continue to experience high unemployment.

I also want to thank Reverend Stephen Blaire, who said:

> Adequate and nutritious food is a fundamental human right and the basic need that is integral to protecting the life and dignity of the human person.

Please, defeat this bill. It's the wrong thing to do. In a country as rich as our own, we can feed the poor. It's the most basic imperative in the Bible.

Mr. LUCAS. Mr. Speaker, might I inquire as to how much time is remaining for both myself and the ranking member?

The SPEAKER pro tempore. The gentleman from Oklahoma has 5½ minutes remaining, and the gentlewoman from Ohio has 8¾ minutes remaining.

Mr. LUCAS. Mr. Speaker, I would like to inform the ranking member that I potentially have some additional speakers, but they've not made an appearance yet. Therefore, I reserve the balance of my time to close if they do not appear.

Ms. FUDGE. Mr. Speaker, it is my privilege and pleasure to yield 1 minute to our Democratic leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding. I thank her also for her leadership on this very important issue to the values of our country. Her service on the Agriculture Committee is indeed a blessing to us all as we fight for our children.

Mr. LUCAS, thank you for your leadership of the committee, as well. I know you tried to bring a bipartisan bill to the floor. What happened after that, I won't go into. I also want to salute COLLIN PETERSON, our colleague on the committee. We need a farm bill. We want to have a good farm bill for our farmers, for our ranchers, for food security, for our country. Hopefully, we can get to that place, but not by doing violence to our children.

Mr. Speaker, this body is so magnificent because it is so diverse. We represent districts all over the country. We represent people of different backgrounds all over the country. But one thing, among others, that we certainly have in common is that each one of us have people in our districts who depend on the SNAP program for their nutrition. There isn't one person in this room who could rise up and say: Nobody in my district relies on the nutrition programs that are in the farm bill. Chief among them are children, seniors, veterans and their families. They are the real faces of hunger in America, and their stories are the most compelling reason to reject this dangerous Republican legislation.

In my district in San Francisco, people from all walks of life have relied on the SNAP program to make it through tough and trying times. One young woman I want to highlight is Catlin, now in her twenties, worked hard at a

part-time job to put herself through college. As the recession took its toll on students across the country looking for work, Catlin found that she could not afford to pay rent and purchase food each month. Because she qualified for the emergency food SNAP initiative, she was able to get by, get a promotion, and now works full time.

There's Brian, 50 years old and homeless. Even though he searches constantly for full-time employment, he spends his spare time volunteering at St. Anthony's dining room, helping other people. This is a place that helps other people to find food, shelter, clothes, and compassion in our community. There he gives back what little he has to the community, wholeheartedly serving our seniors, veterans, children, and families who also rely on the generosity of people like Brian to feed themselves and their loved ones.

Like Brian and Catlin, millions of people across America are working hard and giving all they have to lift themselves up and help others get on their feet.

One of my colleagues said something like if you don't work, you shouldn't eat. Something to that effect. I hope I heard it incorrectly. It's really important to note that because of the low minimum wage in our country, a family of four, with both parents working full time and earning the minimum wage, are below the poverty line. They don't even come close to the 130 percent of poverty. They are below the poverty line. So in some respects the SNAP program is subsidizing a low minimum wage in our country, as other support does as well.

I wish that we could respect how hard it is for a family of four, with two people working full time, not making enough money to put food on the table, that we respect them for their struggle and for their concern for their families and not judge them that they don't have food on the table because our country has chosen to pay a sub-living wage to so many people in our country.

The Republican proposal on the floor today slashes the legs on which many of these people stand. Indeed, cutting the investments is a full assault on the health and economic security of millions of families. Consider this: one in five children—it is soon becoming one in four—struggle with hunger, and nearly half of all SNAP recipients are children. Nearly 4 million Americans over age 60 rely on nutrition assistance. Five thousand Active Duty military families depend on SNAP. Nearly 3 million veterans and their families don't get enough to eat each month, and this bill would jeopardize food assistance for as many as 170,000 veterans.

A couple of weeks ago I was in Houston, Texas, visiting my grandchild, and we were at mass. The sermon was a beautiful one and actually the Gospel was that day, too. Many of our colleagues have quoted the Gospel of Matthew, ''When I was hungry, you gave me to eat,'' and other parts of the Bible. The Gospel that day was talking about how we have a responsibility to each other. In the sermon, the priest said something that I think we should consider as we consider our vote here today. He said:

> You just can't come to church and pray on Sunday and go out and prey on people the rest of the week.

This legislation is preying on people, on children, on veterans, on seniors, on all those who are struggling to do their best in our country.

It is our moral obligation to reject this legislation and to preserve these investments for Americans who need them and other Americans who want them to have it. It is our moral duty to vote down this measure and to work across the aisle in conference on a comprehensive farm bill that ensures food security, supports our farmers and ranchers, and strengthens world communities.

''Community''—that should be the word of the hour. What is our responsibility to community? It certainly isn't to say to kids, We want you to do your best in school, but we're not going to fuel your mind by giving you food to eat. And it certainly isn't to thank our veterans by depriving them or our seniors for all that they have done. Something is very wrong with this picture.

I know one thing for sure: every person who votes for this Republican measure is voting to hurt his or her own constituents because we all represent people who at some time need help.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. LUCAS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

(Ms. MOORE asked and was given permission to revise and extend her remarks.)

Ms. MOORE. Mr. Speaker, the Nutrition Reform and Work Opportunity Act of 2013 is rife with fraud, waste and abuse.

This bill is fraudulent in its claims that it's a benevolent bill that merely institutes work requirements and won't hurt children. In my very own State of Wisconsin, 4,000 children will lose free and reduced lunch, and as the entire family will be able to be penalized, it will also hurt the elderly and disabled who live in these households.

It's fraudulent. It's a bill that is a waste of our constituents' belief and stewardship in us that we would do the conscientious and right thing for the American people. We just don't throw people under the bus when they're in a recession and they can't find employment. It's a waste, and it is abusive of 15 percent of Americans and 22 percent of children who live in abject poverty.

I ask my colleagues to reject this bill rife with fraud, waste, and abuse.

Mr. LUCAS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. I thank the gentlewoman for yielding.

Mr. Speaker, in Arizona, one in four children live in food insecurity, unsure of when they'll eat next or where they'll find food. Cuts to SNAP will make this already grave situation even worse.

When I was a kid, my family went through tough times, and after my parents got divorced, my mom relied on food stamps to feed us kids. Later, when my stepfather was out of work and my family was homeless, food stamps once again helped my family survive. Yet, my family was lucky. We had friends and family and my parents' church helping us, in addition to SNAP. Today, SNAP provides hardworking families with food security while they're struggling to make ends meet. The program helped me, just as SNAP is helping kids and working families in Arizona today.

Both family farmers and hungry children in Arizona are waiting on Congress to pass a complete farm bill. I've called on Congress to put hardworking farmers and families ahead of partisanship. Congress should pass a bipartisan farm bill, just as it has for decades in the past. Today's bill unfortunately isn't a solution for families or farmers.

Mr. LUCAS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. I thank Ranking Member FUDGE for giving me this opportunity.

Mr. Speaker, I was sitting in the back and I heard one of the Republicans say that what Moses would want—and he was talking about some picture—and I just came up to say that I just talked with Moses, and he's not in support of this legislation. As a matter of fact, he referred me to other biblical things about how we treat the lesser of our brothers and sisters. He directed my attention to the disparity between the rich that we have in this country and the very poor.

I got the impression after reviewing Matthew that if we're going to refer to Moses, you can't ignore Jesus, who had some concern about the rich people that did not treat their brothers and sisters fairly. I don't know how it ends, but it seems as though they were trying to get into Heaven and he told them to go to hell.

I don't know how it spins out, but everything that seems to be happening in

this House strikes against us helping the kids and the vulnerable and helping the sick and the aged. So I would suggest that if we have to go to the Bible, everything we're trying to do to hurt the poor is not going to count for us when we need God the most.

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Ms. FUDGE. Mr. Speaker, may I ask how much time I have.

The SPEAKER pro tempore. The gentlewoman from Ohio has 4¾ minutes remaining.

Ms. FUDGE. I thank the Chair.

Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. I thank the gentlelady.

Mr. Speaker, it's really hard to know what to say anymore. It's impossible for us to rationalize what has become completely irrational, but I'm just going to say what it is.

From the other side, this bill is mean. It's unconscionable. And it's really just plain wrong. The rational person would ask, don't they know that nearly 4 million people would have benefits cut and would lose their benefits entirely? A rational person would ask, don't they know that millions of people, beneficiaries, already work, that they go to school, and that they're looking for work?

I know what it's like to struggle to feed a child, to wonder whether there's food tomorrow or the next week. Don't they know that this is what families across America are struggling with right now? I don't know.

I'll tell you what, I see the plan—shut down government, starve children, the elderly, the disabled, demonize the poor, blame them for everything. But I'm going to just tell you, when I go to sleep at night, I sleep well. After you cast this vote, after Republicans cast this vote today, they won't sleep well.

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, I have only 1 minute, but I would imagine 1 minute is sufficient to plead with my colleagues to pay attention to the facts.

The U.S. economy has not healed. We are still struggling with $7.25 an hour for minimum wage. And if you make $7.25 working all day, every day, you're going to make slightly over $15,000 a year; and you get approximately $4.50 a day to eat on, $4.50.

I think that there is a right thing that we all can do. We ought to join forces to do the right thing; and the right thing is not to approve this bill, to back away from it. I mean, we are a rich Nation that really is having economic problems. We can deal with our poor. Everybody in this country ought to have equal access to food.

Ms. FUDGE. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentlelady for yielding to me.

Mr. Speaker, I just want to say to my colleagues that this is a sad day because the whole effort to end hunger used to be a bipartisan issue. I would say to my Republican colleagues, remember Bob Dole and Bill Emerson. Your party has a great tradition, a proud tradition of being part of the effort to end hunger, working with Democrats. Don't blow that up today.

What you are doing here is wrong; and I'm urging my colleagues on the other side of the aisle, please don't do this. Please don't do this. Please do not do this. This is wrong. This is about how we treat the most vulnerable in our society.

And I have to just say to all my colleagues here, we should be having a bigger discussion about how to end hunger; and, instead, what we're doing here today is moving in a direction where we are going to make hunger worse in this country. You're going to throw 170,000 veterans who are unemployed off this program; 3.8 million people will be thrown off this program. Surely that is not what you want, but that is what your bill does. That is what the bill that never went through the Agriculture Committee, that was forced upon this House by the majority leader, brought onto the floor under a closed rule does. Please rethink this. I know that you are better than this.

Ms. FUDGE. I yield to the gentlelady from Texas for a unanimous consent request.

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to this legislation and place a statement in the RECORD because those who get food stamps are not criminals. They are just hungry.

Mr. Speaker, I rise to speak in opposition to H.R. 3102, the Nutrition Reform and Work Opportunity Act.

I am in opposition to this bill for four reasons: hunger is a real problem in the United States; the solution for reducing dependence on government subsidized food programs is full employment, this bill will hurt the poor and most vulnerable in our country and finally the bill is too draconian and pointedly anti-Urban.

Finding hungry people in the United States is not hard—they are in every community. The problem is so dire that—September has been declared hunger action month. People in the 18th Congressional District along with people in Congressional Districts around the nation are putting forth an extra effort to raise awareness that 1 in 6 Americans are going without enough food to sustain a healthy life.

Although the United States is considered to be the world's wealthiest nation 14.5 percent or almost 49 million Americans, which includes 15.9 million children face challenges to getting enough to eat.

According to the United States Department of Agriculture 50 million people experience hunger because they have limited access to resources. The type of resources could be adequate or reliable means of transportation to where food can be obtained, or money to buy food.

In the United States 17 million children live in food insecure households. Children with inadequate nutrition are affected by cognitive and behavior development problems. Eating enough to stay alive but not enough to meet nutrition requirements means the body will break down muscle and tissue.

The majority of SNAP recipients which is about 68 percent do not work—they are children, elderly, disabled or those caring for a disabled family member in their home or for a child less than 6 years of age.

Food insecurity is not limited to urban and suburban areas—over 2 million rural households experience food insecurity. The counties in the United States with the highest disproportionately high rates of food insecurity are rural not urban or suburban.

Children in food insecure homes—who do not consume healthy food on a regular basis are more likely to experience irritability, fatigue, and difficulty concentrating.

These children's ability to get ahead in life are demonstratively impacted by food insecurity.

Nutrition does not need reform—we know what foods are nutritious and how much nutritious food should be consumed by each man, woman and child regardless of age must consume each day to remain healthy and productive.

We should pass the American Jobs Act:

If this Congress was serious about work opportunities they would have passed the President's American Jobs Act. The irony is that if the American Jobs Act had become law it would have significantly reduced the numbers of persons in need of food assistance from the government.

Prior to the financial crisis and economic recession, 26.3 million individuals a month on average received SNAP benefits, getting an average of $96 per month in benefits. Over the course of the "Great Recession" SNAP spending has increased from $33.2 billion for fiscal year 2007 to $78.4 billion for fiscal year 2012.

The Congressional Budget Office says the weak economy as being the cause of the nearly 65 percent of the growth in spending on benefits between 2007 and 2011. The Congressional Budget Office said in its May 2013 baseline update estimate that SNAP participation would begin to decline as the economy continued to recover, falling to an average of $34.4 million per month.

Adding the words "Work Opportunity" is not about work but about how to prevent the working poor from accessing SNAP benefits.

SNAP benefits also help the working poor which includes those who earn 130% of the federal poverty guideline, but the majority of households have income well below the maximum: 83% of SNAP households have gross income at or below l00% of the poverty guideline this translates into incomes of $19,530 for a family of 3 in 2013. These households receive about 91% of all benefits.

Unemployment remains at 7.3 percent with about 11.3 million people unemployed. We know that we have 6 million long term unemployed people who have been searching for work 27 weeks or longer. In July, unemployment percentages for the following states were:

Texas 6.5 percent,
California 8.7 percent
Nevada 9.5 percent,

North Carolina 8.9 percent,
South Carolina 8.1 percent,
Rhode Island 8.9 percent,
Tennessee 8.5 percent,
Michigan 8.8 percent,
Arizona 8.0 percent, and
Arkansas 7.4 percent.

In August 2013, there were still 2 million fewer jobs than when the ''Great Recession'' began in 2007. There are still 3 unemployed people for every new job created by the private sector. To compound the problem—60 percent of the jobs lost were mid-wage occupations—people who did not need Federal or State food assistance or housing assistance programs.

These types of mid-wage good paying jobs make up only 22 percent of the new jobs created during the recovery. Low-wage jobs represented 21 percent of the jobs lost at the start of the recession and now make up 58 percent of the new jobs of the recovery. The number of people who are in need of SNAP is greater because the recovery is not as strong as it should be nor reaching the people it should reach.

The bill's version of work opportunity threatens the working poor's opportunity to provide food for their families. Over the last decade the number of households that were working or had no income while receiving SNAP more than tripled, from 2 million in 2000 to about 6.4 million in 2011.

This bill will hurt the most vulnerable:

Having SNAP funds does not guarantee access to nutritious food, according to the Department of Agriculture food deserts make it difficult for urban, suburban and rural poor to find nutritious food. A food desert according to the Department of Agriculture is a ''low-access community,'' where at least 500 people and/or at least 33 percent of the census tract's population live more than one mile from a supermarket or large grocery store. The USDA defines a food desert for rural communities as a census tract where the distance to a grocery store is more than 10 miles.

Food deserts exist in rural and urban areas and are spreading as a result fewer farms as well as fewer places to access fresh fruits, vegetables, proteins, and other foods as well as a poor economy.

The result of food deserts are increases in malnutrition and other health disparities that impact minority and low income communities in rural and urban areas. Health disparities occur because of a lack of access to critical food groups that provide nutrients that support normal metabolic functions.

Poor metabolic function leads to malnutrition that causes breakdown in tissue. For example, a lack of protein in a diet leads to disease and decay of teeth and bones. Another example of health disparities in food deserts are the presence of fast food establishments instead of grocery stores. If someone only consumes energy dense foods like fast foods this will lead to clogged arteries, which is a precursor for arterial disease a leading cause of heart disease. A person eating a constant diet of fast foods are also vulnerable to higher risks of insulin resistance which results in diabetes.

In Harris County, Texas, 149 out of 920 households or 20 percent of residents do not have automobiles and live more than one-half mile from a grocery store.

Hunger is silent—most victims of hunger are ashamed and will not ask for help, they work to hide their situation from everyone. Hunger is persistent and impacts millions of people who struggle to find enough to eat. Food insecurity causes parents to skip meals so that their children can eat.

In Harris County, Texas, 149 out of 920 households or 20 percent of residents do not have automobiles and live more than one-half mile from a grocery store.

In 2009–2010 the Houston, Sugar Land and Baytown area had 27.6 percent of households with children experiencing food hardship. In households without children food hardship was experienced by 16.5. Houston, Sugar Land and Baytown rank 22 among the areas surveyed.

The bill is too draconian and pointedly anti-Urban:

The majority seeks to do everything imaginable to make it more difficult for people in this country to get access to affordable healthcare, a job that will pay a livable wage or meals that are nutritious are difficult to understand.

The bill would establish a nationwide ''pilot program'' under which states could impose new work requirements on SNAP recipients, including on parents of young children who are exempt under the current law. It would not be in the best interest of young children for their parents to leave them unattended and it would not be in the best interest of SNAP recipients to choose between rent and childcare.

The language of the bill authorizes states to conduct drug testing of SNAP applicants as a condition of receiving benefits. Since most of the benefits go to children, the elderly and disabled the question of drug testing is more a facade for a political philosophy than a real world problem with drug addiction and Federal and State food programs.

The bill is blatantly anti-urban in calling for a pilot program to reduce retailer fraud be conducted in a large urban area that administers its own SNAP program. Is there a belief that Mayberry exists in every rural area and therefore there could be no possible cases of SNAP fraud?

The bill requires that SNAP recipients receive at least $20 or more in aid from the state through the Low Income Home Energy Assistance Program (LIHEAP) before they could receive an increase in SNAP benefits. LIHEAP and SNAP are two different programs and they serve different purposes. LIHEAP helps when homes are not safe or are in need of repairs to make them more safe for human occupation. The problem with this formula is that the funds sent for LIHEAP are not nearly enough for the numbers of persons who need housing repair. The second problem is it would require people who have no need of housing repairs, but who may need additional food assistance to apply for the LIHEAP program, which is already underfunded in order to get what they really need—more food assistance.

This formula will guarantee that people in need of additional assistance under SNAP will never receive it.

The bill before us would prohibit a state from telling someone they know is hungry about SNAP food programs. The bill defines this type of communication as recruiting SNAP participants by advertising the SNAP program.

The bill eliminates the ability of states to waive work requirements for ''certain able-bodied'' SNAP recipients even when unemployment is high. In addition the bill would impose new work requirements on parents of young children.

The bill would restrict ''categorical eligibility'' this would impact people who qualify for other low-income aid.

The bill requires that SNAP benefits be used by beneficiaries within 60 days of being posted to an account. If the benefits are not used then they will be taken back. The reality is people make decisions about where and when to purchase food not based on our schedule but their own.

If they have the benefits then the benefits should be there when the opportunity to go to a store is available to them—which may be more than a 2 to 4 week period.

People who are poor are not criminals and we should stop trying to treat them as if they committed a crime. This bill is right out of the 47% playbook that was defeated last year during the Presidential Election and this bill needs to be defeated as well.

The Congressional Budget Office estimates that the bill would reduce net SNAP spending by 39 billion over 10 years and that 2.8 million people on average would lose their benefits while 850,000 would see benefits cut.

SNAP benefits help the disabled, which include men and women who have served our nation during times of war. According to news reports, nearly $53 million in food stamps had been cashed in by people eligible to shop in base commissaries, including disabled veterans.

The use of food stamps in commissaries increased 9 percent from 2012 to 2013, when $99 million in food stamps were used on bases. In addition, military commissaries sold about $31 million under the Women, Infants and Children program in 2012 and nearly $15 million by June of this year.

Food is not an option—it is a right that all people living in this nation must have to exist and to prosper. Next year if this bill becomes law the nearly $40 billion cuts in the Supplemental Nutrition Assistance Programs also known as SNAP that is proposed by this bill 4 million Americans would fall thought our nation's food safety net.

As elected representatives we should see our nation's vital interest. At the core of our vital interest is a stable and thriving economy, a strong and healthy population that is able to contribute to the economic engine that fuels our economy.

I urge my colleagues to reject this bad bill and return the food programs to the farm bill.

Ms. FUDGE. Mr. Speaker, I want to thank my colleague, Chairman LUCAS, for all of his work on the farm bill.

I want to ask, though, why did we play this charade on the American people today? Why would we use hunger and poverty as a political football, a game, some kind of sport? This is the people's House, so let's do what is best for the American people.

Dr. Martin Luther King, Jr., said that the time is always right to do what is right. And to my colleagues on the other side of the aisle, I know there's been a lot of arm-twisting to get you to support this bill; but, fortunately, I have many friends on that side of the aisle. And my friends are known to be people who are compassionate, caring patriots. And I implore

you to do what is right. Hopefully, you will all muster the courage to vote your conscience and do what is morally right because if you do it, the others who may not have as much courage as you will follow. You will set them free to do what is right.

It is time to stand up for the American people. Vote ''no'' on this bill.

I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself the remaining time.

My dear colleagues, on several occasions we have alluded to the process that we have gone through now, literally, for years to try to craft a comprehensive farm bill.

I think most of you know that I would have preferred this have been accomplished a year ago. I was proud of the committee work done at the time, done in a bipartisan way. I was proud, even though we had to start over in a new session of Congress, of the bipartisan effort done in the committee this time.

Not every Republican or every Democrat on the committee voted for it; but we had a majority of both sides, something that seems to be kind of difficult these days on a lot of issues. But that bill came to the floor. And even after a number of amendments were adopted by a majority of this body primarily focused on the nutrition title, a majority of the body chose not to pursue that bill, not to allow it to move on. And we were compelled to bring what I affectionately referred to as a farm bill only to the floor, one without the critical title dealing with nutrition, and we were successful in passing that.

But as was noted by many of my colleagues on this side of the room, that left a critical piece out, the nutrition title. And that's the product that we are addressing today. It incorporates all of the efforts—I will repeat again—from the committee work dealing with categorical eligibility and LIHEAP and advertising and all of those things.

The language we deal with today incorporates the amendments adopted by this body in an effort to address the committee bill, empowering States through a pilot program to engage able-bodied individuals in TANF-type work, ending SNAP eligibility for convicted murderers and pedophiles and rapists—not their children, not their spouses, but they, themselves. Language allowing the States to very clearly use drug testing as a part of their SNAP application process was adopted by a majority of the votes on this floor, those items. And now it includes language that came out of the leader's working group, things that deal with what we refer to as ''able-bodied adults without dependents,'' ABAWDs.

That first committee draft, reform to the tune of about $20 billion. Many of the things on the floor would have added to that, perhaps not substantially. And in the working group's language, an additional $20 billion in reform. That presents us with the bill that we're looking at today, with virtually everybody's ideas and reform rolled into one, a substantial amount of savings in a single bill to reform.

I would say this to all of my colleagues: you're going to vote your conscience today. You understand the bill, each and every one of you. You understand, I think from your perspective, the policy implications. I happen to believe that the items in this bill are of sufficient merit to be discussed in a conference committee; potentially, if the conference would agree, to incorporate them in a final conference committee report. But that discussion cannot take place if this bill is not passed.

Remember, if this bill is not passed and we go to conference, there are no instructions for reform from the House in effect. And what was one of the fundamental points that I and my colleagues in the Ag Committee discussed as we started this process a long time ago? There would be reforms in all parts of the next farm bill—commodity title, conservation title, nutrition title. There would be the implementation of changes based on our experiences and our learning from the last farm bill and series of farm bills.

I know you're going to vote your conscience; but I ask you, let me go to conference with the Senate with the maximum number of options to work through because, ultimately, whatever comes out of that conference has to be a comprehensive farm bill. It has to address our ability to raise the food and fiber safety net. It has to address the safety net that affects all of our consumers.

I will simply close by saying this: as I said at the beginning of this debate, it should not be this hard to pass a bill to make sure that the consumers in this country and around the world have enough to eat. It shouldn't be this hard, but everything seems to be hard these days. So let's do the hard things. Let's get our work done. Let's go to conference. Let's put a final bill together. Let's fulfill our responsibilities.

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

Mr. BLUMENAUER. Mr. Speaker, I strongly oppose this misguided attempt to cut almost $40 billion from the Supplemental Nutrition Assistance Program. I do not believe that depriving between 4 and 6 million Americans, and 105,000 Oregonians, of access to food will change an individual's motivation to find work. It's particularly ridiculous as work requirements already exist; this bill simply takes away a state's ability to allow for flexibility when there are no jobs or work-training programs available. I also find it ironic that this Congress has refused to apply the same means testing principles it requires for the nutrition program to the crop insurance program, which subsidizes wealthy farmers without regard to their financial need.

I oppose this legislation and it saddens me to see it on the House floor today.

Ms. ESHOO. Mr. Speaker, I rise today in opposition to H.R. 3102.

A vote for this bill is a vote to cut $40 billion from U.S. food–aid programs, specifically to the Supplemental Nutrition Assistance Program, or SNAP. It's a vote to take food away from millions of Americans in poverty, and it's a vote to poison America's economic growth from the ground up.

The nonpartisan Congressional Budget Office estimates that the cuts in this bill will cause 14 million people to lose SNAP benefits in the next decade.

The head of the local food bank in my District, the Second Harvest Food Bank of Santa Clara and San Mateo Counties, told me yesterday that her organization [quote] ''simply cannot fill the meal gap these cuts would create'' [unquote]. This means children, the elderly, veterans, single mothers, and others who rely on SNAP will go hungry.

SNAP benefits are part of America's social safety net. Like unemployment insurance, SNAP is a part of our economic recovery strategy.

And it's been a successful strategy.

According to the Census Bureau, SNAP lifted 4 million people out of poverty in 2012—the highest level on record. That's in addition to making tens of millions more Americans less poor by reducing the gap between their income and the poverty line.

Seventy–five percent of households receiving SNAP benefits have a senior citizen, a child, or a person with a disability. Fifty percent of households receiving SNAP benefits live below the poverty line.

These are the faces of our fellow Americans. These are the people who will be hurt by this pernicious bill.

Vote no on H.R. 3102.

Mr. NADLER. Mr. Speaker, I rise today in strong opposition to HR 3102, the majority's extreme legislation to cut 4 million seniors, working families, and individuals with disabilities from the Supplemental Nutrition Assistance Program (SNAP).

SNAP is an effective, short-term anti-poverty program designed to help families stay on their feet when they face tough times and to ensure seniors and individuals with disabilities have access to the food they need.

On average, SNAP recipients receive about $4.80 a day for food. How many on the floor of this chamber spent more than that on their cup of coffee this morning? I imagine very few of my colleagues can honestly say they can feed themselves, let alone their families, every day for that amount of money.

Despite these facts, the bill we debate today will gut SNAP. These $40 billion in cuts will eliminate benefits for nearly 4 million Americans this year and further cut 3 million people off the program every year for the next decade. These cuts are designed to reduce SNAP enrollment and spending but ignore the link between SNAP and our economy. When the economy collapsed in 2008, SNAP enrollment increased as more families struggled to make ends meet amid record high unemployment. That is how the program is supposed to work, and as our economy continues to recover and more Americans go back to work, SNAP enrollment and spending has gone down and will continue to decrease. The Congressional Budget Office predicts that if we do nothing and let the economy improve, SNAP spending will return to its low 1995 levels as a percent of GDP in the next six years.

The majority claims this bill will increase incentives for SNAP recipients to work. That claim belies the fact that millions of Americans

who do work still rely on SNAP to meet their needs. Further, in New York State, the bill would actually have the opposite effect. The state receives nearly $170 million in federal funding, and leverages nearly $140 million in local funding, for job training and placement efforts to get SNAP recipients back in the workforce and transition them away from government assistance. Yet this bill would eliminate or severely cut funding for those programs, making it harder for individuals to find work and get back on their feet.

Rather than rewarding states for helping unemployed individuals, in a perverse twist, the only actual incentive this bill contains is one for states to kick SNAP recipients out of the program if they cannot find a job or job training. That approach will only serve to push more families on to government programs instead of lifting them out of poverty.

If we really want to reduce the number of people who use SNAP, we should focus on job creation legislation to assist the millions of Americans looking for work and on passing a budget that supports instead of undermines our economic recovery. Putting people back to work and rebuilding our economy is the only responsible way to ensure seniors and working families have the food and the resources they need.

But instead, we are voting to slash this vital safety net program and telling millions of Americans: good luck. Good luck putting food on your table tonight and ensuring your children succeed in school without the food they need. Good luck affording your prescription medication and making your mortgage payment this month.

Mr. Speaker, I will not turn my back on those millions of Americans who rely on SNAP to feed their families and get back on their feet. I urge my colleagues to vote no on these extreme cuts.

Ms. BROWN of Florida. Mr. Speaker, once again, Republicans have succeeded at taking a bad bill and making it even worse. I categorically oppose the bill before the House today, which heartlessly cuts nearly $40 billion from nutrition assistance programs, which assist the most vulnerable in our communities to stave off hunger and poverty. To enact this into law is outright shameful and runs counter to our most fundamental values as a nation. For seniors, children in low-income families, the disabled, and those who have lost jobs; food and nutrition programs are a lifeline and must be preserved.

Nearly 49 million Americans and 17.6 million U.S. households are food insecure, while nearly 17 million of these individuals are children, 5 million are seniors and 300,000 are elderly veterans. Last month, the United States Department of Agriculture (USDA) released a report stating that in the aftermath of the recession, food hardship remained extremely high as more than 8 million Americans lost their jobs. From the unemployed factory worker to the teacher who lives paycheck to paycheck, hunger and poverty affect every community in America. Certainly, the need for food assistance is already greater than SNAP can fill, and food banks and charities have stepped up to the plate to address these additional needs. Demand for assistance at food banks has increased 46 percent during the recession, so it's no surprise they are having a hard time keeping up with the current levels of need.

Yet last month, rather than moving forward to pass a full Farm Bill last month, Republicans are doubling down on a failed strategy that only serves to undermine the health of millions of Americans and has no chance of becoming law since this bill will not pass the Senate or be signed into law by the President. Indeed, one would think that House Republicans' failure to pass their comprehensive, five-year Farm Bill, or subsequent partisan bills, should compel them to work with Democrats on behalf of the food and economic security of hardworking Americans, yet that is not the path they have chosen.

It's time for Republicans to trade in their pointless and partisan agenda for responsible solutions that will promote, expand, and strengthen America's middle class.

Mr. BISHOP of Georgia. Mr. Speaker, I rise today in strong opposition to the draconian Nutrition Reform and Work Opportunity Act.

Rather than consider a bipartisan Farm Bill that would help hungry Americans and provide certainty for farmers and ranchers over the next five years, the House has instead decided to bring to the floor a partisan measure that would hurt those most in need and has no chance of passage in the United States Senate.

This legislation is wrong on many levels. First, the nutrition provisions were never intended to be considered separately from the other titles of the Farm Bill, as has been the bipartisan tradition for the past several decades.

As the distinguished former Senate Majority Leader Bob Dole said, ''stripping the nutrition title from the [Farm Bill] . . . has severed the vital tie that helps connect our food system with those who struggle with hunger in our own backyard.''

This bill, in fact, is all pain and no gain.

It is estimated that the Nutrition Reform and Work Opportunity Act will cause between four to six million low-income individuals to lose their SNAP benefits entirely. As many as 210,000 children potentially could lose their school meals and 850,000 households could see their benefits slashed by an average of $90 per month.

In Georgia's Second Congressional District. which I represent and where 26 out of the 29 counties are sparsely populated and rural, nearly a quarter of the households receive SNAP benefits. Many of them could be in jeopardy of reduced benefits or a loss of benefits altogether if these cuts are enacted.

I know that supporters of this legislation are claiming that the reductions in SNAP benefits are intended to crack down on waste, fraud, and abuse in the program. They ignore the fact that the SNAP program actually has one of the lowest error and overpayment rates of any large federal program.

Last year, the SNAP overpayment rate was 2.77%, and that includes overpayments due to errors and due to fraud. By contrast, the rate of error and fraud in the federal income tax system is about 15%.

Supporters of the Nutrition Reform and Work Opportunity Act also claim that the legislation particularly the tough work requirements—will move people off of SNAP benefits and into full-time employment, leading to self-sufficiency. In fact, the bill immediately eliminates the ability of states to waive SNAP work requirements in areas of high employment or where no jobs are available.

According to the Center on Budget and Policy Priorities, this provision would end SNAP benefits to 1.7 million individuals whom live in high unemployment areas, even if they want to work and are looking for employment, but either cannot find a job or a place in a training program.

Mr. Speaker, the Nutrition Reform and Work Opportunity Act would devastate the safety net and lead to millions of hungry Americans throughout the nation.

I urge my colleagues to oppose the bill.

Mr. VAN HOLLEN. Mr. Speaker, once again on the Floor today we have a program with historic bipartisan support made divisive by the most extreme wing of the Majority party.

For decades, the Farm Bill has coupled programs for our nation's farmers with food assistance for our most vulnerable citizens, including children and the elderly. In June, the Senate passed a Farm Bill with a bipartisan vote of 66–27. But here in the House, rather than working together for a solution that gives certainty to farmers and maintains the safety net for the hungry, we have seen a one-sided process that first stripped food assistance from the Farm Bill altogether and now proposes draconian cuts to the program.

Slashing $40 billion from SNAP would eliminate benefits for 4 million Americans. It would damage the safety net for our most vulnerable citizens—nearly half of SNAP recipients are children and 16.5% of households receiving benefits include seniors. Many are veterans or Americans out of work through no fault of their own in high unemployment areas. These are not lavish benefits—in my home state of Maryland, the average SNAP benefit is only $128 per month. These are critical dollars that help fight hunger as American families work to get back on their feet after the recession.

The current Farm Bill is set to expire at the end of this month. But rather than move forward, the majority has brought forth an extreme proposal that is a nonstarter with the Senate and the President. It's time to stop these partisan games—I urge a no vote.

Mr. HINOJOSA. Mr. Speaker, I am shocked at the blatant disregard for our Nation's poor displayed on this floor today. This bill before us cuts over forty billion from nutrition assistance programs, stripping away desperately needed food assistance benefits from over four million Americans, including up to 170,000 of our veterans. In addition, over two hundred thousand hungry children would be kicked off the school lunch program as a result of this Republican bill. That is an absolute disgrace. Who would agree to send all of those children to school hungry? Who would want to literally take food out of the mouths of our children?

As a father I cannot even imagine doing such a thing to one child much less hundreds of thousands. For decades I have been involved in helping create a better environment for our students in schools. How can we expect our Nation to move forward when our students are literally starving while trying to better themselves while learning on empty stomachs?

If this bill becomes law it will be devastating. I plead with my Republican colleagues. Do not be so cruel to our most vulnerable citizens, to our children, and to our veterans. Vote down this bill.

Ms. MCCOLLUM. Mr. Speaker, I rise today to submit two articles into the CONGRESSIONAL

RECORD. The first is an op-ed that I wrote about the importance of federal nutrition assistance that was published in the St. Paul Pioneer Press. The second is a powerful story published in the Star Tribune and written by Sue Bulger, a Minnesotan, whose family uses SNAP benefits.

As Members of Congress, we cannot ignore the harm enacting the Nutrition Reform and Work Opportunity Act (H.R. 3102) will have on millions of our fellow Americans. I urge my colleagues to vote against this bill and instead come together to craft a bill that strengthens SNAP and ends hunger in America.

CONGRESS MUST HELP ELIMINATE HUNGER

(By Betty McCollum)

For too many Minnesotans, a steady job no longer provides the guarantee of being able to always afford food for their family. One out of five children in the United States, including thousands in Minnesota, lives in a household struggling to put enough food on the table.

As many families continue to work toward recovery from one of the worst economic recessions, Congress must commit itself to helping struggling families make ends meet and providing a brighter, healthier future for their children.

The Supplemental Nutrition Access Program makes it possible for more than 45 million low-income families, people with disabilities and seniors to avoid hunger when times are tough. Simply put, SNAP helps our most vulnerable neighbors feed their children and themselves when they would otherwise run out of food before the next payday.

Working to eliminate hunger should be a bipartisan goal, but House Republicans have put SNAP on the fiscal chopping block. In July, Republicans tried to eliminate nutrition benefits for nearly 2 million Americans, including more than 30,000 Minnesotans, by cutting $20.5 billion from SNAP. That harmful attack failed to pass the House. Instead of finding a bipartisan solution to fight hunger, Republicans have decided to double down on increasing hunger.

On Monday, Agriculture Committee Chairman Frank Lucas (R–Okla.) put forward a bill to cut an estimated $39 billion from SNAP over the next decade. This latest Republican attack could eliminate benefits for as many as 3.8 million Americans and force many more struggling families to stretch their limited budgets even further. It would also cut funding for SNAP Nutrition Education, which supports nutrition education and teaches healthy food choices.

SNAP Ed programs help Minnesotans stretch an average daily food budget of less than $4 to buy and prepare healthy meals. Hands-on cooking classes and interactive grocery store tours are offered to help individuals make smart, beneficial decisions. With less money to spend on groceries each month, the necessity of nutrition education becomes even more real.

Last month, I attended a Cooking Matters nutrition education class in St. Paul sponsored by University of Minnesota Extension and Share Our Strength's No Kid Hungry campaign. Since 2011, more than 1,600 Minnesota families have been empowered with the skills, knowledge and confidence to prepare nutritious, affordable meals. These extension classes are critical to ensure that households can continue putting healthy food on the table for their children. Studies demonstrate that children who get enough of the healthy food they need grow up facing fewer health problems, perform better in school, lead more productive lives and are less likely to struggle with hunger as adults. Nutrition education programs like Cooking Matters are essential to helping families gain the skills they need.

These GOP cuts will do nothing except increase hunger and poverty across America. Throughout the summer, I heard from faith leaders, community advocates, government officials and other Minnesotans deeply concerned by the Republican efforts to eliminate SNAP for struggling Americans. The local focus is on ending hunger. As Patricia Lull, executive director of the St. Paul Area Council of Churches, put it, ''No more hungry neighbors!''

SNAP is the most powerful and effective anti-hunger program for children that exists. To reduce childhood hunger in Minnesota and across America, we must continue to invest in SNAP and nutrition education services.

The Republican plan will deny nutrition assistance to millions of Americans and cruelly increase hunger. Congress needs to defeat this cruel and immoral proposal. To keep all our families healthy, strong and hunger-free it is critical that Congress fully fund SNAP, not cut it.

SHAMED IN EDINA FOR USING FOOD STAMPS

(By Sue Bulger)

To the irritated lady at the Cub Foods, I should have told you to your face that you were being presumptuous.

This is an apology to the lady behind me in line at Cub Foods in Edina on a recent Sunday night. This is also a reminder to me and to others who have ever slipped into believing that we are just a little better than others we encounter.

We were at the checkout, and just as the cashier started ringing me up, I saw you come to the line with a small order in your basket. My first apology is that I could not let you go ahead of me, but the checkout process had already begun.

My second apology was for pulling out my pile of discount coupons for the order, and especially when one required the manager's assistance. I know I was holding you up.

And then I swiped my payment method and you lost your patience. It was EBT—''food stamps.''

I did not observe you, but my daughter was with me packing the groceries and saw it all: ''EBT: Yeah, right,'' you muttered, with that look of disgust that would have shattered someone feeling just a little bit of shame over needing food stamps.

As we walked to the car, my daughter told me what had happened, and I sensed her resolve about having made the right decision to work for social justice as she starts her senior year in a social-work program.

We talked about you all the way to the car, and about how sorry we felt for people who were judged because they depended on support from others. But my real apology is that I did not make eye contact with you and get out of the car to talk with you as you got into your car right next to mine.

Instead, I did what many people would do: I felt ashamed and humiliated and angry about your ignorance.

If I'd had the guts to talk with you, I would have told you about my disabled 28-year-old son living with us. We have never asked for public support for him.

But recently we have decided that it is our responsibility to introduce him to the programs that will have to support him when we are no longer here to care for him. We started small: He is eligible for food support, and he agreed to receive it to be able to feel that he is contributing his share to the food bill, since he is unable to work.

I know we looked like people you might think need EBT: a bit unkempt in sweatpants and T-shirts. If I'd had the guts to talk to you, I would have told you that I'd just had an emergency surgery and that my daughter came home from college five hours away to help for the weekend because my husband had scheduled surgery two days after mine. I haven't been able to put on real clothes yet, and I can't lift a bag of groceries.

I thought I could handle your disdain, since I am a professional working at a local corporation where I am surrounded every day by people who respect me and care about me. But it still made me feel a little dirty—unworthy—and I still went home and cried in the privacy of my shower so my family would not know I was hurt by you.

I am sorry I did not tell you all of this in person. What my daughter and I resolved is that we will never let my son (her brother) go to the store alone with his Electronic Benefits Transfer card and be subjected to this humiliation.

We all have our stories, and no one is any better than another. Everyone deserves the respect they want for themselves, even if they use an EBT card to pay for their groceries.

Sue Bulger lives in Minneapolis.

Mr. SIRES. Mr. Speaker, I rise today to express my serious concern about H.R. 3102: the so called "Nutrition Reform and Work Opportunity Act of 2013". At a time when so many Americans are still struggling to recover from one of the greatest periods of economic downturn in our history, it is an outrage to me that Congress would once again seek to cut vital food assistance programs.

These are programs that ensure our children, our parents and grandparents, and America's working families get basic nutritional aide when they've fallen on hard times. And the timing couldn't be worse. Just last year, as a result of the short sighted budget cuts known as sequestration, many of our seniors were already hit hard by cuts to programs like Meals on Wheels. Some estimates put those cuts as high as 19 million fewer meals each year. And now Congress wants to cut food stamps for millions of Americans?

Let me be clear, food stamps are critical to the health and wellbeing of our Nation's most vulnerable populations. In New Jersey's 8th District, nearly thirty eight thousand (38,000) households rely on this benefit to feed their families. Statewide, 45 percent of recipients are children and nearly 25 percent are either elderly or disabled adults.

I understand the need to bring our budget under control, but I encourage my colleagues to find a smarter path forward. Let us not balance the budget on the backs of those among us who are the most vulnerable.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in opposition to the draconian cuts in the SNAP program being proposed by H.R. 3102. This bill would cut $40 billion from the Supplemental Nutrition Assistance Program and deny many vulnerable people the opportunity to feed themselves and their families. SNAP has already been reduced to dangerous levels and if this bill becomes law, 3.8 million people will no longer be able to receive this help by 2014. This is in addition to the drop in benefits that will occur when the provisions of the American Recovery and Reinvestment Act expire at the end of October. This bill unnecessarily targets state and territorial governments struggling with high unemployment and ex-offenders trying to turn their lives around.

Mr. Speaker, this bill is based on misconceptions about the SNAP Program. These

misconceptions have led some of my colleagues to believe that SNAP is out of control, or that it needs reasonable work requirements or that there are loopholes that allow people who don't need it, to get it.

This is far from the truth. SNAP is not out of control, it is now being used by the many households that slid from the middle class into poverty during the Great Recession. The number of eligible households have increased and the urgent caseload has been expanded. In my district, the U.S. Virgin Islands there are over 9,000 households who receive this vital assistance monthly. Twenty-one million participate across the country. We cannot and should not leave these people behind. This bill also wants to take SNAP assistance away from those who get LIHEAP assistance, and for my district, which has some of the highest energy costs in the country, it would be catastrophic for those families who are already struggling to keep the lights on.

There are already work requirements for childless unemployed adults who can only receive SNAP for three months every three years unless they are working 20 hours per week or more. This bill wants to remove the ability of Governors to waiver these requirements when their states and territories have high unemployment. I can tell you as the representative of a territory whose unemployment has skyrocketed due to a plant closure, through no fault of the workers who are left behind and must now utilize food stamps even though they prefer to work, this would be catastrophic and leave many people without resources.

Loopholes can and should be addressed, but not at the expense of those who are vulnerable, like children who need the free school meals, that are sometimes their only real meal of the day. I took the food stamp challenge, and believe me, it is barebones, no luxuries there, only sustenance for those who need it most.

Mr. Speaker, Hungry people in America did not create the Great Recession or the financial downturn or the wars that have drained our treasury. They should not have to pay with hunger or a lack of a life line.

I urge my colleagues to oppose these cuts to this vital food program.

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise to oppose the Nutrition Reform and Work Opportunity Act (H.R. 3102) to cut SNAP funding by $40 billion over the next ten years.

H.R. 3102 denies SNAP to millions of poor, jobless adults without children whose incomes average only about one-fifth of the poverty line—and ends benefits for entire families if a parent is not working at least 20 hours per week. States will cut off families without considering high unemployment or care for small children to receive rewards promised in the bill.

The need for food assistance has increased dramatically during our nation's economic slump. Texas's rate for food insecurity is 27.6%—more than one in four Texas children is food insecure. As of the 2011 Census, over 42,000 residents of the 29th District receive SNAP benefits.

The impacts to Texas would be devastating, including 171,000 people immediately off of SNAP and the elimination of almost 500 million meals from hungry Texans.

Meeting the need for food assistance is especially critical for our most vulnerable citizens—pregnant and nursing women, infants, children, and seniors for whom the consequences of hunger and poor nutrition are the most severe. It is critical that we maintain support for the charitable food system and funding for SNAP.

I have been a strong supporter of SNAP in Congress to help those who are food insecure during their time of need. Our office works closely with the Houston Food Bank, the largest in the Country, and the Texas Food Bank Network to help end hunger in America.

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

Pursuant to House Resolution 351, the previous question is ordered on the bill.

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.

MOTION TO RECOMMIT

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

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

Mr. GALLEGO. Yes, Mr. Speaker. I am opposed in its current form.

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

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

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gallego moves to recommit the bill (H. 3102) to the Committee on Agriculture, with instructions to report the bill back to the House forthwith with the following amendment:

At the end of title I of the bill, add the following:

SEC. 142. PROTECTING VETERANS, SENIORS, PREGNANT WOMEN, AND CHILDREN FROM HUNGER.

(a) IN GENERAL.—Nothing in this Act, or the amendments made by this Act, shall result in a delay in issuing or providing benefits otherwise provided or available to a veteran, elderly or disabled member, pregnant woman, or minor child in the case of a Government shutdown or default.

(b) DEFINITIONS.—For the purpose of this section, the definitions of ''elderly or disabled members'' and ''benefit'' shall have the respective meanings as defined in the Food and Nutrition Act of 2008 (7 U.S.C. 2012).

Mr. LUCAS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes on his motion to recommit.

Mr. GALLEGO. Mr. Speaker, Members, we all know the rule that this motion doesn't kill the bill or send it back to committee. It just adds an amendment before proceeding to final passage.

There's a lot of confusion even here as the debate goes back and forth about whether or not veterans or kids are or are not included. There is a lot of apprehension around and across the country about the sequester and the budget and the government shutdown and how that impacts many, many different services.

Because SNAP is a hybrid program, part automatic and part not, the benefits that it provides are in jeopardy. So regardless of whether or not SNAP and the cuts here today affect kids or veterans, this is a safety net.

This motion to recommit simply says that there will be no delay in benefits for kids, for the elderly, for the disabled, or for pregnant women in case of a government shutdown or a default.

□ 1730

Much has been made of this huge philosophical divide in this Chamber, but the truth is that there is a lot of consensus, too, a lot of commonality. All of us—all of us—want efficient government. We all love our kids. We're all taught to respect our elders, and we are all grateful for the services of our veterans.

And yet, in typical Congressional fashion, this bill decimates an efficient program that's not even broken. It has only a 3 percent error rate, a very low error rate. Ninety-seven percent of SNAP beneficiaries get SNAP because they need it. Ninety-one percent of SNAP benefits go to households below the poverty level. That's $11,000 for an individual or $19,000 for a family of three people.

I want to particularly focus that 82 percent of the households receiving SNAP have kids or elderly. 210,000 kids will lose their school lunch, and for many, it's the only good and reliable meal that they have. As a parent of a young son, I bet I know some of those kids. And you know what? I bet you know some of those kids, too.

The nonprofit group Feed Our Vets says that there are many vets who already don't have enough to eat, and yet 170,000 veterans have their SNAP benefits impacted under this legislation.

We can have that fundamental philosophical divide about the budget or about the debt or about many things, but we should all agree that we should take care of our kids. And we can all agree that we owe an obligation to our veterans.

Already, in November, without any action by this Congress, SNAP will automatically lose its ARRA funding. The average beneficiary gets $133 a month. That's about $1.40, a little under, per meal. Try eating for $1.40 a meal or $133 per month.

San Antonio's food bank already serves 58,000 people per week. Imagine how many they'll serve if this bill goes into effect.

And speaking of San Antonio, there's a young lady there, a working mother of three kids. Her name is Delaney. She works full-time at a doctor's office. That's 40 hours a week. She raises three young boys, one the age of my own son.

Delaney said to me, I'm trying my best. I'm working hard. She'd like to

get a second job, but there'd be nobody at home to take care of the kids.

SNAP isn't a luxury for her, by any means—it's a necessity. The family relies on that, especially towards the end of the month when their budget is tight, to help them put food on the table.

If we can make the program more efficient, let's look at that; but this bill cuts $40 billion without public testimony, without public hearings, without investigation, without input. Somebody just decided that $40 billion needed to be cut. It is not a well-reasoned or a reasonable approach. Our veterans deserve more than that. Our kids deserve better than that.

Regardless of what happens on the debt ceiling or the government shutdown, let's not make our kids and our veterans casualties of a prolonged conversation. Let's be sure that there is no delay in SNAP benefits for kids, for veterans, for the elderly, for the disabled, or for pregnant women in the event of a government shutdown or default.

I'd ask all of you, because this is simply a safety net, to please vote ''yes'' on this motion, because all it says is, in the event of a government shutdown, these people—the veterans, the kids, the elderly, and the disabled—will be protected.

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

The SPEAKER pro tempore. Does the gentleman from Oklahoma wish to withdraw his reservation on the point of order?

Mr. LUCAS. I withdraw my point of order, Mr. Speaker.

Mrs. ELLMERS. Mr. Speaker, I rise in opposition to this motion to recommit.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 5 minutes.

Mrs. ELLMERS. Mr. Speaker, my friends on the other side can say the same thing over and over again, but it does not make it true. This motion does nothing.

Food stamps are not affected by a government shutdown. No one—not a struggling mother, not a child, a veteran, or any person in need—will be denied benefits if they meet the program's current law and eligibility requirements.

All this bill does is ask them, just as we did in a bipartisan way in 1996, to prepare for work or participate in their communities in exchange for services.

But those much-lauded welfare reforms of 1996 have been thrown aside without the input of this Congress for years and has undermined the well-being of families participating in this program.

Work has been proven to be a beneficial part of the physical and mental health of every individual. It raises their family income and improves the outcomes of their children.

Why do the opponents of this bill want to undermine this successful strategy for reducing hunger in America by increasing workforce participation and increasing incomes of American families?

I urge my colleagues to oppose this harmful motion and support the underlying bill.

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

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 3102, if ordered, and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 193, nays 230, not voting 9, as follows:

[Roll No. 475]

YEAS—193

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
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, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
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
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—230

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
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)

NOT VOTING—9

Braley (IA)
Cleaver
Davis, Danny
Engel
Herrera Beutler
Johnson (GA)
McCarthy (NY)
Polis
Rush

□ 1759

Messrs. REED, COBLE, ROONEY, MARCHANT, STIVERS, ROGERS of

Alabama, and HUNTER changed their vote from ''yea'' to ''nay.''

Messrs. WELCH, CAPUANO, SHERMAN, HOYER, and Mrs. CAPPS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRALEY of Iowa. Mr. Speaker, on roll-call No. 475, had I been present, I would have voted "yes."

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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 217, nays 210, not voting 6, as follows:

[Roll No. 476]

YEAS—217

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

NAYS—210

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capito
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)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Meng
Michaud
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
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 (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Yarmuth
Young (AK)

NOT VOTING—6

Davis, Danny
Engel
Herrera Beutler
McCarthy (NY)
Polis
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1807

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.

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

RESTORING HEALTHY FORESTS FOR HEALTHY COMMUNITIES ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 1526.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 351 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1526.

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

□ 1814

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1526) to restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from National Forest System land, to provide a temporary extension of the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes, with Mr. WOODALL in the chair.

The Clerk read the title of the bill.

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

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

□ 1815

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Over the last few months, deadly wildfires, especially in California, Arizona, and Colorado, and wildfires in

other western States, have highlighted the growing problem with our current Federal forest management plans.

Like all public lands, our national forests should, unless otherwise designated, be open for multiple use, for everything from recreation to job-creating economic activities; but instead, Federal regulations and lawsuits have effectively shut down our national forests. Timber harvests have dropped by 80 percent over the last 30 years in our national forests.

While the Forest Service once received $2 for every $1 spent, it now spends $2 for every $1 it produces. Our Federal forests are being badly managed, and there have been devastating consequences to that management.

First, rural communities are struggling to survive and no longer have stable funding to pay for vital services. The Federal Government made a promise over a century ago to actively manage our forests for the benefit of rural schools and communities. Under a Federal law passed in 1908, the U.S. Forest Service has historically shared 25 percent of all timber revenues with rural counties containing national forestland. Since the Federal Government doesn't pay local taxes, those counties depended on this revenue to help fund essential needs like schools and local infrastructure.

But as timber sales declined, Mr. Chairman, so did the revenue to those counties. Counties struggled to find the resources needed to keep teachers in the classroom and police on the streets. Congress provided a short-term solution in 2000 by passing the Secure Rural Schools Act, which continued to provide funding as timber sales declined. SRS was created to provide ''transition payments'' over a 6-year period while these counties diversified their economies. But the fact is, Mr. Chairman, their economies are built on natural resources—in this case, timber.

With a national debt measuring in the trillions of dollars, it is becoming increasingly difficult to finance this program that costs several hundred million dollars annually, especially when it fails to address the fundamental problem of declining forest management. A new approach is needed now.

The Federal Government's lack of forest management has cost tens of thousands of American jobs. These forests are the backbone of these communities' economy. From the logging to the mill work to the truck drivers, our forests put thousands of people to work. I should say had put thousands of people to work.

Additionally, as I have mentioned, the lack of active forest management has caused a significant degradation of forest health and made them increasingly susceptible to bug infestations and catastrophic wildfires.

Mr. Chairman, this is an interesting statistic. Last year—just last year—9.3 million acres of national forests burned in wildfires. By comparison, only 200,000 acres were harvested by the U.S. Forest Service. That means that 44 times more acres burned compared to those acres that were responsibly harvested. We cannot continue to sit idly by while wildfires rage, homes are destroyed, and lives are lost.

H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, is a long-term solution to put Americans back to work to restore our forest health and help prevent catastrophic wildfires by renewing our Federal Government's commitment to actively manage our national forests.

The bill requires responsible timber production on at least half of our Federal Forest Service's commercial timberlands. These lands, by the way, Mr. Chairman, were specifically identified by the Forest Service for timber harvest.

By helping to restore active forest management, this bill is estimated to create over 200,000 direct jobs and would provide nearly $400 million in savings over 10 years.

As required by law in 1908, H.R. 1526 would again share 25 percent of the revenue from the timber sales with the counties containing this national forestland.

The bill will also allow us a short-term extension of the Secure Rural School payments to provide funding to counties as the Forest Service transitions back into active management.

H.R. 1526 would also help prevent deadly and catastrophic wildfires by focusing on hazardous fuels reduction and empowering States to take a more active role in reducing those wildlife risks.

Finally, this bill recognizes that States and counties are often better at managing forestlands than the Federal Government. States have shown that they are able to produce more revenue from timberlands than the Federal Government.

Let me give you an example in my home State of Washington. Washington State is able to harvest seven times more timber and generate 200 times more revenue on one-fourth of the land compared to what the Forest Service has. They do that by better management.

This bill would allow counties to actively manage portions of national forestland through the creation of Community Forest Demonstration Areas.

H.R. 1526 has broad support. Over 140 local and national organizations, including 68 counties in 17 different States, have endorsed this vital, commonsense legislation to restore active forest management that will protect American jobs and livelihoods. These communities, their families, and their businesses deserve better than the status quo and the current failure of our forest management plans today.

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

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

As someone who represents rural, forested communities that depend on our national forests, this is an issue I care deeply about. I know my colleagues on the other side care deeply about this, too. We have many common concerns in terms of forest health, in terms of fuel reduction, in terms of dealing with bug infestations and other things.

There is, I think, a common interest in finding solutions to better manage our Federal forests. Millions of acres are in need of restoration to address disease, bugs, climate change, and fire, which was made painfully clear again this summer.

We need a long-term plan to provide for our rural forested counties. Right now, many of these counties are struggling to stay afloat. Counties in my district, for example, are near bankruptcy. Critical county services like public health, education, roads, and, most importantly, law enforcement have been slashed to the point where some counties have no rural sheriff's patrols and prisoners have been let out of jail, prisoners who should not be let out of jail.

The Federal Government made a commitment to these counties 100 years ago. Congress should honor that commitment. I think there are bipartisan ways to honor that commitment.

The inclusion of 1 year of county payments at fiscal year 2010 levels—substantially more than those proposed in recent legislation in the Senate—will provide a lifeline to more than 600 forested counties in 41 States.

I want to thank the chairman for his hard work on this provision in the bill. Any long-term solution on forest management will require bridge payments to counties. This bill provides a bridge payment.

This bill includes an extension of stewardship contracting authority and allows our Federal agencies to offer contracts up to 20 years. Stewardship contracts can help reduce the cost of restoration to our Federal agencies—and, thus, the U.S. taxpayer—to help treat large landscapes to prevent catastrophic wildfires we saw in the West this summer and provide predictability to local businesses and industry that incentivizes investment and creates jobs.

I met with a gentleman who is going to open a 2.5 megawatt biomass plant in Colorado in November. He is doing that with a 10-year stewardship contract on dead bug kill in the vicinity of his plant. It was done through a collaborative process. The result is the Forest Service will be able to do fuel reduction on twice as much acreage as if they had to appropriate taxpayer money to do it. He told me if that was extended to 20 years, which this bill does, that the cost would come down even more. So we would create electricity and make these forests more healthy by utilizing that biomass.

I particularly want to thank the chairman for working with Representative WALDEN, Representative SCHRADER, and myself to include our balanced, bipartisan solution for the statutorily unique O&C lands. These lands exist nowhere else in the country. They are historically, statutorily, and geographically unique.

The solution we came up with for these unique lands would not be appropriate for other land included in the larger bill. I spent many hours with Representative WALDEN and Representative SCHRADER and with you, Mr. Chairman, to work out a reasonable and fair solution to an incredibly complex and longstanding controversy in western Oregon. I admit it's not a perfect solution. There are things I would change. There are things that Representative WALDEN would change. There are things that Representative SCHRADER would change, and, Mr. Chairman, I'm certain there are things that you would have done differently. But that's the legislative process at its best. We did the best we could do and came up with a strong proposal. It's an Oregon solution to an Oregon problem, and I am pleased to see it included in this legislation.

That doesn't mean that I don't have strong concerns about other provisions in the underlying bill. I do. Members should know that H.R. 1526 would dramatically alter the way we manage our national forest system and would threaten the multiuse mission on our public lands.

The bill would establish ''timber production zones'' in every national forest and more than double timber harvest levels nationwide. In order to meet these targets, Federal forest managers would be required to allow logging and road building in current roadless areas and sharply curtail public review of proposed logging projects.

The bill would close the courthouse door to citizens concerned about their communities and quality of life in the neighboring forests by requiring plaintiffs to post bonds, a new precedent, in order to challenge Federal management decisions.

I have had communities in my district litigate against the Forest Service over timber projects that they felt threaten their drinking water supply. I have had the timber industry litigate, as we have had environmental groups. It doesn't mean it is not frustrating, but we can work on streamlining that process without shutting the door to the courthouse, as we did in the HFRA legislation, a bipartisan bill a number of years ago.

This bill would also devolve national forest management currently under the stewardship of the Forest Service to State boards and exempt these areas from major national environmental laws.

The practical impact would be to reverse 100 years of national forest precedent and undermine—or in some cases, eliminate—multiple use of the national forests over substantial parts of our forest, harming recreation, hunting, fishing, and tourism.

□ 1830

H.R. 1526 represents the largest proposed change to the modern Forest Service since it was created by Gifford Pinchot and Theodore Roosevelt in 1905.

I want to reiterate that the Democrats stand ready to work with our colleagues on the other side of the aisle on forest management. There is common ground. There is bipartisan agreement on some issues. Hopefully, this bill is the beginning of that conversation, not the end, as we attempt to have a real legislative process with the Senate on these issues.

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

WASCO COUNTY,
BOARD OF COUNTY, COMMISSIONERS,
The Dalles, Oregon, September 4, 2013.

Congressman DOC HASTINGS,
Chairman Natural Resources Committee, Washington, DC.

Congressman PETER DEFAZIO,
Ranking Member, Natural Resources Committee, Washington, DC.

DEAR CHAIRMAN HASTINGS AND RANKING MEMBER DEFAZIO: In America's national forests money and jobs do grow on trees. A failed Federal Forest management system has led to the loss of *thousands* of family wage jobs and has left our rural forested counties with a host of preventable social and economic problems that need to be addressed; action is long overdue. For most Oregon counties the only solution is to return to a sustainable harvest level that provides reliable family-wage jobs and provides a solid tax base to support crucial services.

There are three main recurring themes choking sustainable forest management:

1. Litigation that stalls or prevents much of the harvest necessary for responsible, sustainable forest management.

2. Funding to prepare sales.

3. The environmental analysis and review time for management activities.

An increase in sustainable forest management is essential if we are to ever create and support the healthy forests envisioned by President Theodore Roosevelt. The Forest mortality we are facing destroys wildlife habitat and creates a platform for catastrophic wildfires that leave millions of forest acres bare and susceptible to erosion and extensive insect infestation.

H.R. 1526 provides a common sense approach for returning to sustainable forest management where planned harvests occur at a reasonable pace. While we appreciate legislation that allows for a temporary extension of the Secure Rural Schools and Community Self Determination Act, the long term social and financial health of rural forested communities depends on family-wage jobs that stem from a healthy forest products industry. Wasco County fully supports H.R. 1526 and will contact our House members to speak in support of and vote for the bill.

ROD RUNYON,
Chair.
SCOTT HEGE,
County Commissioner.
STEVE KRAMER,
County Commissioner.

IN THE COUNTY COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF GRANT

RESOLUTION 13–41

IN THE MATTER OF SUPPORTING H.R. 1526 RESTORING HEALTHY FORESTS FOR COMMUNITIES ACT

This being the 18th day of September, 2013, and a regular meeting of the County Court of Grant County and there being present County Judge Scott W. Myers and County Commissioners Boyd Britton and Chris Labhart; and

Whereas, the Grant County Court recognizes that Oregonians in our forested communities are facing extreme poverty, systemic unemployment, and thousands of children on free and reduced lunch; and

Whereas, Grant County, Oregon currently faces 12.20% unemployment; and

Whereas, 51.6% of school children in Grant County are eligible for free or reduced lunch programs; and

Whereas, Grant County's poverty rate is 15.8%; and

Whereas, these negative economic conditions can be attributed to the reduction in timber harvests in our National forests (93.78% reduction over the past 30 years) and corresponding mill closures; and

Whereas, Grant County cannot afford for any more mills to close and desire to recover our lost mill capacity; and

Whereas, H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing,

Now therefore, be it Resolved, the Grant County Court hereby resolves to support H.R. 1526, Restoring Healthy Forests for Healthy Communities Act, and urge all member of the U.S. House of Representatives to support the passage and implementation of this important legislation.

Done and dated this 18th day of September, 2013.

SCOTT W. MYERS,
County Judge.
CHRIS B. LABHART,
County Commissioner.
BOYD BRITTON,
County Commissioner.

GILLIAM COUNTY,
COUNTY COURT,
Condon, Oregon.

Hon. GREG WALDEN,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WALDEN: I am writing this letter in support of HR1526. HR1526 aims to put people back to work in the woods, reduce litigation, and provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing. Last year, 10 times as many Forest Service acres burned as were harvested. 2.8 million acres—a size equivalent to all of Grant County.

One thing is clear. The status quo in our federal forest policy is not working for our forests, and it is certainly not working for the families in our rural communities.

Even though we are a county without any Federal Forest Service Land, we recognize the benefits that can be realized here by the success of our neighbors Wheeler and Morrow Counties.

Sincerely,

STEVE SHAFFER,
Gilliam County Judge.

CURRY COUNTY,
BOARD OF COMMISSIONERS,
Gold Beach, Oregon, September 16, 2013.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: We are writing to request your support for HR 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. HR 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health and help prevent catastrophic wildfires.

Oregon continues to lose infrastructure and jobs due to federal policies that have strangled sustainable management of a renewable resource. We are harvesting less than five percent of the annual growth in federal forests, resulting in overstocked stands and conditions ripe for wildfire. HR 1526 would permit responsible, limited timber production on Forest Service lands, would allow significant state and local involvement, and would separately address management of the unique O&C Lands by incorporating the bipartisan solution crafted by Representatives DeFazio, Schrader and Walden. The bill also would allow cooperative state and federal fire mitigation projects in areas that cross ownership boundaries.

The expiration of the Secure Rural Schools (SRS) program in 2012 has resulted in drastic budget shortfalls in our Counties. HR 1526 provides one year of bridge funding at the SRS 2010 level, allowing transition to more active forest management and a return to shared revenues from forest management. These revenues would provide schools with substantial funding and support public safety, road maintenance, and social service programs. Improved management and restoration of the nation's forests will generate tremendous environmental and social benefits and create desperately needed jobs and revenue for rural economies.

Thank you for your support of Oregon counties and schools and for your consideration of this request.

Sincerely,

DAVID ITZEN,
Commissioner.
EVERETT DIAL,
District Attorney.
JOHN BISHOP,
Sheriff.

DOUGLAS COUNTY,
BOARD OF COMMISSIONERS,
Roseburg, Oregon, September 11, 2013.

Hon. PETER DEFAZIO,
Hon. GREG WALDEN,
Hon. EARL BLUMENAUER,
Hon. KURT SCHRADER,
Hon. SUZANNE BONAMICI.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: We are writing to request your support for HR 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. HR 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health and help prevent catastrophic wildfires.

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Thank you for your support of Oregon counties and schools and for your consideration of this request.

Sincerely,

DOUG ROBERTSON,
Douglas County Commissioner, Chair.
JOHN HANLIN,
Douglas County Sheriff.
RICK WESENBERG,
Douglas County District Attorney.
SUSAN ACREE,
Douglas County Assessor.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 4 minutes to the gentleman from Oregon (Mr. WALDEN), who, as noted, has worked with his two colleagues from Oregon on the uniqueness of the Oregon forests.

Mr. WALDEN. I thank the chairman of the House Natural Resources Committee, DOC HASTINGS, who has been an extraordinary leader, not only on our forestry issues, but on allowing us to access America's great energy resources in a responsible way that will create jobs, generate revenue for our country, and be good stewards of our land and water all at the same time.

Mr. Chairman, I thank you for your work and that of your committee on the Restoring Healthy Forests for Healthy Communities Act.

Just 2 days ago, Doug Decker, who is the State forester for the State of Oregon, declared that this has been the worst fire season for Oregon since 1951. The State of Oregon alone has already spent $120 million on fire suppression on over 1,000 different fires—and fire season is not over. According to the National Interagency Fire Center, this situation is the same across our forested States and communities. Last year, more than 9 million acres burned, and the Federal Government spent $2 billion in fighting fires. That's ''billion'' with a ''b.''

While these Federal forests surrounding our rural communities are burning, rural families are sentenced to live in poverty as the mills close and the jobs disappear, all because we can't access our great natural resources on Federal land.

Of the 20 counties that I represent in eastern and southern Oregon, nine face double-digit unemployment today; 16 have over 14 percent of their populations living in poverty; and 14 have over half of their schoolchildren eligible for free and reduced lunch programs.

Things are so bad in southern Oregon that Josephine County, which is bigger than Rhode Island, lost their last mill a few years ago, and with the closure of that mill, they lost 86 good-paying, family-waged jobs. A lack of timber revenue has left the county with only one patrol deputy. Burglary has gone up 49.7 percent; thefts have gone up 25 percent; and disorderly conduct has gone up 17 percent in 1 year. At a recent roundtable I held in Grants Pass, the sheriff, Gil Gilbertson, told me: ''I've seen better law enforcement in Third World countries than we have in Josephine County.'' Remember, the sheriff spent time in law enforcement in Bosnia. He knows that of which he speaks.

It's so bad that, just a year ago, a woman called 911 because her ex-boyfriend was breaking into her home, and he had assaulted her the week before. She was told several times by dispatch that there were no deputies available, and then was told: ''If he comes inside the residence and assaults you, can you ask him to go away?'' The woman was then assaulted and raped.

These are real issues for our rural communities today. It's clear the status quo is not working for families in our rural communities. This broken system has to change.

Among many positive provisions in this legislation that will lead to healthier forests, this bill would require foresters to look at the sustainable yield a forest could provide and then harvest just half of that and only on land that is suitable for timber harvest. It also limits costly and complex paperwork, and it requires that it be completed in a timely manner. This bill also contains long overdue provisions for expedited cleanup and salvage. Just like we clean up after floods, tornadoes, and hurricanes, isn't it time that we cleaned up and replanted and restored after forest fires?

This bill also includes legislation that I wrote with my colleagues from Oregon, Representatives PETER DEFAZIO and KURT SCHRADER, on Oregon's unique O&C lands. We have worked through our differences and have forged a balanced, commonsense plan that would create or save thousands of forest jobs in Oregon. We would ensure the health of these lands for future generations and provide long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies that lie within these counties, and it would end the status quo of endless litigation.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. WALDEN. This plan has broad support in Oregon—from local officials

to sheriffs and DAs to business groups and labor unions to newspaper editorial boards. I have here the letters of support and resolutions from 24 counties across Oregon that, with your permission, Mr. Chairman, I would like to have entered into the RECORD.

The Restoring Healthy Forests for Healthy Communities Act will create prosperous communities and healthy forests. It will provide certainty for teachers and law enforcement officers. It will provide tools to our professional forest stewards to better manage our forests, and it is our opportunity to make Federal forest policy work for Oregonians and all Americans. I urge its passage.

KLAMATH COUNTY COMMISSIONERS,
September 16, 2013.

Hon. PETER DEFAZIO,
Hon. GREG WALDEN,
Hon. EARL BLUMENAUER,
Hon. KURT SCHRADER,
Hon. SUZANNE BONAMICI.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: We are writing to request your support for HR 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. HR 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health and help prevent catastrophic wildfires.

Oregon continues to lose infrastructure and jobs due to federal policies that have strangled sustainable management of a renewable resource. We are harvesting less than five percent of the annual growth in federal forests, resulting in overstocked stands and conditions ripe for wildfire. HR 1526 would permit responsible, limited timber production on Forest Service lands, would allow significant state and local involvement, and would separately address management of the unique O&C Lands by incorporating the bipartisan solution crafted by Representatives DeFazio, Schrader and Walden. The bill also would allow cooperative state and federal fire mitigation projects in areas that cross ownership boundaries.

The expiration of the Secure Rural Schools (SRS) program in 2012 has resulted in drastic budget shortfalls in our Counties. HR 1526 provides one year of bridge funding at the SRS 2010 level, allowing transition to more active forest management and a return to shared revenues from forest management. These revenues would provide schools with substantial funding and support public safety, road maintenance, and social service programs. Improved management and restoration of the nation's forests will generate tremendous environmental and social benefits and create desperately needed jobs and revenue for rural economies.

Thank you for your support of Oregon counties and schools and for your consideration of this request.

Sincerely,

DENNIS LINTHICUM,
Klamath County Commissioner.
FRANK SKRAH,
Sheriff by M. Rowley, Chief Deputy.
GREG THEDE,
Klamath County Superintendent.

DESCHUTES COUNTY,
BOARD OF OF COUNTY COMMISSIONERS,
September 18, 2013.

Re H.R. 1526.

Hon. GREG WALDEN,
House Natural Resources Committee, Washington, DC.

DEAR REPRESENTATIVE WALDEN: The Deschutes County Board of Commissioners wishes to express support for H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act. This proposal renews the federal government's commitment to manage federal forests, improve forest health and prevent catastrophic wildfires.

Deschutes County applauds the commitment to addressing job creation and enhancement of rural forest economies. The management provisions in H.R. 1526 will provide a long term solution to ensuring sustainable revenue sharing with forested counties.

Deschutes County, Oregon supports the preservation of healthy forests. We support HR 1526 and its aim to put people back to work in the woods, reduce litigation, and provide certainty for counties so that we can provide services to our citizens. We also support the management of the forests to prevent catastrophic wildfires and believe that there are forested lands that are suitable for timber harvest and management to be resilient against fire.

For these reasons, we support the passage of H.R. 1526.

Sincerely,

ANTHONY DEBONE,
Commissioner.
For the Deschutes County Board of Commissioners.

CROOK COUNTY,
September 19, 2013.

Re Forestry Legislation HR 1526.

Committee on Natural Resources,
House of Representatives, Washington, DC.
Hon. GREG WALDEN,
Washington, DC.
Hon. PETER DEFAZIO,
Washington, DC.

DEAR REPRESENTATIVES WALDEN AND DEFAZIO: This letter is written by the Crook County Court in support of Oregon 'Timber Bill (HR 1526). HR 1526 includes a plan that would transfer approximately 1.5 million acres from federal to state management. Crook County agrees with the position taken by the Association of Oregon Counties (AOC) that HR 1526 provides a means for reviving Oregon economies and sagging county revenues of timber reliant counties.

The Crook County Court recognizes that Oregonians in forested communities are facing extreme poverty, systematic unemployment, and thousands of children on free and reduced lunch programs. These negative economic conditions can be attributed to the reduction in timber harvest in our national forests and corresponding mill closures.

HR 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, and lift families out of poverty.

A lack of management on our federal forest lands has caused shortfalls for our communities, forcing counties to reduce essential services and putting our forests at risk of catastrophic fire. This Bill provides Oregon the opportunity to manage forest land and to provide certainty of active and healthy forest management.

Crook County Court supports HR 1526, restoring healthy forests for Health Communities Act, and urges all members of Congress to support the passage and implementation of this important legislation.

DATED this 19th day of September 2013.

MIKE MCCABE,
Crook County Judge.
KEN FAHLGREN,
County Commissioner.
SETH CRAWFORD,
County Commissioner.

To: Committee on Natural Resources
From: Baker County Commissioners
Subject: The urgent need to pass H.R. 1526: Restoring Healthy Forests for Healthy Communities Act

Baker County, like so many other counties in Oregon, are facing the same hardship—high unemployment rates, high poverty levels and poor infrastructure. These negative economic conditions can be attributed to the reduction in timber harvests in our National Forests (80% reduction over the past 30 years) and subsequent mill closures. With an unemployment rate of 9.4% and a poverty rate of 20%, Baker County is in dire need of economic relief.

The majority of the land in Baker County is owned by the federal government. We are reliant on Forest Receipts and PILT funding to maintain our infrastructure and provide the services needed in our County. The lack of management on our federal lands has resulted in catastrophic wildfires and loss of services. With the-movement to high mileage vehicles and dwindling forest receipts, our infrastructure and economy are in jeopardy.

H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that we can provide essential services, lift families out of poverty and prevent catastrophic wildfires that we have been experiencing. The Baker County Commissioners strongly urge all members of the U.S. House of Representatives to support the passage and implementation of this important legislation.

MARK E. BENNETT,
Commissioner.

IN THE MATTER OF A RESOLUTION SUPPORTING H.R. 1526, RESTORING HEALTHY FORESTS FOR HEALTHY COMMUNITIES ACT, RESOLUTION 13–09–17

Now, the Lake County Board of Commissioners recognize that Oregonians in our forested communities are facing extreme poverty, systemic high unemployment, and hundreds of children on free and reduced lunch.

Whereas, Lake County currently faces 11.9% unemployment; and

Whereas, 55% of school children in Lake County are eligible for Free or Reduced lunch programs; and

Whereas, Lake County's poverty rate is 18.7% and

Whereas, these negative economic conditions can be attributed to the reduction in timber harvests in our National Forests (80% reduction over the past 30 years) and corresponding mill closures; and

Whereas, Lake County cannot afford for any more mills to close and desire to recover our lost mill capacity; and

Whereas H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing.

Now therefore the Lake County Board of Commissioners

Hereby Resolve to support H.R. 1526, Restoring Healthy Forests For Healthy Communities Act, and urge all members of the U.S. House of Representatives to support the passage and implementation of this important legislation.

Dated this 17th day of September, 2013.

KEN KESTNER,
Chairman.
DAN SHOUN,
Commissioner.

JOSEPHINE COUNTY, OREGON,
September 16, 2013.

Hon. PETER DEFAZIO,
Hon. GREG WALDEN,
Hon. EARL BLEMENAUER,
Hon. KURT SCHRADER,
Hon. SUZANNE BONAMICI.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: We are writing to request your support for HR 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. HR 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health, and help prevent catastrophic wildfires.

Oregon continues to lose infrastructure and jobs due to federal policies that have strangled sustainable management of a renewable resource. We are harvesting less than five percent of the annual growth in federal forests, resulting in overstocked stands and conditions ripe for wildfire. HR 1526 would permit responsible, limited timber production on Forest Service lands, would allow significant state and local involvement, and would separately address management of the unique O&C Lands by incorporating the bipartisan solution crafted by Representatives DeFazio, Schrader, and Walden. The bill also would allow cooperative state and federal fire mitigation projects in areas that cross ownership boundaries.

The expiration of the Secure Rural Schools (SRS) program in 2012 has resulted in drastic budget shortfalls in our Counties. HR 1526 provides one year of bridge funding at the SRS 2010 level, allowing transition to more active forest management and a return to shared revenues from forest management. These revenues would provide schools with substantial funding and support public safety, road maintenance, and social service programs. Improved management and restoration of the nation's forests will generate tremendous environmental and social benefits and create desperately needed jobs and revenue for rural economies.

Thank you for your support of Oregon counties and schools and for your consideration of this request.

Sincerely,

SIMON G. HAIR,
Commissioner.
STEPHEN CAMPBELL,
District Attorney.
CONNIE ROACH,
Assessor.

Mr. DEFAZIO. Mr. Chairman, I yield 4 minutes to my colleague from Oregon, Representative SCHRADER.

Mr. SCHRADER. I would like to thank the chairman and ranking member for bringing a bipartisan and actual job-creating piece of legislation to the Chamber in these highly divisive times. This is the type of legislation we should be talking about.

Mr. Chairman, rural counties across America, not just in my home State of Oregon, are dying. Unemployment is still in the double digits as you've heard. Schools are closing. Infrastructure is deteriorating, and crime is increasing. There is really no recovery in rural America. The dwindling amount of county funding from our national forests and Secure Rural Schools system has left local governments unable to afford even the basic services that every American should have. They are making our communities unhealthy and unsafe. In Oregon, we currently have two counties going bankrupt while we stand idly by. The status quo is no longer acceptable. Moreover, due to the lack of proper active management, our forests are diseased, dying, and overstocked, leaving them susceptible to the catastrophic wildfires we have been seeing on TV every night this past summer and fall.

In this year alone, the U.S. Forest Service has spent over $1 billion in fighting forest fires. These wildfires not only burn millions of acres of public and private forests every year, but they cause serious harm to the environment—water, air quality—and to our public health. The Biscuit Fire in Oregon in 2002 alone produced as much as one-third of all the carbon released through fossil fuel burning in Oregon annually. That cannot continue.

Title III of H.R. 1526 is a bipartisan solution to a unique set of Oregon forestlands that was drafted by me and my colleagues, Congressmen DEFAZIO and WALDEN. The Oregon and California Railroad lands, commonly known as the O&C lands, have a unique mandate which differs from other BLM and Forest Service lands. It requires them to generate revenue for 18 Oregon counties from sustainable timber harvest. However, due to tedious and continued litigation, harvest levels are now 90 percent below what they were in the nineties. No one is asking to go back to the seventies or eighties, folks. That's not the issue despite what you'll hear. These are lands that are meant to produce timber in a sustainable way. The Federal law requires it, actually, and the legislation we wrote does it in an environmentally sound manner.

Along with a reliable amount of timber and revenue for our counties, I would like to remind everyone that title III also designates 90,000 acres of new wilderness protections and 150 miles of Wild and Scenic Rivers. The bill places over 1 million acres of old growth into protection and creates a conservation fund to help take care of it. The underlying bill also extends a lot of the popular forestry programs like stewardship, contracting, and good neighbor authority.

You're going to hear a lot of misinformation about this bill and outright falsehoods. Contrary to what our opponents claim, title III guarantees ESA and clean water protections, which have worked for decades on Oregon's State and private forestlands. It has extensive riparian protections, and it restricts pesticide use. Most importantly, it protects our most green and renewable natural resource for generations to come, and it puts certainty back into the woods for our rural communities and job creators.

Title III of this bill would create over 15,000 direct and indirect jobs by itself. The underlying bill would create over 200,000 jobs nationwide. When folks are still struggling to find jobs and to put food on the table, we cannot deny them this opportunity to work. The families and their communities depend on it.

I am also very encouraged to know that Senator WYDEN, the chairman of the Senate Energy and Natural Resources Committee, is also working on a parallel plan to help fix our broken rural economies and revive our unhealthy forests. We plan to work in a bicameral and a bipartisan fashion to come to a final solution that will provide revenue for our counties, clean up our unhealthy forests, and get people back to work in the woods.

COLUMBIA COUNTY
BOARD OF COMMISSIONERS,
St. Helens, OR, September 16, 2013.

Hon. PETER DEFAZIO.
Hon. GREG WALDEN.
Hon. EARL BLUMENAUER.
Hon. KURT SCHRADER.
Hon. SUZANNE BONAMICI.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: We are writing to request your support for HR 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. HR 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health and help prevent catastrophic wildfires.

Oregon continues to lose infrastructure and jobs due to federal policies that have strangled sustainable management of a renewable resource. We are harvesting less than five percent of the annual growth in federal forests, resulting in overstocked stands and conditions ripe for wildfire. HR 1526 would permit responsible, limited timber production on Forest Service lands, would allow significant state and local involvement, and would separately address management of the unique O&C Lands by incorporating the bipartisan solution crafted by Representatives DeFazio, Schrader and Walden. The bill also would allow cooperative state and federal fire mitigation projects in areas that cross ownership boundaries.

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Thank you for your support of Oregon counties and schools and for your consideration of this request.

HENRY HEIMULLER,
Chair.
ANTHONY HYDE,
Commissioner.
EARL FISHER,
Commissioner.
JEFF DICKERSON,
Sheriff.
STEVE ATCHINSON,
District Attorney.

POLK COUNTY
BOARD OF COMMISSIONERS,
Dallas, OR, September 16, 2013.

Hon. PETER DEFAZIO.
Hon. GREG WALDEN.
Hon. EARL BLUMENAUER.
Hon. KURT SCHRADER.
Hon. SUZANNE BONAMICI.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: We are writing to request your support for H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. H.R. 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health and help prevent catastrophic wildfires.

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Thank you for your support of Oregon counties and schools and for your consideration of this request.

Sincerely,

CRAIG POPE,
Commissioner.
AARON FELTON,
District Attorney.
ROBERT WOLFE,
Sheriff.
DOUG SCHMIDT,
Assessor.

TILLAMOOK COUNTY
BOARD OF COMMISSIONERS,
Tillamook, OR, August 28, 2013.

Re Support H.R. 1526.

Congressman DOC HASTINGS,
Chairman, Natural Resources Committee, Washington DC.
Congressman PETER DEFAZIO,
Ranking Member, Natural Resources Committee, Washington DC.

DEAR CHAIRMAN HASTINGS AND RANKING MEMBER DEFAZIO: A phrase such as ''money does not grow on trees'' is quite often overused. However in America's national forests, money and jobs do grow on trees. Unfortunately, a failed Federal Forest management system has led to the loss of thousands of family wage jobs and has left out rural forested counties with a myriad of social and economic problems we do not deserve and that need to be addressed. For most of our counties, that can only be done by returning to a sustainable harvest level that absolutely will provide family wage jobs and allow for a solid tax base to support badly needed services.

From our perspective there are at least three reoccurring themes hindering sustainable forest management; first is funding to prepare sales, second is the environmental analysis and review time for management activities, and third is litigation that stalls or totally stops much of the harvest that badly needs to be done.

An increase in sustainable forest management is essential if we are to ever provide the healthy forests envisioned by President Theodore Roosevelt. The forest mortality we are facing now is destroying habitat for wildlife, creating catastrophic wildfires that destroy everything in their path and leaving millions of acres of forests susceptible to massive bug and insect infestation.

H.R 1526 addresses all of these issues. It provides a common sense approach for returning to sustainable forest management where the planned harvest can occur in a reasonable amount of time. We do appreciate that the legislation allows for a temporary extension of the Secure Rural Schools and Community Self Determination Act.

However, for long term social and financial health of rural forested communities we must have the family wage jobs that are provided by a healthy forest products industry.

We know you are fully supporting H.R. 1526 and do appreciate your work and vote on this bill.

Sincerely,

MARK LABHART,
Chairperson.
BILL BAERTLEIN,
Vice Chairperson.
TIM JOSI,
Commissioner.

CLACKAMAS COUNTY
BOARD OF COUNTY COMMISSIONERS,
Oregon City, OR, August 27, 2013.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources, House of Representatives.
Hon. PETER DEFAZIO,
Ranking Member, Committee on Natural Resources, House of Representatives.

DEAR REPRESENTATIVES HASTINGS AND DEFAZIO: The Clackamas County Board of Commissioners wishes to express our support for the Secure Rural Schools and the Oregon and California (O&C) Lands provisions contained within H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act. We believe these provisions are a common sense and balanced approach to federal forest management that will support family wage jobs and provide counties with certain and predictable revenue streams for critical county services.

Clackamas County is a western Oregon county with considerable urban and rural populations spread across a diverse landscape of more than 1.2 million acres. Approximately 52% of this land is federally owned and managed by the U.S. Forest Service and Bureau of Land Management, with roughly 75,000 acres designated as O&C Lands. The responsible management of these federal forestlands is critical to providing predictable, long-term revenue for the county road and general funds that enhances the quality of life of county residents. Responsible federal management also would greatly enhance the economic wellbeing of our local wood products industry.

Regrettably, the impasse to meet federal forest management and timber sale volume goals, as prescribed by the Northwest Forest Plan and the O&C Act of 1937, has substantially reduced timber revenue and forced the County to reduce vital services for public safety, education, health, and other programs. At the same time, we have seen devastating economic losses in our rural communities and wood products industry—going from 12 operating mills in the County to just two. In light of this fiscal crisis, we urgently require a new approach to federal forest management that creates jobs, stabilizes Oregon's rural communities, and restores forest function and health. Absent a long-term solution, vital county services and our vast natural resource systems will be severely impacted or disappear altogether.

From our perspective, three major themes hinder sustainable forest management—funding to prepare timber sales, environmental analysis and review time for management activities, and litigation that stalls or completely stops harvest. H.R. 1526 correctly addresses these issues by allowing planned harvests to occur on forestlands prescribed for timber production, with reasonable time for environmental review and protection from unreasonable litigation. The bill also temporarily extends the Secure Rural Schools Act, which will help to sustain vital county services until the law begins to generate new revenues.

Thank you for your work on this critical issue. We support your continued efforts to bring this important legislation to the House floor for a vote.

Sincerely,

JOHN LUDLOW,
Chair.
JIM BERNARD,
Commissioner.
PAUL SAVAS,
Commissioner.
MARTHA SCHRADER,
Commissioner.
TOOTIE SMITH,
Commissioner.

MARION COUNTY
BOARD OF COMMISSIONERS,
September 16, 2013.

Hon. PETER DEFAZIO.
Hon. GREG WALDEN.
Hon. EARL BLUMENAUER.
Hon. KURT SCHRADER.
Hon. SUZANNE BONAMICI.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: We are writing to request your support for HR 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. HR 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health and help prevent catastrophic wildfires.

Oregon continues to lose infrastructure and jobs due to federal policies that have strangled sustainable management of a renewable resource. We are harvesting less than five percent of the annual growth in federal forests, resulting in overstocked stands and conditions ripe for wildfire. HR 1526 would permit responsible, limited timber production on Forest Service lands, would allow significant state and local involvement, and would separately address management of the unique O&C Lands by incorporating the bipartisan solution crafted by Representatives DeFazio, Schrader and Walden. The bill also would allow cooperative state and federal fire mitigation projects in areas that cross ownership boundaries.

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substantial funding and support public safety, road maintenance, and social service programs. Improved management and restoration of the nation's forests will generate tremendous environmental and social benefits and create desperately needed jobs and revenue for rural economies.

Thank you for your support of Oregon counties and schools and for your consideration of this request.

Sincerely,

JANET CARLSON,
Chair, Commissioner.
SAMUEL A. BRENTANO,
Vice Chair, Commissioner.
PATRICIA MILNE,
Commissioner.
JASON MYERS,
Sheriff.
WALT BEGLAU,
District Attorney.
TOM ROHLFING,
Assessor.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GOSAR), a member of the Natural Resources Committee.

Mr. GOSAR. Mr. Chairman, I thank Chairman HASTINGS for the time, for his leadership on our committee, and for including my bipartisan wildfire legislation—the Catastrophic Wildfire Prevention Act—in this forest health package.

Mr. Chairman, we have a forest health crisis in this country, and this bill will go a long way toward restoring the environment, improving public safety, and putting thousands of people back to work.

Due to redistricting, I have represented nearly all of rural Arizona in Congress—nearly 48,000 square miles of U.S. Forest Service land. These areas have been some of the communities most devastated by recent wildfire. In my first year, the Wallow Fire, now the largest fire in Arizona's State history, ravaged half a million acres of our treasured Ponderosa Pine Country in just a few weeks; and this year, our State was struck by the recent loss of 19 firefighters in the Yarnell Hill Fire. That fire was one of many to burn over 103,000 acres this year.

We must come together, change the status quo, and facilitate conditions that minimize the chance that fires start, and we must reduce their size and intensity once they burn. The bill before us today does a few important things to achieve that goal:

First, it prioritizes responsible timber production, and it ensures a reliable revenue stream for local governments. The Feds made a promise to our forest communities, and it must uphold that promise. Secure Rural School dollars ensure our counties can provide essential services, such as public safety and education to our constituents. H.R. 1526 would not only provide certainty in the program, but it would increase timber revenues threefold;

Secondly, it implements my bill, the Catastrophic Wildfire Prevention Act. These provisions, parts of title II and title V of the act, reduce red tape and provide the land management agencies a variety of tools, specifically stewardship contracting and good neighbor authority, to conduct smaller projects in high-risk areas that need immediate attention.

While long-term, active forest management will protect our communities in the long run, we have to protect our people and our assets today. These provide an expedited arrangement to streamline thinning and grazing projects needed in immediate, at-risk areas like our forest communities, critical water delivery and electrical infrastructures, and our schools.

The solutions in our bill are supported by nearly every county in my rural district, in particular Yavapai and Gila Counties, and many affected stakeholders, including the Cattlemen, the Natural Resources Conservation Districts, and the Farm Bureau. This bill has commonsense solutions to our forest health crisis that should garner the entire support of this body.

You may look at this bill and think it's not perfect, but it will do a lot to prevent the suffering that communities like the ones I represent have been experiencing. I would welcome any Member of this body to come down to my district and meet with the families who have lost their homes, their fathers, their mothers, their husbands and wives, their kids, and their livelihoods. I think you will see why we have to act.

Mr. DEFAZIO. I inquire of the gentleman how many speakers he has remaining.

Mr. HASTINGS of Washington. More than the gentleman, apparently. I do have several speakers remaining.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. TIPTON), another member of the Natural Resources Committee.

Mr. TIPTON. Thank you, Chairman HASTINGS. I appreciate the opportunity to address emergencies in our forests in the West.

Mr. Chairman, over the past decade, we've seen an increase in the number of catastrophic wildfires burning in the western U.S., resulting in a tragic loss of life, significant property damage, the loss of critical habitats, and the pollution of vital watersheds.

According to the National Interagency Fire Center, there have been over 38,119 different fires in the United States in 2013 alone. The Black Forest fire, which ravaged Colorado in June of this year, is believed to be the most destructive fire in Colorado's history, destroying more than 486 homes and with an estimated cost in excess of $85 million. The West Fork Complex fire burned approximately 110,000 acres in southwest Colorado this summer, and the incident commanders in charge of the suppression efforts on the fire told me that the behavior of the fire was unprecedented. Because of all the beetle-killed timber, unnaturally dense forest, and dry conditions, the fire has acted in a way that defied computer models.

□ 1845

Unfortunately this news was made worse last week in my home State, as Colorado was struck with another natural disaster in what many believe was the worst flood in Colorado history. Parts of at least 18 different cities and towns in my home State were severely flooded, and damage to roads, bridges, homes, and other infrastructure is already estimated to exceed a billion dollars. While little could be done to prepare for the staggering rainfall the State received over such a widespread area, in parts of Colorado where fires in recent years stripped the landscape of vegetation, the severity of the flood damage was worsened by intense runoff, erosion, and mud slides.

Threats to wildlife and property resulting from the wildfires are becoming increasingly costly, and by 2030 the number of acres of forest in Colorado that contain residential housing and commercial development is expected to exceed 2 million acres, representing an enormous potential hazard if fuel reduction projects and other proactive managements are not initiated.

Instead of ramping up forest management efforts and addressing hazardous conditions of the Western forests, the Interior Department has proposed a 48 percent cut agency-wide for hazardous fuels reduction for 2014, and the Forest Service has proposed reducing this proactive management by 24 percent. In 2012, the Forest Service spent only $296 million on hazardous fuels treatment nationwide, while spending close to $2 billion on wildfire suppression during that same time.

It is far more efficient and cost effective to proactively manage our forests. I've said it before, but the old adage of ''an ounce of prevention is worth a pound of cure'' rings especially true when we're talking about reducing the occurrence and severity of wildfires in our forests. Despite this, we've seen a decrease in timber harvesting of 80 percent over the past three decades. It is no coincidence that during this time the severity of fires and the number of acres burned has increased steadily. From 2000 to 2012, over 90 million acres burned in the U.S., nearly as many as the previous three decades combined.

Mr. Chairman, I appreciate the time and your support for this, and I urge passage of this legislation.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), another member of the Natural Resources Committee.

Mr. MCCLINTOCK. Mr. Chairman, on behalf of the communities of the Sierra Nevada, I want to thank Chairman HASTINGS for this long overdue legislation. If anyone doubts the necessity of this bill, let them come to my district where the Yosemite Rim fire has just incinerated 400 square miles of our precious forests.

For years, foresters have been screaming this warning at us, that the excess timber is going to come out of the forest one way or another. It will either be carried out or it will be burned out, but it will come out. In the days when we carried it out, we had healthier forests and a thriving economy.

But Federal regulations have driven our timber harvests down 80 percent nationally—more like 90 percent in the Sierras—and now the timber that we once carried out is being burned out, and there's nothing subtle about the numbers. As the board feet harvested out of these forests has declined, the acreage incinerated by forest fires has increased proportionately and contemporaneously. The human cost has been devastating: dozens of mills closed, thousands of families out of work, local tax bases eviscerated.

Some of the mountain communities in my district now suffer Detroit-levels of unemployment, and the environmental cost has been just as devastating: overcrowded forests, overdrawn watersheds, and now catastrophic fires. There is nothing more environmentally devastating to a forest than a forest fire.

This measure restores the sound forest management practices that we foolishly abandoned to the detriment of our environment and our economy. This bill marks, at long last, a return to common sense for the management of our national forests.

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

Mr. Chairman, I'd like to spend a little bit of time directly addressing the concerns and questions of some constituents back in Oregon regarding the O&C plan in this bill. As Representative SCHRADER said, there is an extraordinary amount of disinformation and obfuscation out there.

This is the bottom plan. It provides everyone at the table with something that they don't currently have. For failing counties in western Oregon—and Representative SCHRADER did a great job talking about that, as did Representative WALDEN—it means $1 billion over 10 years to help pay for basic government services like law enforcement, public health, and education. It means putting sheriffs back on the roads, keeping violent criminals behind bars, having better public health, and rebuilding our infrastructure. All of those things are good jobs, necessary jobs, and things that enhance the quality of life for Oregonians and all Americans.

For forested communities and local economies, this plan means sustaining or creating thousands of good-paying jobs. I have counties that have chronic unemployment in the double digits. I've taken to telling some people I represent the new Appalachia. When you go and visit these depressed communities, when the last mill closes in one of my counties, I talk to the owners of the mill and they said, If your bill had passed, we'd be hiring 100 people, instead of firing 100 people, in a community where 100 would be the largest employer. This means keeping those mills open, or maybe adding shifts. This plan will keep the raw logs here at home, rather than exporting our timber to places like China.

For the environmental community, many of whom have totally disregarded or created propaganda about this bill, it means the first-ever legislative protection for mature and old growth forests in western Oregon. They are not legislatively protected now. In fact, if the Clinton forest plan, the Northwest forest plan, is ordered fully implemented, in pending litigation in a court here in D.C., that old growth will be some of the first to be harvested. Since I've come to Congress, I've been attempting to preserve the old growth. This would do it. There would be 1.2 million acres of old growth preserved, habitat that is fabulous. It is a carbon sink. It has the best areas to recreate.

The bill also increases wilderness protection on the O&C lands by 250 percent, doubling the size of the Rouge Wilderness, adding Devil's Staircase, and it also will add 130 miles of wild and scenic designation. There will be more river protection on the O&C lands in one plan than in the previous 50 years combined, and we will quadruple the watershed protection compared with Oregon State standards. They keep saying this is just the way Oregon private forestry is done. No. We're going to have four times the riparian protection, and in terms of herbicides and pesticides, we're going to require the development of an integrated pest-management plan through a public process for these lands. This is not Oregon forest practices as we know it, and as they are picturing in ads. If they have concerns about Oregon forest practices, they ought to go to their Governor and State legislature, because this bill is not that.

Of the 2.8 million acres, 1.2 million acres of old growth will be preserved. That is 300,000 acres of additional riparian reserve to protect our water quality for consumption and for fisheries and other values. There will be 1.3 million—less than half—that will be managed. Areas that have been previously managed, many of which need thinning and they need restoration work, half of those 1.3 million managed will be managed on a rotation of over 100 years, providing, again, tremendous environmental benefits.

Here's what the plan doesn't do. It doesn't privatize or sell any Federal lands. In fact, these lands will remain in Federal ownership, and we will pay the Federal Government $10 million a year to manage these lands, and the Federal Government will save tens of millions of dollars every year because of the management being done by a board, which would be appointed by our Governor and would actually govern these forests and manage these forests through an open public process under the Oregon open-meetings law.

It will not return to the unsustainable levels that occurred during the watch of my predecessor. There were 1.6 million board feet the year I ran for Congress on these lands. That was not sustainable, and they would tell people we're going back to that. No, we're not. I ran against that, and we're not going back there. It looks like the best estimates are we would probably get to about one-third of that level on these lands with a environmentally responsible plan. It does not eliminate national environmental laws. They would still apply.

This plan is about trying to restore balance and predictability to western Oregon. I was pretty surprised at the statement, better known as a SAP, that claimed this proposal would create more legal uncertainty. I don't know how it's possible to create more legal uncertainty on the O&C lands. The BLM is in the current of a multiyear, multimillion dollar process to rewrite the management plan for these lands. The new plan is intended to replace the old plan, which resulted from a lawsuit. The old plan was litigated and withdrawn. Their new plan was withdrawn by this administration because they said they couldn't defend it in a lawsuit. Now they're developing yet another new plan at the cost of tens of millions of dollars, which will certainly be litigated. And just recently, a decision in Federal court has confirmed that the O&C Act means what it says, ''permanent, sustainable timber production.'' This decision throws the status quo further into an uncertain area.

Now the BLM is required to offer for sale the allowable sale quantity every year. It hasn't been doing that. There's another lawsuit that would make this decision retroactive. That would be over a billion board feet of timber. Yet, another lawsuit pending seeks to return the O&C logging levels back to the 1970s and 1980s. This says nothing of the pending lawsuits on individual timber sales. That's not certainty; that's chaos. I'm pushing a balanced O&C plan that does three things: provides predictable payments to failing counties; creates jobs and sustains the existing infrastructure; and legislatively protects the environment and public health.

This is the first beginning, on either side of Capitol Hill, of a long legislative process, the first step toward getting a bipartisan bill finally negotiated and sent to the President hopefully not too distant from now.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS), another member of the Natural Resources Committee.

Mrs. LUMMIS. Mr. Chairman, I rise in support of the act because it will save forests in Wyoming and the West. These are fabulous natural resources enjoyed by people and wildlife, but across the West they are burning or

dying after decades of Federal mismanagement.

This photograph is from the Black Hills National Forest. Right here, you see a very lush green area in the forest. Adjacent to that, you have brown areas with dead or dying trees that have been ravaged by the mountain pine beetle. Where you find that healthy wildlife habitat, that healthy soil that's resistant to erosion, the healthy rivers and streams, the safe area to camp and hike and recreate, is because you have a healthy forest that was actively managed.

This green area was logged. It was thinned. The thinning is selective, it's measured, and designed to maintain a healthy and strong mix of trees. The brown area wasn't thinned. Bureaucratic delays, litigation, and endless appeals prevented conservation logging in this area. When you don't manage a forest, the entire ecosystem suffers from the trees down to the wildlife, the soil, and the streams. It's dangerous to camp or hike in the brown area because of the dead or falling trees. The dead trees are now fuel for fires, and we've seen them all over the West in the last 3 years, including this summer. This picture is replicated throughout the West, dead or burning Federal forests right next to healthy State or tribal forests, because the State and tribal forests are actively managed.

Our forests don't have to look like this. They can look like this. This act will get the Forest Service back to work on conservation logging, create jobs in the forest-products industry, create revenue for Federal and local governments, and prevent the astronomical costs of responding to wildfires and infestations.

□ 1900

It also gives State and local government a voice in forest management within their borders. Through good neighbor authority and community forest demonstration areas, we're involving the people who actually live near those forests who depend on that beautiful place to live.

Mr. Chair, this is one of the most commonsense bills I've had the privilege of helping with. I urge its passage.

BEFORE THE COUNTY COMMISSION OF THE STATE OF OREGON FOR THE COUNTY OF JEFFERSON

RESOLUTION NO. R-015-13

In The Matter of a Resolution Supporting H.R. 1526, Restoring Healthy Forests for Healthy Communities Act

Now, the Jefferson County Board of Commissioners recognize that Oregonians in our forested communities are facing extreme poverty, systemic unemployment, and thousands of children on free and reduced lunch.

Whereas, Jefferson County currently faces 10.8% unemployment; and

Whereas, 81.3% of school children in Jefferson County are eligible for Free or Reduced lunch programs; and

Whereas, Jefferson County's poverty rate is 20.2%; and

Whereas, these negative economic conditions can be attributed to the reduction in timber harvests in our National Forests (80% reduction over the past 30 years) and corresponding mill closures; and

Whereas, Jefferson County cannot afford for any more mills to close and desire to recover our lost mill capacity; and

Whereas, H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing; Now therefore be it

Resolved that the Jefferson County Board of Commissioners hereby support H.R. 1526, Restoring Healthy Forests for Healthy Communities Act, and urge all members of the U.S. House of Representatives to support the passage and implementation of this important legislation.

Dated this 25th day of September, 2013.

BOARD OF COMMISSIONERS:
WAYNE FORDING, *Chair*.
JOHN HATFIELD, *Commissioner*.
MIKE AHERN, *Commissioner*.

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY STATE OF OREGON

ORDER NO. BCC2013–077

In the matter of Support for Restoring Forest for Healthy Communities Act (H.R. 1526)

Whereas, the Umatilla County Board of Commissioners recognize that Oregonians in our forested communities are facing extreme poverty, systemic unemployment, and thousands of children on free and reduced lunch;

Whereas Umatilla County's poverty rate is 14.8%; and

Whereas Umatilla County currently faces 8.4% unemployment; and

Whereas 59.5% of school children in Umatilla County are eligible for Free or Reduced lunch programs; and

Whereas these negative economic conditions can be attributed in part to the reduction in timber harvests in our National Forests (79% reduction over the past 30 years) and corresponding mill closure; and

Whereas Umatilla County cannot afford for any more mills to close and desires to recover our lost mill capacity; and

Whereas H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing; Now therefore, the Umatilla County Board of Commissioners adds its support to H.R. 1526, Restoring Healthy Forests For Healthy Communities Act, and urges all members of the U.S. House of Representatives to support the passage and the implementation of this important legislation.

Dated this 18th day of September, 2013.

Umatilla County Board of Commissioners:
W. LAWRENCE GIVENS, *Chair*.
WILLIAM J. ELFERING, *Commissioner*.
GEORGE L. MURDOCK, *Commissioner*.
Attest: Office of County Records:
BETTY LESKO, *Records Officer*.

BEFORE THE BOARD OF COMMISSIONERS IN AND FOR THE COUNTY OF WALLOWA IN AND OF THE STATE OF OREGON

RESOLUTION 2013–005

In the matter of a Resolution Supporting H.R. 1526, Restoring Healthy Forests for Healthy Communities Act

Now; The Wallowa County Board of Commissioners recognize that Oregonians in our forested communities are facing extreme poverty, systemic unemployment, and thousands of children on free and reduced lunch programs.

Whereas; Wallowa County currently faces a seasonal unemployment rate of 14%; and

Whereas; 54.8% of school children in Wallowa County are eligible for free or reduced lunch programs; and

Whereas; Wallowa County's youth poverty rate is 26%; and

Whereas; these negative economic conditions can be attributed to the reduction in timber harvests in our National Forests (80% reduction over the past 30 years) and corresponding mill closures; and

Whereas: Wallowa County cannot afford for any more businesses to close and desire to recover our lost mill capacity; and.

Whereas; H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing; Now Therefore; the Wallowa County Board of Commissioners hereby

Resolve to support H.R. 1526, Restoring Healthy Forests for Healthy Communities Act, and urge our representatives in Washington D.C. to support its passage and implementation.

Dated this 16th day of September, 2013.

Wallowa County Board of Commissioners:
CHAIRMAN MIKE HAYWARD.
COMMISSIONER PAUL CASTILLEJA.
COMMISSIONER SUSAN ROBERTS.
Attest:
SANDY LATHROP, *Exec. Assistant*.

In Said County and State, when were present: The Honorable Mark D. Davidson, Chairman; Steve McClure, Commissioner; William D. Rosholt, Commissioner.

When, on Wednesday the 18th day of September 2013, among others the following proceedings were had to wit:

RESOLUTION 2013–11

In The Matter of a Resolution Supporting H.R. 1526, Restoring Healthy Forests for Healthy Communities Act

Now, the Union County Board of Commissioners recognize that Oregonians in our forested communities are facing extreme poverty, systemic unemployment, and thousands of children on free and reduced lunch.

Whereas, Union County currently faces 8.3% unemployment; and

Whereas, 53% of school children in Union County are eligible for Free or Reduced lunch programs; and

Whereas, Union County's poverty rate is 16.6%; and

Whereas, these negative economic conditions can be attributed to the reduction in timber harvests in our National Forests (80% reduction over the past 30 years) and corresponding mill closures; and

Whereas, Union County cannot afford for any more mills to close and desire to recover our lost mill capacity; and

Whereas H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing, Now therefore the Union County Board of Commissioners Hereby Resolve to support H.R. 1526, Restoring Healthy Forests For Healthy Communities Act, and urge all members of the U.S. House of Representatives to support the passage and implementation of this important legislation.

Dated this 18th day of September, 2013.

MARK D. DAVIDSON, *Chairman*.
STEVE MCCLURE, *Commissioner*.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. LABRADOR), another member of the Natural Resources Committee

Mr. LABRADOR. Mr. Chairman, I rise today in support of H.R. 1526. I want to thank Chairman HASTINGS and the ranking member for all of the work that they have done on this bill. And today I specifically rise in support of title IV of H.R. 1526, which I originally introduced as H.R. 1294, the Self-Sufficient Community Lands Act. I thank Chairman HASTINGS for recognizing the importance of this issue and including it in the bill.

In Idaho and much of the West, the economies of rural communities once relied upon the timber industry for job creation and tax revenues. Over the last several decades, extreme environmentalists have hindered the ability to develop timber from our public lands through litigation. In fact, timber harvests have declined more than 80 percent over the last 30 years. Counties that were once dependent on timber receipts to fund schools, roads, and daily operations find themselves desolate and broke.

In 2000, when the Federal Government operated with a budget surplus, and in order to compensate for the decline in timber receipts, as everybody knows, Congress passed the Secure Rural Schools and Communities Self-Determination Act. These payments were supposed to be phased out over time to allow counties to diversify their local economies. However, last year alone, 35 of Idaho's 44 counties received SRS payments totaling over $26 million. While Congress has continually reauthorized this funding, we are still fighting the same issues about multiple use on public land while leaving our counties in limbo.

To solve this problem, I introduced H.R. 1294. This legislation empowers counties to generate much needed revenue by turning over management of Federal forests to local and State officials who are best equipped to make these important management decisions rather than bureaucrats in Washington.

It is time to permanently provide our counties with a solution which would create jobs, generate tax receipts for the counties, and improve forest health. In a time of record deficits, it is time that we stopped kicking the can down the road and started working toward a solution.

The Acting CHAIR (Mr. COLLINS of Georgia). The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. LABRADOR. Mr. Chairman, our country continues to spend billions of dollars on this program instead of fixing the program.

Traditional rural timber communities have been operating in an environment of uncertainty for decades, and many public lands in Western States have been inaccessible due to Federal policies and litigation. It is time we find a long-term solution to help our counties. I urge my colleagues to support H.R. 1526.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico (Mr. PEARCE), a valued former member of the Natural Resources Committee.

Mr. PEARCE. Mr. Chairman, I appreciate the opportunity to speak on this bipartisan bill that brings commonsense management back to our forests.

Since Tom Tidwell took over the Forest Service, he said that he would like to reintroduce fire into the wild. Well, he's done that. This year, almost 10 million acres, more than twice the size of New Jersey. In the years since 2009 when he took over, larger than Ohio, 27 million acres have burned in our national forests.

Instead, this bill creates jobs—jobs in places like Cibola County in New Mexico where Matt Allen used to have a thriving mill but now survives on cutting one-by-four timber, one-by-four boards out of the logs he is able to take out of the forest.

Our streams are choked with mud. Habitat is devastated. A 75-foot deep lake near Ruidoso, New Mexico, that provides drinking water to the city of Alamogordo has 50 feet of fill in that 70-foot lake. Our fish are dead. Our streams are dead, choked with mud because the head of the U.S. Forest Service says, Let it burn instead of cut it. Common sense says cut it. This bill ensures that.

Mr. HASTINGS of Washington. Mr. Chairman, I will advise my friend that I have no further requests for time, and I am prepared to close if the gentleman is prepared to close.

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

As I stated earlier, this is an imperfect vehicle. I have major concerns about three of the titles in this bill, but this is the beginning of a legislative process. It's almost become pretty rare here in Washington, D.C. We put something forward. We send it to the Senate. The Senate takes up that or a similar legislation. We go to a conference committee. We work things out. And we solve problems. It was that for most of the first 25 years I was here. That's a rare thing these days.

This holds promise to enter into the real legislative process, a real beginning. Now, if we fail to act, we just reinforce the status quo; and I've got to tell you, the status quo is totally unacceptable. There are some who would prefer that. They think they win with the current paralysis. Well, if you want permanent protection of our old growth, if you want additional wilderness on the Rogue River, if you want the Devil's Staircase wilderness, and if you want better forest health, the status quo won't get you there. If that's what you really care about, it won't get you there.

Now, my counties can't wait. The status quo, I have two counties who are experimenting, essentially, with how does a county go bankrupt. It's something that's never happened before and isn't provided for in Oregon statute. And I have others who are not too far behind.

My rural communities are in desperate need of real jobs. They can't wait either. So we cannot fail to act. We move forward tonight or tomorrow with a vote, and then it will be time for the Senate to come up with its version. Then we can go to a conference committee. We can work out final legislation and take it to the President.

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

Mr. HASTINGS of Washington. How much time do I have, Mr. Chairman?

The Acting CHAIR. The gentleman has 5½ minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

First of all, Mr. Chairman, I want to thank Chairman LUCAS of the Agriculture Committee for his cooperation in expediting this bill to the floor. We have immortalized our agreement in an exchange of letters.

And I want to thank the ranking member because I think in his closing remarks, he made exactly the right statement, and that is that we in the House will have our position. The Senate is obligated to do the same, and it may be entirely different, and that's fine. But we work out the differences. And I also want to thank the ranking member and his two colleagues from Oregon because I understand the uniqueness of what they are looking for and, frankly, their approach to their unique—this was very similar to what I and others were thinking should be applied elsewhere. So that's what is embodied in this bill.

But I want to just make one point here because sometimes we lose sight of this fact. What is multiple use in timber, when we talk about timber? Multiple use means, from a commercial standpoint, of thinning and harvesting the timber. Where we get caught up in the differences, we look at timber entirely different from any other crop.

I represent a very diversified agricultural area in central Washington, and the crops are on a yearly basis. It's as diverse as apples to wheat. But when farmers plant these crops, then they use various chemicals at various times of year in order to manage whatever may happen so that they can harvest a good crop at the end of the year.

Well, timber is exactly the same, except depending on the type of timber, the harvest period is from 30 to 40 years. But if you have a problem with pine beetles, as we've had throughout the West, and this is a crop in a multiple-use area, you ought to manage that. You manage that by using the chemicals that are available.

So the only difference when we talk about managing timber from a 1-year management of yearly crops is the time span. But it should be managed in a responsible way in that regard, and that's what we provide for in this bill, to set targets and properly manage.

So I think this is a good bill. I certainly hope that my colleagues will support this when we have the vote tomorrow so that we can continue the process of negotiating with the Senate when they, hopefully, pass a bill.

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

BOARD OF COUNTY COMMISSIONER,
WASHINGTON COUNTY OREGON,
Hillsboro, OR.

Senator RON WYDEN,
Senator JEFF MERKLEY,
U.S. Senate.
Congressman PETER DEFAZIO,
Congressman EARL BLUMENAUER,
Congressman GREG WALDEN,
Congressman KURT SCHRADER,
Congresswoman SUZANNE BONAMICI,
House of Representatives.

DEAR OREGON CONGRESSIONAL DELEGATION: As Chair of Washington County Board of County Commissioners I am writing to offer my support for H.R. 1526. This legislation provides a real solution to timber dependent counties in Oregon that have suffered from a history of lost opportunities.

H.R. 1526 creates an important template for restoring a promise made over a century ago to actively manage federal forests. I believe had federal agencies actively managed public lands over the last twenty years we would not be seeing the loss of resources and lives from a horrible summer of wildfires throughout the western U.S.

Washington County has been fortunate to see economic growth throughout the recession. That growth however, did not occur by luck, but was instead the result of decisions made by local governments, communities and business over the last fifty years. My colleagues in more rural Oregon counties don't have the same ability to make decisions because of the federal government dominance in landownership. H.R. 1526 provides an important role for local decision making.

It is important to maintain a proper balance of resource protection so water quality, critical habitat, and recreational opportunities are addressed in a future forest plan. I believe H.R. 1526 creates a pathway to achieve this balance.

H.R 1526 provides a common sense approach for returning to sustainable forest management where the planned harvest is stable, resources are protected and communities start the rebuilding process. For long term social and financial health of rural communities it is important to re-establish a healthy forest products industry and create a healthy forest environment.

Sincerely,

ANDY DUYCK,
Chair,
Washington County Board of Commissioners.

IN THE COUNTY COURT FOR THE STATE OF OREGON FOR THE COUNTY OF HARNEY

RESOLUTION 2013–24

In the Matter of a Resolution Supporting H.R. 1526, Restoring Healthy Forests for Healthy Communities Act

Now, the Harney County Court recognizes that Oregonians in our forested communities are facing extreme poverty, systemic unemployment, and thousands of children on free and reduced lunch; and,

Whereas, Harney County currently faces 12.9% unemployment; and

Whereas, 66% of school children in Harney County are eligible for Free or Reduced lunch programs; and

Whereas, these negative economic conditions can be attributed to the reduction in timber harvests in our National Forests (80% reduction over the past 30 years) and corresponding mill closures; and

Whereas, Harney County cannot afford for any more mills to close and desire to recover our lost mill capacity; and

Whereas H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing.

Now therefore, the Harney County Court hereby

Resolves to support H.R. 1526, Restoring Healthy Forests For Healthy Communities Act, and urge all members of the U.S. House of Representatives to support the passage and implementation of this important legislation.

Dated this 18th day of September, 2013.

Harney County Court:
STEVEN E. GRASTY,
Judge.

DAN NICHOLS,
Commissioner.

PETE RUNNELS,
Commissioner.

IN THE COUNTY COURT OF THE STATE OF OREGON IN AND FOR WHEELER COUNTY

RESOLUTION 2013–19

In the Matter of a Resolution Supporting H.R. 1526, Restoring Healthy Forests For Healthy Communities Act

Now, the Wheeler County Court recognizes that Oregonians in our forested communities are facing extreme poverty, systemic unemployment, and thousands of children on free and reduced lunch.

Whereas, Wheeler County faces 6.4% unemployment; and

Whereas, 67% of school children in Wheeler County are eligible for Free or Reduced lunch programs; and

Whereas, Wheeler County's poverty rate is 12.6%; and

Whereas, the funding for maintenance of county road infrastructure is imperative to public safety, access for school busses, and to support access to federal forest lands and national monument visitor sites; and

Whereas, these negative economic conditions can be attributed to the reduction in timber harvests in our National Forests (80% reduction over the past 30 years) and corresponding mill closures; and

Whereas, H.R. 1526 is a bipartisan effort that aims to put people back to work in the woods, reduce litigation, provide certainty for counties so that they can provide essential services, lift families out of poverty, and prevent catastrophic wildfires that we have been experiencing;

Now, therefore, the Wheeler County Court hereby

Resolves to support H.R. 1526, Restoring Healthy Forests For Healthy Communities Act, and urges all members of the U.S. House of Representatives to support the passage and implementation of this important legislation.

Dated this 18 day of September, 2013.

PATRICK C. PERRY,
Wheeler County Judge.

ROBERT L. ORDWAY,
County Commissioner.

ANNE C. MITCHELL,
County Commissioner.

BOARD OF COMMISSIONERS,
JACKSON COUNTY OREGON,
Medford, OR, September 16, 2013.

Hon. PETER DEFAZIO,
Hon. GREG WALDEN,
Hon. EARL BLUMENAUER,
Hon. KURT SCHRADER,
Hon. SUZANNE BONAMICI.

DEAR MEMBERS OF OREGON'S HOUSE OF REPRESENTATIVES: I am writing to request your support for H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, and ask that you vote in favor of this bill when the opportunity arises. H.R. 1526 would renew the commitment to manage federal forests for the benefit of counties impacted by federal forestland, improve forest health and help prevent catastrophic wildfires.

Oregon continues to lose infrastructure and jobs due to federal policies that have strangled sustainable management of a renewable resource. We are harvesting less than five percent of the annual growth in federal forests, resulting in overstocked stands and conditions ripe for wildfire. H.R. 1526 would permit responsible, limited timber production on Forest Service lands, would allow significant state and local involvement, and would separately address management of the unique O&C Lands by incorporating the bipartisan solution crafted by Representatives DeFazio, Schrader and Walden. The bill also would allow cooperative state and federal fire mitigation projects in areas that cross ownership boundaries.

The expiration of the Secure Rural Schools (SRS) program in 2012 has resulted in drastic budget shortfalls in our Counties. H.R. 1526 provides one year of bridge funding at the SRS 2010 level, allowing transition to more active forest management and a return to shared revenues from forest management. These revenues would provide schools with substantial funding and support public safety, road maintenance, and social service programs. Improved management and restoration of the nation's forests will generate tremendous environmental and social benefits and create desperately needed jobs and revenue for rural economies.

Thank you for your support of Oregon counties and schools and for your consideration of this request.

Sincerely,

JOHN RACHOR,
County Commissioner.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, September 10, 2013.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN HASTINGS: Thank you for the opportunity to review the relevant provisions of the text of H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act. As you are aware, the bill was primarily referred to the Committee on Natural Resources, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I agree to discharge H.R. 1526 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

FRANK D. LUCAS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, September 11, 2013.

Hon. FRANK D. LUCAS,
Chairman, Committee on Agriculture, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act. As you know, the Committee on Natural Resources ordered reported the bill, as amended, on July 31, 2013. I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Agriculture will forego action on the bill.

The Committee on Natural Resources concurs with the mutual understanding that by foregoing consideration of H.R. 1526 at this time, the Committee on Agriculture does not waive any jurisdiction over the subject matter contained in this or similar legislation. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include your letter and this response in the bill report filed by the Committee on Natural Resources, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your cooperation.

Sincerely,

DOC HASTINGS,
Chairman.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–21, modified by the amendment printed in part B of House Report 113–215, is adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

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

H.R. 1526

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Restoring Healthy Forests for Healthy Communities Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—RESTORING THE COMMITMENT TO RURAL COUNTIES AND SCHOOLS

Sec. 101. Purposes.
Sec. 102. Definitions.
Sec. 103. Establishment of Forest Reserve Revenue Areas and annual volume requirements.
Sec. 104. Management of Forest Reserve Revenue Areas.
Sec. 105. Distribution of forest reserve revenues.

TITLE II—HEALTHY FOREST MANAGEMENT AND CATASTROPHIC WILDFIRE PREVENTION

Sec. 201. Purposes.
Sec. 202. Definitions.
Sec. 203. Hazardous fuel reduction projects and forest health projects in at-risk forests.
Sec. 204. Environmental analysis.
Sec. 205. State designation of high-risk areas of National Forest System and public lands.
Sec. 206. Use of hazardous fuels reduction or forest health projects for high-risk areas.

TITLE III—OREGON AND CALIFORNIA RAILROAD GRANT LANDS TRUST, CONSERVATION, AND JOBS

Sec. 301. Short title.
Sec. 302. Definitions.

Subtitle A—Trust, Conservation, and Jobs

CHAPTER 1—CREATION AND TERMS OF O&C TRUST

Sec. 311. Creation of O&C Trust and designation of O&C Trust lands.
Sec. 312. Legal effect of O&C Trust and judicial review.
Sec. 313. Board of Trustees.
Sec. 314. Management of O&C Trust lands.
Sec. 315. Distribution of revenues from O&C Trust lands.
Sec. 316. Land exchange authority.
Sec. 317. Payments to the United States Treasury.

CHAPTER 2—TRANSFER OF CERTAIN LANDS TO FOREST SERVICE

Sec. 321. Transfer of certain Oregon and California Railroad Grant lands to Forest Service.
Sec. 322. Management of transferred lands by Forest Service.
Sec. 323. Management efficiencies and expedited land exchanges.
Sec. 324. Review panel and old growth protection.
Sec. 325. Uniqueness of old growth protection on Oregon and California Railroad Grant lands.

CHAPTER 3—TRANSITION

Sec. 331. Transition period and operations.
Sec. 332. O&C Trust management capitalization.
Sec. 333. Existing Bureau of Land Management and Forest Service contracts.
Sec. 334. Protection of valid existing rights and access to non-Federal land.
Sec. 335. Repeal of superseded law relating to Oregon and California Railroad Grant lands.

Subtitle B—Coos Bay Wagon Roads

Sec. 341. Transfer of management authority over certain Coos Bay Wagon Road Grant lands to Coos County, Oregon.
Sec. 342. Transfer of certain Coos Bay Wagon Road Grant lands to Forest Service.
Sec. 343. Land exchange authority.

Subtitle C—Oregon Treasures

CHAPTER 1—WILDERNESS AREAS

Sec. 351. Designation of Devil's Staircase Wilderness.
Sec. 352. Expansion of Wild Rogue Wilderness Area.

CHAPTER 2—WILD AND SCENIC RIVER DESIGNATED AND RELATED PROTECTIONS

Sec. 361. Wild and scenic river designations, Molalla River.
Sec. 362. Wild and Scenic Rivers Act technical corrections related to Chetco River.
Sec. 363. Wild and scenic river designations, Wasson Creek and Franklin Creek.
Sec. 364. Wild and scenic river designations, Rogue River area.
Sec. 365. Additional protections for Rogue River tributaries.

CHAPTER 3—ADDITIONAL PROTECTIONS

Sec. 371. Limitations on land acquisition.
Sec. 372. Overflights.
Sec. 373. Buffer zones.
Sec. 374. Prevention of wildfires.
Sec. 375. Limitation on designation of certain lands in Oregon.

CHAPTER 4—EFFECTIVE DATE

Sec. 381. Effective date.

Subtitle D—Tribal Trust Lands

PART 1—COUNCIL CREEK LAND CONVEYANCE

Sec. 391. Definitions.
Sec. 392. Conveyance.
Sec. 393. Map and legal description.
Sec. 394. Administration.

PART 2—OREGON COASTAL LAND CONVEYANCE

Sec. 395. Definitions.
Sec. 396. Conveyance.
Sec. 397. Map and legal description.
Sec. 398. Administration.

TITLE IV—COMMUNITY FOREST MANAGEMENT DEMONSTRATION

Sec. 401. Purpose and definitions.
Sec. 402. Establishment of community forest demonstration areas.
Sec. 403. Advisory committee.
Sec. 404. Management of community forest demonstration areas.
Sec. 405. Distribution of funds from community forest demonstration area.
Sec. 406. Initial funding authority.
Sec. 407. Payments to United States Treasury.
Sec. 408. Termination of community forest demonstration area.

TITLE V—REAUTHORIZATION AND AMENDMENT OF EXISTING AUTHORITIES AND OTHER MATTERS

Sec. 501. Extension of Secure Rural Schools and Community Self-Determination Act of 2000 pending full operation of Forest Reserve Revenue Areas.
Sec. 502. Restoring original calculation method for 25-percent payments.
Sec. 503. Forest Service and Bureau of Land Management good-neighbor cooperation with States to reduce wildfire risks.
Sec. 504. Stewardship end result contracting project authority.
Sec. 505. Clarification of National Forest Management Act of 1976 authority.
Sec. 506. Treatment as supplemental funding.
Sec. 507. Exception of certain forest projects and activities from Appeals Reform Act and other review.

TITLE I—RESTORING THE COMMITMENT TO RURAL COUNTIES AND SCHOOLS

SEC. 101. PURPOSES.

The purposes of this title are as follows:

(1) To restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land.

(2) To ensure that such counties have a dependable source of revenue from National Forest System land.

(3) To reduce Forest Service management costs while also ensuring the protection of United States forests resources.

SEC. 102. DEFINITIONS.

In this title:

(1) ANNUAL VOLUME REQUIREMENT.—

(A) IN GENERAL.—The term ''annual volume requirement'', with respect to a Forest Reserve Revenue Area, means a volume of national forest materials no less than 50 percent of the sustained yield of the Forest Reserve Revenue Area.

(B) EXCLUSIONS.—In determining the volume of national forest materials or the sustained yield of a Forest Reserve Revenue Area, the Secretary may not include non-commercial post and pole sales and personal use firewood.

(2) BENEFICIARY COUNTY.—The term ''beneficiary county'' means a political subdivision of a State that, on account of containing National Forest System land, was eligible to receive payments through the State under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.).

(3) CATASTROPHIC EVENT.—The term ''catastrophic event'' means an event (including severe fire, insect or disease infestations, windthrow, or other extreme weather or natural disaster) that the Secretary determines will cause or has caused substantial damage to National Forest System land or natural resources on National Forest System land.

(4) COVERED FOREST RESERVE PROJECT.—The terms ''covered forest reserve project'' and ''covered project'' mean a project involving the management or sale of national forest materials within a Forest Reserve Revenue Area to generate forest reserve revenues and achieve the annual volume requirement for the Forest Reserve Revenue Area.

(5) FOREST RESERVE REVENUE AREA.—

(A) IN GENERAL.—The term ''Forest Reserve Revenue Area'' means National Forest System land in a unit of the National Forest System designated for sustainable forest management for the production of national forest materials and forest reserve revenues.

(B) INCLUSIONS.—Subject to subparagraph (C), but otherwise notwithstanding any other provision of law, including executive orders and regulations, the Secretary shall include in Forest Reserve Revenue Areas not less than 50 percent of the National Forest System lands identified as commercial forest land capable of producing twenty cubic feet of timber per acre.

(C) EXCLUSIONS.—A Forest Reserve Revenue Area may not include National Forest System land—

(i) that is a component of the National Wilderness Preservation System;

(ii) on which the removal of vegetation is specifically prohibited by Federal statute; or

(iii) that is within a National Monument as of the date of the enactment of this Act.

(6) FOREST RESERVE REVENUES.—The term ''forest reserve revenues'' means revenues derived from the sale of national forest materials in a Forest Reserve Revenue Area.

(7) NATIONAL FOREST MATERIALS.—The term ''national forest materials'' has the meaning given that term in section 14(e)(1) of the National Forest Management Act of 1976 (16 U.S.C. 472a(e)(1)).

(8) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(10) SUSTAINED YIELD.—The term ''sustained yield'' means the maximum annual growth potential of the forest calculated on the basis of the culmination of mean annual increment using cubic measurement.

(11) STATE.—The term ''State'' includes the Commonwealth of Puerto Rico.

(12) 25-PERCENT PAYMENT.—The term ''25-percent payment'' means the payment to States required by the sixth paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

SEC. 103. ESTABLISHMENT OF FOREST RESERVE REVENUE AREAS AND ANNUAL VOLUME REQUIREMENTS.

(a) ESTABLISHMENT OF FOREST RESERVE REVENUE AREAS.—Notwithstanding any other provision of law, the Secretary shall establish one or more Forest Reserve Revenue Areas within each unit of the National Forest System.

(b) DEADLINE FOR ESTABLISHMENT.—The Secretary shall complete establishment of the Forest Reserve Revenue Areas not later than 60 days after the date of enactment of this Act,

(c) PURPOSE.—The purpose of a Forest Reserve Revenue Area is to provide a dependable source of 25-percent payments and economic activity through sustainable forest management for each beneficiary county containing National Forest System land.

(d) FIDUCIARY RESPONSIBILITY.—The Secretary shall have a fiduciary responsibility to beneficiary counties to manage Forest Reserve Revenue Areas to satisfy the annual volume requirement.

(e) DETERMINATION OF ANNUAL VOLUME REQUIREMENT.—Not later than 30 days after the date of the establishment of a Forest Reserve Revenue Area, the Secretary shall determine the annual volume requirement for that Forest Reserve Revenue Area.

(f) LIMITATION ON REDUCTION OF FOREST RESERVE REVENUE AREAS.—Once a Forest Reserve Revenue Area is established under subsection (a), the Secretary may not reduce the number of acres of National Forest System land included in that Forest Reserve Revenue Area.

(g) MAP.—The Secretary shall provide a map of all Forest Reserve Revenue Areas established under subsection (a) for each unit of the National Forest System—

(1) to the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives; and

(2) to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate.

(h) RECOGNITION OF VALID AND EXISTING RIGHTS.—Neither the establishment of Forest Reserve Revenue Areas under subsection (a) nor any other provision of this title shall be construed to limit or restrict—

(1) access to National Forest System land for hunting, fishing, recreation, and other related purposes; or

(2) valid and existing rights regarding National Forest System land, including rights of any federally recognized Indian tribe.

SEC. 104. MANAGEMENT OF FOREST RESERVE REVENUE AREAS.

(a) REQUIREMENT TO ACHIEVE ANNUAL VOLUME REQUIREMENT.—Immediately upon the establishment of a Forest Reserve Revenue Area, the Secretary shall manage the Forest Reserve Revenue Area in the manner necessary to achieve the annual volume requirement for the Forest Reserve Revenue Area. The Secretary is authorized and encouraged to commence covered forest reserve projects as soon as practicable after the date of the enactment of this Act to begin generating forest reserve revenues.

(b) STANDARDS FOR PROJECTS WITHIN FOREST RESERVE REVENUE AREAS.—The Secretary shall conduct covered forest reserve projects within Forest Reserve Revenue Areas in accordance with this section, which shall serve as the sole means by which the Secretary will comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) and other laws applicable to the covered projects.

(c) ENVIRONMENTAL ANALYSIS PROCESS FOR PROJECTS IN FOREST RESERVE REVENUE AREAS.—

(1) ENVIRONMENTAL ASSESSMENT.—The Secretary shall give published notice and complete an environmental assessment pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a covered forest reserve project proposed to be conducted within a Forest Reserve Revenue Area, except that the Secretary is not required to study, develop, or describe any alternative to the proposed agency action.

(2) CUMULATIVE EFFECTS.—The Secretary shall consider cumulative effects solely by evaluating the impacts of a proposed covered forest reserve project combined with the impacts of any other projects that were approved with a Decision Notice or Record of Decision before the date on which the Secretary published notice of the proposed covered project. The cumulative effects of past projects may be considered in the environmental assessment by using a description of the current environmental conditions.

(3) LENGTH.—The environmental assessment prepared for a proposed covered forest reserve project shall not exceed 100 pages in length. The Secretary may incorporate in the environmental assessment, by reference, any documents that the Secretary determines, in the sole discretion of the Secretary, are relevant to the assessment of the environmental effects of the covered project.

(4) DEADLINE FOR COMPLETION.—The Secretary shall complete the environmental assessment for a covered forest reserve project within 180 days after the date on which the Secretary published notice of the proposed covered project.

(5) TREATMENT OF DECISION NOTICE.— The decision notice for a covered forest reserve project shall be considered a final agency action and no additional analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall be required to implement any portion of the covered project.

(6) CATEGORICAL EXCLUSION.—A covered forest reserve project that is proposed in response to a catastrophic event, that covers an area of 10,000 acres or less, or an eligible hazardous fuel reduction or forest health project proposed under title II that involves the removal of insect-infected trees, dead or dying trees, trees presenting a threat to public safety, or other hazardous fuels within 500 feet of utility or telephone infrastructure, campgrounds, roadsides, heritage sites, recreation sites, schools, or other infrastructure, shall be categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

(d) APPLICATION OF LAND AND RESOURCE MANAGEMENT PLAN.—The Secretary may modify the standards and guidelines contained in the land and resource management plan for the unit of the National Forest System in which the covered forest reserve project will be carried out as necessary to achieve the requirements of this Act. Section 6(g)(3)(E)(iv) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(g)(3)(E)(iv)) shall not apply to a covered forest reserve project.

(e) COMPLIANCE WITH ENDANGERED SPECIES ACT.—

(1) NON-JEOPARDY ASSESSMENT.—If the Secretary determines that a proposed covered forest reserve project may affect the continued existence of any species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), the Secretary shall issue a determination explaining the view of the Secretary that the proposed covered project is not likely to jeopardize the continued existence of the species.

(2) SUBMISSION, REVIEW, AND RESPONSE.—

(A) SUBMISSION.—The Secretary shall submit a determination issued by the Secretary under paragraph (1) to the Secretary of the Interior or the Secretary of Commerce, as appropriate.

(B) REVIEW AND RESPONSE.—Within 30 days after receiving a determination under subparagraph (A), the Secretary of the Interior or the Secretary of Commerce, as appropriate, shall provide a written response to the Secretary concurring in or rejecting the Secretary's determination. If the Secretary of the Interior or the Secretary of Commerce rejects the determination, the written response shall include recommendations for measures that—

(i) will avoid the likelihood of jeopardy to an endangered or threatened species;

(ii) can be implemented in a manner consistent with the intended purpose of the covered forest reserve project;

(iii) can be implemented consistent with the scope of the Secretary's legal authority and jurisdiction; and

(iv) are economically and technologically feasible.

(3) FORMAL CONSULTATION.—If the Secretary of the Interior or the Secretary of Commerce rejects a determination issued by the Secretary under paragraph (1), the Secretary of the Interior or the Secretary of Commerce also is required to engage in formal consultation with the Secretary. The Secretaries shall complete such consultation pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) within 90 days after the submission of the written response under paragraph (2).

(f) ADMINISTRATIVE AND JUDICIAL REVIEW.—

(1) ADMINISTRATIVE REVIEW.—Administrative review of a covered forest reserve project shall occur only in accordance with the special administrative review process established under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515).

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—Judicial review of a covered forest reserve project shall occur in accordance with section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516).

(B) BOND REQUIRED.—A plaintiff challenging a covered forest reserve project shall be required to post a bond or other security acceptable to the court for the reasonably estimated costs, expenses, and attorneys fees of the Secretary as defendant. All proceedings in the action shall be stayed until the security is given. If the plaintiff has not complied with the order to post such bond or other security within 90 days after the date of service of the order, then the action shall be dismissed with prejudice.

(C) RECOVERY.—If the Secretary prevails in the case, the Secretary shall submit to the court a motion for payment of all litigation expenses.

(g) USE OF ALL-TERRAIN VEHICLES FOR MANAGEMENT ACTIVITIES.—The Secretary may allow the use of all-terrain vehicles within the Forest Reserve Revenue Areas for the purpose of activities associated with the sale of national forest materials in a Forest Reserve Revenue Area.

SEC. 105. DISTRIBUTION OF FOREST RESERVE REVENUES.

(a) 25-PERCENT PAYMENTS.—The Secretary shall use forest reserve revenues generated by a covered forest reserve project to make 25-percent payments to States for the benefit of beneficiary counties.

(b) DEPOSIT IN KNUTSON-VANDENBERG AND SALVAGE SALE FUNDS.—After compliance with subsection (a), the Secretary shall use forest reserve revenues to make deposits into the fund established under section 3 of the Act of June 9, 1930 (16 U.S.C. 576b; commonly known as the Knutson-Vandenberg Fund) and the fund established under section 14(h) of the National Forest Management Act of 1976 (16 U.S.C. 472a(h); commonly known as the salvage sale fund) in contributions equal to the monies otherwise collected under those Acts for projects conducted on National Forest System land.

(c) DEPOSIT IN GENERAL FUND OF THE TREASURY.—After compliance with subsections (a) and (b), the Secretary shall deposit remaining forest reserve revenues into the general fund of the Treasury.

TITLE II—HEALTHY FOREST MANAGEMENT AND CATASTROPHIC WILDFIRE PREVENTION

SEC. 201. PURPOSES.

The purposes of this title are as follows:

(1) To provide the Secretary of Agriculture and the Secretary of the Interior with the tools necessary to reduce the potential for wildfires.

(2) To expedite wildfire prevention projects to reduce the chances of wildfire on certain high-risk Federal lands.

(3) To protect communities and forest habitat from uncharacteristic wildfires.

(4) To enhance aquatic conditions and terrestrial wildlife habitat.

(5) To restore diverse and resilient landscapes through improved forest conditions.

SEC. 202. DEFINITIONS.

In this title:

(1) AT-RISK COMMUNITY.—The term ''at-risk community'' has the meaning given that term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(2) AT-RISK FOREST.—The term ''at-risk forest'' means—

(A) Federal land in condition class II or III, as those classes were developed by the Forest Service Rocky Mountain Research Station in the general technical report titled ''Development of Coarse-Scale Spatial Data for Wildland Fire and Fuel Management'' (RMRS-87) and dated April 2000 or any subsequent revision of the report; or

(B) Federal land where there exists a high risk of losing an at-risk community, key ecosystem, water supply, wildlife, or wildlife habitat to wildfire, including catastrophic wildfire and post-fire disturbances, as designated by the Secretary concerned.

(3) FEDERAL LAND.—

(A) COVERED LAND.—The term ''Federal land'' means—

(i) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); or

(ii) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(B) EXCLUDED LAND.—The term does not include land—

(i) that is a component of the National Wilderness Preservation System;

(ii) on which the removal of vegetation is specifically prohibited by Federal statute; or

(iii) that is within a National Monument as of the date of the enactment of this Act.

(4) HIGH-RISK AREA.—The term ''high-risk area'' means an area of Federal land identified under section 205 as an area suffering from the bark beetle epidemic, drought, or deteriorating forest health conditions, with the resulting imminent risk of devastating wildfires, or otherwise at high risk for bark beetle infestation, drought, or wildfire.

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, in the case of National Forest System land; and

(B) the Secretary of the Interior, in the case of public lands.

(6) ELIGIBLE HAZARDOUS FUEL REDUCTION AND FOREST HEALTH PROJECTS.—The terms ''hazardous fuel reduction project'' or ''forest health project'' mean the measures and methods developed for a project to be carried out on Federal land—

(A) in an at-risk forest under section 203 for hazardous fuels reduction, forest health, forest restoration, or watershed restoration, using ecological restoration principles consistent with the forest type where such project will occur; or

(B) in a high-risk area under section 206.

SEC. 203. HAZARDOUS FUEL REDUCTION PROJECTS AND FOREST HEALTH PROJECTS IN AT-RISK FORESTS.

(a) IMPLEMENTATION.—As soon as practicable after the date of the enactment of this Act, the Secretary concerned is authorized to implement a hazardous fuel reduction project or a forest health project in at-risk forests in a manner that focuses on surface, ladder, and canopy fuels reduction activities using ecological restoration principles consistent with the forest type in the location where such project will occur.

(b) AUTHORIZED PRACTICES.—

(1) INCLUSION OF LIVESTOCK GRAZING AND TIMBER HARVESTING.—A hazardous fuel reduction project or a forest health project may include livestock grazing and timber harvest projects carried out for the purposes of hazardous fuels reduction, forest health, forest restoration, watershed restoration, or threatened and endangered species habitat protection or improvement, if the management action is consistent with achieving long-term ecological restoration of the forest type in the location where such project will occur.

(2) GRAZING.—Domestic livestock grazing may be used in a hazardous fuel reduction project or a forest health project to reduce surface fuel loads and to recover burned areas. Utilization standards shall not apply when domestic livestock grazing is used in such a project.

(3) TIMBER HARVESTING AND THINNING.—Timber harvesting and thinning, where the ecological restoration principles are consistent with the forest type in the location where such project will occur, may be used in a hazardous fuel reduction project or a forest health project to reduce ladder and canopy fuel loads to prevent unnatural fire.

(c) PRIORITY.—The Secretary concerned shall give priority to hazardous fuel reduction projects and forest health projects submitted by the Governor of a State as provided in section 206(c) and to projects submitted under the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a).

SEC. 204. ENVIRONMENTAL ANALYSIS.

Subsections (b) through (f) of section 104 shall apply to the implementation of a hazardous fuel reduction project or a forest health project under this title.

SEC. 205. STATE DESIGNATION OF HIGH-RISK AREAS OF NATIONAL FOREST SYSTEM AND PUBLIC LANDS.

(a) DESIGNATION AUTHORITY.—The Governor of a State may designate high-risk areas of Federal land in the State for the purposes of addressing—

(1) deteriorating forest health conditions in existence as of the date of the enactment of this Act due to the bark beetle epidemic or drought, with the resulting imminent risk of devastating wildfires; and

(2) the future risk of insect infestations or disease outbreaks through preventative treatments to improve forest health conditions.

(b) CONSULTATION.—In designating high-risk areas, the Governor of a State shall consult with county government from affected counties and with affected Indian tribes.

(c) EXCLUSION OF CERTAIN AREAS.—The following Federal land may not be designated as a high-risk area:

(1) A component of the National Wilderness Preservation System.

(2) Federal land on which the removal of vegetation is specifically prohibited by Federal statute.

(3) Federal land within a National Monument as of the date of the enactment of this Act.

(d) STANDARDS FOR DESIGNATION.—Designation of high-risk areas shall be consistent with standards and guidelines contained in the land and resource management plan or land use plan for the unit of Federal land for which the designation is being made, except that the Secretary concerned may modify such standards and guidelines to correspond with a specific high-risk area designation.

(e) TIME FOR INITIAL DESIGNATIONS.—The first high-risk areas should be designated not later than 60 days after the date of the enactment of this Act, but high-risk areas may be designated at any time consistent with subsection (a).

(f) DURATION OF DESIGNATION.—The designation of a high-risk area in a State shall expire 20 years after the date of the designation, unless earlier terminated by the Governor of the State.

(g) REDESIGNATION.—The expiration of the 20-year period specified in subsection (f) does not prohibit the Governor from redesignating an area of Federal land as a high-risk area under this section if the Governor determines that the Federal land continues to be subject to the terms of this section.

(h) RECOGNITION OF VALID AND EXISTING RIGHTS.—The designation of a high-risk area shall not be construed to limit or restrict—

(1) access to Federal land included in the area for hunting, fishing, and other related purposes; or

(2) valid and existing rights regarding the Federal land.

SEC. 206. USE OF HAZARDOUS FUELS REDUCTION OR FOREST HEALTH PROJECTS FOR HIGH-RISK AREAS.

(a) PROJECT PROPOSALS.—

(1) PROPOSALS AUTHORIZED.—Upon designation of a high-risk area in a State, the Governor of the State may provide for the development of proposed hazardous fuel reduction projects or forest health projects for the high-risk area.

(2) PROJECT CRITERIA.—In preparing a proposed hazardous fuel reduction project or a forest health project, the Governor of a State and the Secretary concerned shall—

(A) take into account managing for rights of way, protection of watersheds, protection of wildlife and endangered species habitat, safeguarding water resources, and protecting at-risk communities from wildfires; and

(B) emphasize activities that thin the forest to provide the greatest health and longevity of the forest.

(b) CONSULTATION.—In preparing a proposed hazardous fuel reduction project or a forest health project, the Governor of a State shall consult with county government from affected counties, and with affected Indian tribes.

(c) SUBMISSION AND IMPLEMENTATION.—The Governor of a State shall submit proposed emergency hazardous fuel reduction projects and forest health projects to the Secretary concerned for implementation as provided in section 203.

TITLE III—OREGON AND CALIFORNIA RAILROAD GRANT LANDS TRUST, CONSERVATION, AND JOBS

SEC. 301. SHORT TITLE.

This title may be cited as the ''O&C Trust, Conservation, and Jobs Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) AFFILIATES.—The term ''Affiliates'' has the meaning given such term in part 121 of title 13, Code of Federal Regulations.

(2) BOARD OF TRUSTEES.—The term ''Board of Trustees'' means the Board of Trustees for the Oregon and California Railroad Grant Lands Trust appointed under section 313.

(3) COOS BAY WAGON ROAD GRANT LANDS.—The term ''Coos Bay Wagon Road Grant lands'' means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(4) FISCAL YEAR.—The term ''fiscal year'' means the Federal fiscal year, October 1 through the next September 30.

(5) GOVERNOR.—The term ''Governor'' means the Governor of the State of Oregon.

(6) O&C REGION PUBLIC DOMAIN LANDS.—The term ''O&C Region Public Domain lands'' means all the land managed by the Bureau of Land Management in the Salem District, Eugene District, Roseburg District, Coos Bay District, and Medford District in the State of Oregon, excluding the Oregon and California Railroad Grant lands and the Coos Bay Wagon Road Grant lands.

(7) O&C TRUST.—The terms ''Oregon and California Railroad Grant Lands Trust'' and ''O&C Trust'' mean the trust created by section 311, which has fiduciary responsibilities to act for the benefit of the O&C Trust counties in the management of O&C Trust lands.

(8) O&C TRUST COUNTY.—The term ''O&C Trust county'' means each of the 18 counties in the State of Oregon that contained a portion of the Oregon and California Railroad Grant lands as of January 1, 2013, each of which are beneficiaries of the O&C Trust.

(9) O&C TRUST LANDS.—The term ''O&C Trust lands'' means the surface estate of the lands over which management authority is transferred to the O&C Trust pursuant to section 311(c)(1). The term does not include any of the lands excluded from the O&C Trust pursuant to section 311(c)(2), transferred to the Forest Service under section 321, or Tribal lands transferred under subtitle D.

(10) OREGON AND CALIFORNIA RAILROAD GRANT LANDS.—The term ''Oregon and California Railroad Grant lands'' means the following lands:

(A) All lands in the State of Oregon revested in the United States under the Act of June 9, 1916 (39 Stat. 218), regardless of whether the lands are—

(i) administered by the Secretary of the Interior, acting through the Bureau of Land Management, pursuant to the first section of the Act of August 28, 1937 (43 U.S.C. 1181a); or

(ii) administered by the Secretary of Agriculture as part of the National Forest System pursuant to the first section of the Act of June 24, 1954 (43 U.S.C. 1181g).

(B) All lands in the State obtained by the Secretary of the Interior pursuant to the land exchanges authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).

(C) All lands in the State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) RESERVE FUND.—The term ''Reserve Fund'' means the reserve fund created by the Board of Trustees under section 315(b).

(12) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, with respect to Oregon and California Railroad Grant lands that are transferred to the management authority of the O&C Trust and, immediately before such transfer, were managed by the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to Oregon and California Railroad Grant lands that—

(i) are transferred to the management authority of the O&C Trust and, immediately before such transfer, were part of the National Forest System; or

(ii) are transferred to the Forest Service under section 321.

(13) STATE.—The term ''State'' means the State of Oregon.

(14) TRANSITION PERIOD.—The term ''transition period'' means the three fiscal-year period specified in section 331 following the appointment of the Board of Trustees during which—

(A) the O&C Trust is created; and

(B) interim funding of the O&C Trust is secured.

(15) TRIBAL LANDS.—The term ''Tribal lands'' means any of the lands transferred to the Cow Creek Band of the Umpqua Tribe of Indians or the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians under subtitle D.

Subtitle A—Trust, Conservation, and Jobs

CHAPTER 1—CREATION AND TERMS OF O&C TRUST

SEC. 311. CREATION OF O&C TRUST AND DESIGNATION OF O&C TRUST LANDS.

(a) CREATION.—The Oregon and California Railroad Grant Lands Trust is established effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees. As management authority over the surface of estate of the O&C Trust lands is transferred to the O&C Trust during the transition period pursuant to section 331, the transferred lands shall be held in trust for the benefit of the O&C Trust counties.

(b) TRUST PURPOSE.—The purpose of the O&C Trust is to produce annual maximum sustained revenues in perpetuity for O&C Trust counties by managing the timber resources on O&C Trust lands on a sustained-yield basis subject to the management requirements of section 314.

(c) DESIGNATION OF O&C TRUST LANDS.—

(1) LANDS INCLUDED.—Except as provided in paragraph (2), the O&C Trust lands shall include all of the lands containing the stands of timber described in subsection (d) that are located, as of January 1, 2013, on Oregon and California Railroad Grant lands and O&C Region Public Domain lands.

(2) LANDS EXCLUDED.—O&C Trust lands shall not include any of the following Oregon and California Railroad Grant lands and O&C Region Public Domain lands (even if the lands are otherwise described in subsection (d)):

(A) Federal lands within the National Landscape Conservation System as of January 1, 2013.

(B) Federal lands designated as Areas of Critical Environmental Concern as of January 1, 2013.

(C) Federal lands that were in the National Wilderness Preservation System as of January 1, 2013.

(D) Federal lands included in the National Wild and Scenic Rivers System of January 1, 2013.

(E) Federal lands within the boundaries of a national monument, park, or other developed recreation area as of January 1, 2013.

(F) Oregon treasures addressed in subtitle C, any portion of which, as of January 1, 2013, consists of Oregon and California Railroad Grant lands or O&C Region Public Domain lands.

(G) Tribal lands addressed in subtitle D.

(d) COVERED STANDS OF TIMBER.—

(1) DESCRIPTION.—The O&C Trust lands consist of stands of timber that have previously been managed for timber production or that have been materially altered by natural disturbances since 1886. Most of these stands of timber are 80 years old or less, and all of such stands can be classified as having a predominant stand age of 125 years or less.

(2) DELINEATION OF BOUNDARIES BY BUREAU OF LAND MANAGEMENT.—The Oregon and California Railroad Grant lands and O&C Region Public Domain lands that, immediately before transfer to the O&C Trust, were managed by the Bureau of Land Management are timber stands that have predominant birth date attributes of 1886 or later, with boundaries that are defined by polygon spatial data layer in and electronic data compilation filed by the Bureau of Land Management pursuant to paragraph (4). Except as provided in paragraph (5), the boundaries of all timber stands constituting the O&C Trust lands are finally and conclusively determined for all purposes by coordinates in or derived by reference to the polygon spatial data layer prepared by the Bureau of Land Management and filed pursuant to paragraph (4), notwithstanding anomalies that might later be discovered on the ground. The boundary coordinates are locatable on the ground by use of global positioning system signals. In cases where the location of the stand boundary is disputed or is inconsistent with paragraph (1), the location of boundary coordinates on the ground shall be, except as otherwise provided in paragraph (5), finally and conclusively determined for all purposes by the direct or indirect use of global positioning system equipment with accuracy specification of one meter or less.

(3) DELINEATION OF BOUNDARIES BY FOREST SERVICE.—The O&C Trust lands that, immediately before transfer to the O&C Trust, were managed by the Forest Service are timber stands that can be classified as having predominant stand ages of 125 years old or less. Within 30 days after the date of the enactment of this Act, the Secretary of Agriculture shall commence identification of the boundaries of such stands, and the boundaries of all such stands shall be identified and made available to the Board of Trustees not later than 180 days following the creation of the O&C Trust pursuant to subsection (a). In identifying the stand boundaries, the Secretary may use geographic information system data, satellite imagery, cadastral survey coordinates, or any other means available within the time allowed. The boundaries shall be provided to the Board of Trustees within the time allowed in the form of a spatial data layer from which coordinates can be derived that are locatable on the ground by use of global positioning system signals. Except as provided in paragraph (5), the boundaries of all timber stands constituting the O&C Trust lands are finally and conclusively determined for all purposes by coordinates in or derived by reference to the data provided by the Secretary within the time provided by this paragraph, notwithstanding anomalies that might later be discovered on the ground. In cases where the location of the stand boundary is disputed or inconsistent with paragraph (1), the location of boundary coordinates on the ground shall be, except as otherwise provided in paragraph (5), finally and conclusively determined for all purposes by the boundary coordinates provided by the Secretary as they are located on the ground by the direct or indirect use of global positioning system equipment with accuracy specifications of one meter or less. All actions taken by the Secretary under this paragraph shall be deemed to not involve Federal agency action or Federal discretionary involvement or control.

(4) DATA AND MAPS.—Copies of the data containing boundary coordinates for the stands included in the O&C Trust lands, or from which such coordinates are derived, and maps generally depicting the stand locations shall be filed with the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the office of the Secretary concerned. The maps and data shall be filed—

(A) not later than 90 days after the date of the enactment of this Act, in the case of the lands identified pursuant to paragraph (2); and

(B) not later than 180 days following the creation of the O&C Trust pursuant to subsection (a), in the case of lands identified pursuant to paragraph (3).

(5) ADJUSTMENT AUTHORITY AND LIMITATIONS.—

(A) NO IMPACT ON DETERMINING TITLE OR PROPERTY OWNERSHIP BOUNDARIES.—Stand boundaries identified under paragraph (2) or (3) shall not be relied upon for purposes of determining title or property ownership boundaries. If the boundary of a stand identified under paragraph (2) or (3) extends beyond the property ownership boundaries of Oregon and California Railroad Grant lands or O&C Region Public Domain lands, as such property boundaries exist on the date of enactment of this Act, then that stand boundary is deemed adjusted by this subparagraph to coincide with the property ownership boundary.

(B) EFFECT OF DATA ERRORS OR INCONSISTENCIES.—Data errors or inconsistencies may result in parcels of land along property ownership boundaries that are unintentionally omitted from the O&C Trust lands that are identified under paragraph (2) or (3). In order to correct such errors, any parcel of land that satisfies all of the following criteria is hereby deemed to be O&C Trust land:

(i) The parcel is within the ownership boundaries of Oregon and California Railroad Grant lands or O&C Region Public Domain lands on the date of the enactment of this Act.

(ii) The parcel satisfies the description in paragraph (1) on the date of enactment of this Act.

(iii) The parcel is not excluded from the O&C Trust lands pursuant to subsection (c)(2).

(C) NO IMPACT ON LAND EXCHANGE AUTHORITY.—Nothing in this subsection is intended to limit the authority of the Trust and the Forest Service to engage in land exchanges between themselves or with owners of non-Federal land as provided elsewhere in this title.

SEC. 312. LEGAL EFFECT OF O&C TRUST AND JUDICIAL REVIEW.

(a) LEGAL STATUS OF TRUST LANDS.—Subject to the other provisions of this section, all right, title, and interest in and to the O&C Trust lands remain in the United States, except that—

(1) the Board of Trustees shall have all authority to manage the surface estate of the O&C Trust lands and the resources found thereon;

(2) actions on the O&C Trust lands shall be deemed to involve no Federal agency action or Federal discretionary involvement or control and the laws of the State shall apply to the surface estate of the O&C Trust lands in the manner applicable to privately owned timberlands in the State; and

(3) the O&C Trust shall be treated as the beneficial owner of the surface estate of the O&C Trust lands for purposes of all legal proceedings involving the O&C Trust lands.

(b) MINERALS.—

(1) IN GENERAL.—Mineral and other subsurface rights in the O&C Trust lands are retained by the United States or other owner of such rights as of the date on which management authority over the surface estate of the lands are transferred to the O&C Trust.

(2) ROCK AND GRAVEL.—

(A) USE AUTHORIZED; PURPOSE.—For maintenance or construction on the road system under the control of the O&C Trust or for non-Federal lands intermingled with O&C Trust lands, the Board of Trustees may—

(i) utilize rock or gravel found within quarries in existence immediately before the date of the enactment of this Act on any Oregon and California Railroad Grant lands and O&C Region Public Domain lands, excluding those lands designated under subtitle C or transferred under subtitle D; and

(ii) construct new quarries on O&C Trust lands, except that any quarry so constructed may not exceed 5 acres.

(B) EXCEPTION.—The Board of Trustees shall not construct new quarries on any of the lands transferred to the Forest Service under section 321 or lands designated under subtitle D.

(c) ROADS.—

(1) IN GENERAL.—Except as provided in subsection (b), the Board of Trustees shall assume authority and responsibility over, and have authority to use, all roads and the road system specified in the following subparagraphs:

(A) All roads and road systems on the Oregon and California Railroad and Grant lands and O&C Region Public Domain lands owned or administered by the Bureau of Land Management immediately before the date of the enactment of this Act, except that the Secretary of Agriculture shall assume the Secretary of Interior's obligations for pro-rata maintenance expense and road use fees under reciprocal right-of-way agreements for those lands transferred to the Forest Service under section 321. All of the lands transferred to the Forest Service under section 321 shall be considered as part of the tributary area used to calculate pro-rata maintenance expense and road use fees.

(B) All roads and road systems owned or administered by the Forest Service immediately before the date of the enactment of this Act and subsequently included within the boundaries of the O&C Trust lands.

(C) All roads later added to the road system for management of the O&C Trust lands.

(2) LANDS TRANSFERRED TO FOREST SERVICE.—The Secretary of Agriculture shall assume the obligations of the Secretary of Interior for pro-rata maintenance expense and road use fees under reciprocal rights-of-way agreements for those Oregon and California Railroad Grant lands or O&C Region Public Domain lands transferred to the Forest Service under section 321.

(3) COMPLIANCE WITH CLEAN WATER ACT.—All roads used, constructed, or reconstructed under the jurisdiction of the O&C Trust must comply with requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) applicable to private lands through the use of Best Management Practices under the Oregon Forest Practices Act.

(d) PUBLIC ACCESS.—

(1) IN GENERAL.—Subject to paragraph (2), public access to O&C Trust lands shall be preserved consistent with the policies of the Secretary concerned applicable to the O&C Trust lands as of the date on which management authority over the surface estate of the lands is transferred to the O&C Trust.

(2) RESTRICTIONS.—The Board of Trustees may limit or control public access for reasons of public safety or to protect the resources on the O&C Trust lands.

(e) LIMITATIONS.—The assets of the O&C Trust shall not be subject to the creditors of an O&C Trust county, or otherwise be distributed in an unprotected manner or be subject to anticipation, encumbrance, or expenditure other than for a purpose for which the O&C Trust was created.

(f) REMEDY.—An O&C Trust county shall have all of the rights and remedies that would normally accrue to a beneficiary of a trust. An O&C Trust county shall provide the Board of Trustees, the Secretary concerned,

and the Attorney General with not less than 60 days notice of an intent to sue to enforce the O&C Trust county's rights under the O&C Trust.

(g) JUDICIAL REVIEW.—

(1) IN GENERAL.—Except as provided in paragraph (2), judicial review of any provision of this title shall be sought in the United States Court of Appeals for the District of Columbia Circuit. Parties seeking judicial review of the validity of any provision of this title must file suit within 90 days after the date of the enactment of this Act and no preliminary injunctive relief or stays pending appeal will be permitted. If multiple cases are filed under this paragraph, the Court shall consolidate the cases. The Court must rule on any action brought under this paragraph within 180 days.

(2) DECISIONS OF BOARD OF TRUSTEES.—Decisions made by the Board of Trustees shall be subject to judicial review only in an action brought by an O&C County, except that nothing in this title precludes bringing a legal claim against the Board of Trustees that could be brought against a private landowner for the same action.

SEC. 313. BOARD OF TRUSTEES.

(a) APPOINTMENT AUTHORIZATION.—Subject to the conditions on appointment imposed by this section, the Governor is authorized to appoint the Board of Trustees to administer the O&C Trust and O&C Trust lands. Appointments by the Governor shall be made within 60 days after the date of the enactment of this Act.

(b) MEMBERS AND ELIGIBILITY.—

(1) NUMBER.—Subject to subsection (c), the Board of Trustees shall consist of seven members.

(2) RESIDENCY REQUIREMENT.—Members of the Board of Trustees must reside within an O&C Trust county.

(3) GEOGRAPHICAL REPRESENTATION.—To the extent practicable, the Governor shall ensure broad geographic representation among the O&C Trust counties in appointing members to the Board of Trustees.

(c) COMPOSITION.—The Board of Trustees shall include the following members:

(1)(A) Two forestry and wood products representatives, consisting of—

(i) one member who represents the commercial timber, wood products, or milling industries and who represents an Oregon-based company with more than 500 employees, taking into account its affiliates, that has submitted a bid for a timber sale on the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, Coos Bay Wagon Road Grant lands, or O&C Trust lands in the preceding five years; and

(ii) one member who represents the commercial wood products or milling industries and who represents an Oregon-based company with 500 or fewer employees, taking into account its affiliates, that has submitted a bid for a timber sale on the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, Coos Bay Wagon Road Grant lands, or O&C Trust lands in the preceding five years.

(B) At least one of the two representatives selected in this paragraph must own commercial forest land that is adjacent to the O&C Trust lands and from which the representative has not exported unprocessed timber in the preceding five years.

(2) One representative of the general public who has professional experience in one or more of the following fields:

(A) Business management.

(B) Law.

(C) Accounting.

(D) Banking.

(E) Labor management.

(F) Transportation.

(G) Engineering.

(H) Public policy.

(3) One representative of the science community who, at a minimum, holds a Doctor of Philosophy degree in wildlife biology, forestry, ecology, or related field and has published peer-reviewed academic articles in the representative's field of expertise.

(4) Three governmental representatives, consisting of—

(A) two members who are serving county commissioners of an O&C Trust county and who are nominated by the governing bodies of a majority of the O&C Trust counties and approved by the Governor, except that the two representatives may not be from the same county; and

(B) one member who holds State-wide elected office (or is a designee of such a person) or who represents a federally recognized Indian tribe or tribes within one or more O&C Trust counties.

(d) TERM, INITIAL APPOINTMENT, VACANCIES.—

(1) TERM.—Except in the case of initial appointments, members of the Board of Trustees shall serve for five-year terms and may be reappointed for one consecutive term.

(2) INITIAL APPOINTMENTS.—In making the first appointments to the Board of Trustees, the Governor shall stagger initial appointment lengths so that two members have three-year terms, two members have four-year terms, and three members have a full five-year term.

(3) VACANCIES.—Any vacancy on the Board of Trustees shall be filled within 45 days by the Governor for the unexpired term of the departing member.

(4) BOARD OF TRUSTEES MANAGEMENT COSTS.—Members of the Board of Trustees may receive annual compensation from the O&C Trust at a rate not to exceed 50 percent of the average annual salary for commissioners of the O&C Trust counties for that year.

(e) CHAIRPERSON AND OPERATIONS.—

(1) CHAIRPERSON.—A majority of the Board of Trustees shall select the chairperson for the Board of Trustees each year.

(2) MEETINGS.—The Board of Trustees shall establish proceedings to carry out its duties. The Board shall meet at least quarterly. Except for meetings substantially involving personnel and contractual decisions, all meetings of the Board shall comply with the public meetings law of the State.

(f) QUORUM AND DECISION-MAKING.—

(1) QUORUM.—A quorum shall consist of five members of the Board of Trustees. The presence of a quorum is required to constitute an official meeting of the board of trustees to satisfy the meeting requirement under subsection (e)(2).

(2) DECISIONS.—All actions and decisions by the Board of Trustees shall require approval by a majority of members.

(g) ANNUAL AUDIT.—Financial statements regarding operation of the O&C Trust shall be independently prepared and audited annually for review by the O&C Trust counties, Congress, and the State.

SEC. 314. MANAGEMENT OF O&C TRUST LANDS.

(a) IN GENERAL.—Except as otherwise provided in this title, the O&C Trust lands will be managed by the Board of Trustees in compliance with all Federal and State laws in the same manner as such laws apply to private forest lands.

(b) TIMBER SALE PLANS.—The Board of Trustees shall approve and periodically update management and sale plans for the O&C Trust lands consistent with the purpose specified in section 311(b). The Board of Trustees may defer sale plans during periods of depressed timber markets if the Board of Trustees, in its discretion, determines that such delay until markets improve is financially prudent and in keeping with its fiduciary obligation to the O&C Trust counties.

(c) STAND ROTATION.—

(1) 100-120 YEAR ROTATION.—The Board of Trustees shall manage not less than 50 percent of the harvestable acres of the O&C Trust lands on a 100-120 year rotation. The acreage subject to 100-120 year management shall be geographically dispersed across the O&C Trust lands in a manner that the Board of Trustees, in its discretion, determines will contribute to aquatic and terrestrial ecosystem values.

(2) BALANCE.—The balance of the harvestable acreage of the O&C Trust lands shall be managed on any rotation age the Board of Trustees, in its discretion and in compliance with applicable State law, determines will best satisfy its fiduciary obligation to provide revenue to the O&C Trust counties.

(3) THINNING.—Nothing in this subsection is intended to limit the ability of the Board of Trustees to decide, in its discretion, to thin stands of timber on O&C Trust lands.

(d) SALE TERMS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Board of Trustees is authorized to establish the terms for sale contracts of timber or other forest products from O&C Trust lands.

(2) SET ASIDE.—The Board of Trustees shall establish a program consistent with the program of the Bureau of Land Management under a March 10, 1959 Memorandum of Understanding, as amended, regarding calculation of shares and sale of timber set aside for purchase by business entities with 500 or fewer employees and consistent with the regulations in part 121 of title 13, Code of Federal Regulations applicable to timber sale set asides, except that existing shares in effect on the date of enactment of this Act shall apply until the next scheduled recomputation of shares. In implementing its program that is consistent with such Memorandum of Understanding, the Board of Trustees shall utilize the Timber Sale Procedure Handbook and other applicable procedures of the Bureau of Land Management, including the Operating Procedures for Conducting the Five-Year Recomputation of Small Business Share Percentages in effect on January 1, 2013.

(3) COMPETITIVE BIDDING.—The Board of Trustees must sell timber on a competitive bid basis. No less than 50 percent of the total volume of timber sold by the Board of Trustees each year shall be sold by oral bidding consistent with practices of the Bureau of Land Management as of January 1, 2013.

(e) PROHIBITION ON EXPORT.—

(1) IN GENERAL.—As a condition on the sale of timber or other forest products from O&C Trust lands, unprocessed timber harvested from O&C Trust lands may not be exported.

(2) VIOLATIONS.—Any person who knowingly exports unprocessed timber harvested from O&C Trust lands, who knowingly provides such unprocessed timber for export by another person, or knowingly sells timber harvested from O&C Trust lands to a person who is disqualified from purchasing timber from such lands pursuant to this section shall be disqualified from purchasing timber or other forest products from O&C Trust lands or from Federal lands administered under this subtitle. Any person who uses unprocessed timber harvested from O&C Trust lands in substitution for exported unprocessed timber originating from private lands shall be disqualified from purchasing timber or other forest products from O&C Trust lands or from Federal lands administered under this subtitle.

(3) UNPROCESSED TIMBER DEFINED.—In this subsection, the term ''unprocessed timber'' has the meaning given such term in section

493(9) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620e(9)).

(f) INTEGRATED PEST, DISEASE, AND WEED MANAGEMENT PLAN.—The Board of Trustees shall develop an integrated pest and vegetation management plan to assist forest managers in prioritizing and minimizing the use of pesticides and herbicides approved by the Environmental Protection Agency and used in compliance with the Oregon Forest Practices Act. The plan shall optimize the ability of the O&C Trust to re-establish forest stands after harvest in compliance with the Oregon Forest Practices Act and to create diverse early seral stage forests. The plan shall allow for the eradication, containment and suppression of disease, pests, weeds and noxious plants, and invasive species as found on the State Noxious Weed List and prioritize ground application of herbicides and pesticides to the greatest extent practicable. The plan shall be completed before the start of the second year of the transition period. The planning process shall be open to the public and the Board of Trustees shall hold not less than two public hearings on the proposed plan before final adoption.

(g) ACCESS TO LANDS TRANSFERRED TO FOREST SERVICE.—Persons acting on behalf of the O&C Trust shall have a right of timely access over lands transferred to the Forest Service under section 321 and Tribal lands transferred under subtitle D as is reasonably necessary for the Board of Trustees to carry out its management activities with regard to the O&C Trust lands and the O&C Trust to satisfy its fiduciary duties to O&C counties.

(h) HARVEST AREA TREE AND RETENTION REQUIREMENTS.—

(1) IN GENERAL.—The O&C Trust lands shall include harvest area tree and retention requirements consistent with State law.

(2) USE OF OLD GROWTH DEFINITION.—To the greatest extent practicable, and at the discretion of the Board of Trustees, old growth, as defined by the Old Growth Review Panel created by section 324, shall be used to meet the retention requirements applicable under paragraph (1).

(i) RIPARIAN AREA MANAGEMENT.—

(1) IN GENERAL.—The O&C Trust lands shall be managed with timber harvesting limited in riparian areas as follows:

(A) STREAMS.—For all fish bearing streams and all perennial non-fish-bearing streams, there shall be no removal of timber within a distance equal to the height of one site potential tree on both sides of the stream channel. For intermittent, non-fish-bearing streams, there shall be no removal of timber within a distance equal to one-half the height of a site potential tree on both sides of the stream channel. For purposes of this subparagraph, the stream channel boundaries are the lines of ordinary high water.

(B) LARGER LAKES, PONDS AND RESERVOIRS.—For all lakes, ponds, and reservoirs with surface area larger than one quarter of one acre, there shall be no removal of timber within a distance equal to the height of one site potential tree from the line of ordinary high water of the water body.

(C) SMALL PONDS AND NATURAL WETLANDS, SPRINGS AND SEEPS.—For all ponds with surface area one quarter acre or less, and for all natural wetlands, springs and seeps, there shall be no removal of timber within the area dominated by riparian vegetation.

(2) MEASUREMENTS.—For purposes of paragraph (1), all distances shall be measured along slopes, and all site potential tree heights shall be average height at maturity of the dominant species of conifer determined at a scale no finer than the applicable fifth field watershed.

(3) RULES OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed—

(A) to prohibit the falling or placement of timber into streams to create large woody debris for the benefit of aquatic ecosystems; or

(B) to prohibit the falling of trees within riparian areas as may be reasonably necessary for safety or operational reasons in areas adjacent to the riparian areas, or for road construction or maintenance pursuant to section 312(c)(3).

(j) FIRE PROTECTION AND EMERGENCY RESPONSE.—

(1) RECIPROCAL FIRE PROTECTION AGREEMENTS.—

(A) CONTINUATION OF AGREEMENTS.—Subject to subparagraphs (B), (C), and (D), any reciprocal fire protection agreement between the State or any other entity and the Secretary concerned with regard to Oregon and California Railroad Grant lands and O&C Region Public Domain lands in effect on the date of the enactment of this Act shall remain in place for a period of ten years after such date unless earlier terminated by the State or other entity.

(B) ASSUMPTION OF BLM RIGHTS AND DUTIES.—The Board of Trustees shall exercise the rights and duties of the Bureau of Land Management under the agreements described in subparagraph (A), except as such rights and duties might apply to Tribal lands under subtitle D.

(C) EFFECT OF EXPIRATION OF PERIOD.—Following the expiration of the ten-year period under subparagraph (A), the Board of Trustees shall continue to provide for fire protection of the Oregon and California Railroad Grant lands and O&C Region Public Domain lands, including those transferred to the Forest Service under section 331, through continuation of the reciprocal fire protection agreements, new cooperative agreements, or by any means otherwise permitted by law. The means selected shall be based on the review by the Board of Trustees of whether the reciprocal fire protection agreements were effective in protecting the lands from fire.

(D) EMERGENCY RESPONSE.—Nothing in this paragraph shall prevent the Secretary of Agriculture from an emergency response to a fire on the O&C Trust lands or lands transferred to the Forest Service under section 321.

(2) EMERGENCY RESPONSE TO FIRE.—Subject to paragraph (1), if the Secretary of Agriculture determines that fire on any of the lands transferred under section 321 is burning uncontrolled or the Secretary, the Board of Trustees, or contracted party does not have readily and immediately available personnel and equipment to control or extinguish the fire, the Secretary, or any forest protective association or agency under contract or agreement with the Secretary or the Board of Trustees for the protection of forestland against fire, shall summarily and aggressively abate the nuisance thus controlling and extinguishing the fire.

(k) NORTHERN SPOTTED OWL.—So long as the O&C Trust maintains the 100-120 year rotation on 50 percent of the harvestable acres required in subsection (c), the section 321 lands representing the best quality habitat for the owl are transferred to the Forest Service, and the O&C Trust protects currently occupied northern spotted owl nest sites consistent with the forest practices in the Oregon Forest Practices Act, management of the O&C Trust land by the Board of Trustees shall be considered to comply with section 9 of Public Law 93–205 (16 U.S.C. 1538) for the northern spotted owl. A currently occupied northern spotted owl nest site shall be considered abandoned if there are no northern spotted owl responses following three consecutive years of surveys using the Protocol for Surveying Management Activities that May Impact Northern Spotted Owls dated February 2, 2013.

SEC. 315. DISTRIBUTION OF REVENUES FROM O&C TRUST LANDS.

(a) ANNUAL DISTRIBUTION OF REVENUES.—

(1) TIME FOR DISTRIBUTION; USE.—Payments to each O&C Trust county shall be made available to the general fund of the O&C Trust county as soon as practicable following the end of each fiscal year, to be used as are other unrestricted county funds.

(2) AMOUNT.—The amount paid to an O&C Trust county in relation to the total distributed to all O&C Trust counties for a fiscal year shall be based on the proportion that the total assessed value of the Oregon and California Railroad Grant lands in each of the O&C Trust counties for fiscal year 1915 bears to the total assessed value of all of the Oregon and California Railroad Grant lands in the State for that same fiscal year. However, for the purposes of this subsection the portion of the revested Oregon and California Railroad Grant lands in each of the O&C Trust counties that was not assessed for fiscal year 1915 shall be deemed to have been assessed at the average assessed value of the Oregon and California Railroad Grant lands in the county.

(3) LIMITATION.—After the fifth payment made under this subsection, the payment to an O&C Trust county for a fiscal year shall not exceed 110 percent of the previous year's payment to the O&C Trust county, adjusted for inflation based on the consumer price index applicable to the geographic area in which the O&C Trust counties are located.

(b) RESERVE FUND.—

(1) ESTABLISHMENT OF RESERVE FUND.—The Board of Trustees shall generate and maintain a reserve fund.

(2) DEPOSITS TO RESERVE FUND.—Within 10 years after creation of the O&C Trust or as soon thereafter as is practicable, the Board of Trustees shall establish and seek to maintain an annual balance of $125,000,000 in the Reserve Fund, to be derived from revenues generated from management activities involving O&C Trust lands. All annual revenues generated in excess of operating costs and payments to O&C Trust counties required by subsection (a) and payments into the Conservation Fund as provided in subsection (c) shall be deposited in the Reserve Fund.

(3) EXPENDITURES FROM RESERVE FUND.—The Board of Trustees shall use amounts in the Reserve Fund only—

(A) to pay management and administrative expenses or capital improvement costs on O&C Trust lands; and

(B) to make payments to O&C Trust counties when payments to the counties under subsection (a) are projected to be 90 percent or less of the previous year's payments.

(c) O&C TRUST CONSERVATION FUND.—

(1) ESTABLISHMENT OF CONSERVATION FUND.—The Board of Trustees shall use a portion of revenues generated from activity on the O&C Trust lands, consistent with paragraph (2), to establish and maintain a O&C Trust Conservation Fund. The O&C Trust Conservation Fund shall include no Federal appropriations.

(2) REVENUES.—Following the transition period, five percent of the O&C Trust's annual net operating revenue, after deduction of all management costs and expenses, including the payment required under section 317, shall be deposited to the O&C Trust Conservation Fund.

(3) EXPENDITURES FROM CONSERVATION FUND.—The Board of Trustees shall use amounts from the O&C Trust Conservation Fund only—

(A) to fund the voluntary acquisition of conservation easements from willing private landowners in the State;

(B) to fund watershed restoration, remediation and enhancement projects within the State; or

(C) to contribute to balancing values in a land exchange with willing private landowners proposed under section 323(b), if the land exchange will result in a net increase in ecosystem benefits for fish, wildlife, or rare native plants.

SEC. 316. LAND EXCHANGE AUTHORITY.

(a) AUTHORITY.—Subject to approval by the Secretary concerned, the Board of Trustees may negotiate proposals for land exchanges with owners of lands adjacent to O&C Trust lands in order to create larger contiguous blocks of land under management by the O&C Trust to facilitate resource management, to improve conservation value of such lands, or to improve the efficiency of management of such lands.

(b) APPROVAL REQUIRED; CRITERIA.—The Secretary concerned may approve a land exchange proposed by the Board of Trustees administratively if the exchange meets the following criteria:

(1) The non-Federal lands are completely within the State.

(2) The non-Federal lands have high timber production value, or are necessary for more efficient or effective management of adjacent or nearby O&C Trust lands.

(3) The non-Federal lands have equal or greater value to the O&C Trust lands proposed for exchange.

(4) The proposed exchange is reasonably likely to increase the net income to the O&C Trust counties over the next 20 years and not decrease the net income to the O&C Trust counties over the next 10 years.

(c) ACREAGE LIMITATION.—The Secretary concerned shall not approve land exchanges under this section that, taken together with all previous exchanges involving the O&C Trust lands, have the effect of reducing the total acreage of the O&C Trust lands by more than five percent from the total acreage to be designated as O&C Trust land under section 311(c)(1).

(d) INAPPLICABILITY OF CERTAIN LAWS.—Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et. seq.), including the amendments made by the Federal Land Exchange Facilitation Act of 1988 (Public Law 100–409; 102 Stat. 1086), the Act of March 20, 1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.) shall not apply to the land exchange authority provided by this section.

(e) EXCHANGES WITH FOREST SERVICE.—

(1) EXCHANGES AUTHORIZED.—The Board of Trustees is authorized to engage in land exchanges with the Forest Service if approved by the Secretary pursuant to section 323(c).

(2) MANAGEMENT OF EXCHANGED LANDS.—Following completion of a land exchange under paragraph (1), the management requirements applicable to the newly acquired lands by the O&C Trust or the Forest Service shall be the same requirements under this subtitle applicable to the other lands that are managed by the O&C Board or the Forest Service.

SEC. 317. PAYMENTS TO THE UNITED STATES TREASURY.

As soon as practicable after the end of the third fiscal year of the transition period and in each of the subsequent seven fiscal years, the O&C Trust shall submit a payment of $10,000,000 to the United States Treasury.

CHAPTER 2—TRANSFER OF CERTAIN LANDS TO FOREST SERVICE

SEC. 321. TRANSFER OF CERTAIN OREGON AND CALIFORNIA RAILROAD GRANT LANDS TO FOREST SERVICE.

(a) TRANSFER REQUIRED.—The Secretary of the Interior shall transfer administrative jurisdiction over all Oregon and California Railroad Grant lands and O&C Region Public Domain lands not designated as O&C Trust lands by subparagraphs (A) through (F) of section 311(c)(1), including those lands excluded by section 311(c)(2), to the Secretary of Agriculture for inclusion in the National Forest System and administration by the Forest Service as provided in section 322.

(b) EXCEPTION.—This section does not apply to Tribal lands transferred under subtitle D.

SEC. 322. MANAGEMENT OF TRANSFERRED LANDS BY FOREST SERVICE.

(a) ASSIGNMENT TO EXISTING NATIONAL FORESTS.—To the greatest extent practicable, management responsibilities for the lands transferred under section 321 shall be assigned to the unit of the National Forest System geographically closest to the transferred lands. The Secretary of Agriculture shall have ultimate decision-making authority, but shall assign the transferred lands to a unit not later than the applicable transfer date provided in the transition period.

(b) APPLICATION OF NORTHWEST FOREST PLAN.—

(1) IN GENERAL.—Except as provided in paragraph (2), the lands transferred under section 321 shall be managed under the Northwest Forest Plan and shall retain Northwest Forest Plan land use designations until or unless changed in the manner provided by Federal laws applicable to the administration and management of the National Forest System.

(2) EXCEPTION FOR CERTAIN DESIGNATED LANDS.—The lands excluded from the O&C Trust by subparagraphs (A) through (F) of section 311(c)(2) and transferred to the Forest Service under section 321 shall be managed as provided by Federal laws applicable to the lands.

(c) PROTECTION OF OLD GROWTH.—Old growth, as defined by the Old Growth Review Panel pursuant to rulemaking conducted in accordance with section 553 of title 5, United States Code, shall not be harvested by the Forest Service on lands transferred under section 321.

(d) EMERGENCY RESPONSE TO FIRE.—Subject to section 314(i), if the Secretary of Agriculture determines that fire on any of the lands transferred under section 321 is burning uncontrolled or the Secretary or contracted party does not have readily and immediately available personnel and equipment to control or extinguish the fire, the Secretary, or any forest protective association or agency under contract or agreement with the Secretary for the protection of forestland against fire, and within whose protection area the fire exists, shall summarily and aggressively abate the nuisance thus controlling and extinguishing the fire.

SEC. 323. MANAGEMENT EFFICIENCIES AND EXPEDITED LAND EXCHANGES.

(a) LAND EXCHANGE AUTHORITY.—The Secretary of Agriculture may conduct land exchanges involving lands transferred under section 321, other than the lands excluded from the O&C Trust by subparagraphs (A) through (F) of section 311(c)(2), in order create larger contiguous blocks of land under management of the Secretary to facilitate resource management, to improve conservation value of such lands, or to improve the efficiency of management of such lands.

(b) CRITERIA FOR EXCHANGES WITH NON-FEDERAL OWNERS.—The Secretary of Agriculture may conduct a land exchange administratively under this section with a non-Federal owner (other than the O&C Trust) if the land exchange meets the following criteria:

(1) The non-Federal lands are completely within the State.

(2) The non-Federal lands have high wildlife conservation or recreation value or the exchange is necessary to increase management efficiencies of lands administered by the Forest Service for the purposes of the National Forest System.

(3) The non-Federal lands have equal or greater value to the Federal lands purposed for exchange or a balance of values can be achieved—

(A) with a grant of funds provided by the O&C Trust pursuant to section 315(c); or

(B) from other sources.

(c) CRITERIA FOR EXCHANGES WITH O&C TRUST.—The Secretary of Agriculture may conduct land exchanges with the Board of Trustees administratively under this subsection, and such an exchange shall be deemed to not involve any Federal action or Federal discretionary involvement or control if the land exchange with the O&C Trust meets the following criteria:

(1) The O&C Trust lands to be exchanged have high wildlife value or ecological value or the exchange would facilitate resource management or otherwise contribute to the management efficiency of the lands administered by the Forest Service.

(2) The exchange is requested or approved by the Board of Trustees for the O&C Trust and will not impair the ability of the Board of Trustees to meet its fiduciary responsibilities.

(3) The lands to be exchanged by the Forest Service do not contain stands of timber meeting the definition of old growth established by the Old Growth Review Panel pursuant to section 324.

(4) The lands to be exchanged are equal in acreage.

(d) ACREAGE LIMITATION.—The Secretary of Agriculture shall not approve land exchanges under this section that, taken together with all previous exchanges involving the lands described in subsection (a), have the effect of reducing the total acreage of such lands by more than five percent from the total acreage originally transferred to the Secretary.

(e) INAPPLICABILITY OF CERTAIN LAWS.—Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et. seq.), including the amendments made by the Federal Land Exchange Facilitation Act of 1988 (Public Law 100–409; 102 Stat. 1086), the Act of March 20, 1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.) shall not apply to the land exchange authority provided by this section.

SEC. 324. REVIEW PANEL AND OLD GROWTH PROTECTION.

(a) APPOINTMENT; MEMBERS.—Within 60 days after the date of the enactment of this Act the Secretary of Agriculture shall appoint an Old Growth Review Panel consisting of five members. At a minimum, the members must hold a Doctor of Philosophy degree in wildlife biology, forestry, ecology, or related field and published peer-reviewed academic articles in their field of expertise.

(b) PURPOSE OF REVIEW.—Members of the Old Growth Review Panel shall review existing, published, peer-reviewed articles in relevant academic journals and establish a definition or definitions of old growth as it applies to the ecologically, geographically and climatologically unique Oregon and California Railroad Grant lands and O&C Region Public Domain lands managed by the O&C Trust or the Forest Service only. The definition or definitions shall bear no legal force, shall not be used as a precedent for, and shall not apply to any lands other than the Oregon and California Railroad Grant lands and O&C Region Public Domain lands managed by the O&C Trust or the Forest Service

in western Oregon. The definition or definitions shall not apply to Tribal lands.

(c) SUBMISSION OF RESULTS.—The definition or definitions for old growth in western Oregon established under subsection (b), if approved by at least four members of the Old Growth Review Panel, shall be submitted to the Secretary of Agriculture within six months after the date of the enactment of this Act.

SEC. 325. UNIQUENESS OF OLD GROWTH PROTECTION ON OREGON AND CALIFORNIA RAILROAD GRANT LANDS.

All sections of this subtitle referring to the term ''old growth'' are uniquely suited to resolve management issues for the lands covered by this subtitle only, and shall not be construed as precedent for any other situation involving management of other Federal, State, Tribal, or private lands.

CHAPTER 3—TRANSITION

SEC. 331. TRANSITION PERIOD AND OPERATIONS.

(a) TRANSITION PERIOD.—

(1) COMMENCEMENT; DURATION.—Effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees under section 313, a transition period of three fiscal years shall commence.

(2) EXCEPTIONS.—Unless specifically stated in the following subsections, any action under this section shall be deemed not to involve Federal agency action or Federal discretionary involvement or control.

(b) YEAR ONE.—

(1) APPLICABILITY.—During the first fiscal year of the transition period, the activities described in this subsection shall occur.

(2) BOARD OF TRUSTEES ACTIVITIES.—The Board of Trustees shall employ sufficient staff or contractors to prepare for beginning management of O&C Trust lands and O&C Region Public Domain lands in the second fiscal year of the transition period, including preparation of management plans and a harvest schedule for the lands over which management authority is transferred to the O&C Trust in the second fiscal year.

(3) FOREST SERVICE ACTIVITIES.—The Forest Service shall begin preparing to assume management authority of all Oregon and California Railroad Grant lands and O&C Region Public Domain lands transferred under section 321 in the second fiscal year.

(4) SECRETARY CONCERNED ACTIVITIES.—The Secretary concerned shall continue to exercise management authority over all Oregon and California Railroad Grant lands and O&C Region Public Domain lands under all existing Federal laws.

(5) INFORMATION SHARING.—Upon written request from the Board of Trustees, the Secretary of the Interior shall provide copies of any documents or data, however stored or maintained, that includes the requested information concerning O&C Trust lands. The copies shall be provided as soon as practicable and to the greatest extent possible, but in no event later than 30 days following the date of the request.

(6) EXCEPTION.—This subsection does not apply to Tribal lands transferred under subtitle D.

(c) YEAR TWO.—

(1) APPLICABILITY.—During the second fiscal year of the transition period, the activities described in this subsection shall occur.

(2) TRANSFER OF O&C TRUST LANDS.—Effective on October 1 of the second fiscal year of the transition period, management authority over the O&C Trust lands shall be transferred to the O&C Trust.

(3) TRANSFER OF LANDS TO FOREST SERVICE.—The transfers required by section 321 shall occur.

(4) INFORMATION SHARING.—The Secretary of Agriculture shall obtain and manage, as soon as practicable, all documents and data relating to the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, and Coos Bay Wagon Road lands previously managed by the Bureau of Land Management. Upon written request from the Board of Trustees, the Secretary of Agriculture shall provide copies of any documents or data, however stored or maintained, that includes the requested information concerning O&C Trust lands. The copies shall be provided as soon as practicable and to the greatest extent possible, but in no event later than 30 days following the date of the request.

(5) IMPLEMENTATION OF MANAGEMENT PLAN.—The Board of Trustees shall begin implementing its management plan for the O&C Trust lands and revise the plan as necessary. Distribution of revenues generated from all activities on the O&C Trust lands shall be subject to section 315.

(d) YEAR THREE AND SUBSEQUENT YEARS.—

(1) APPLICABILITY.—During the third fiscal year of the transition period and all subsequent fiscal years, the activities described in this subsection shall occur.

(2) BOARD OF TRUSTEES MANAGEMENT.—The Board of Trustees shall manage the O&C Trust lands pursuant to subtitle A.

SEC. 332. O&C TRUST MANAGEMENT CAPITALIZATION.

(a) BORROWING AUTHORITY.—The Board of Trustees is authorized to borrow from any available private sources and non-Federal, public sources in order to provide for the costs of organization, administration, and management of the O&C Trust during the three-year transition period provided in section 331.

(b) SUPPORT.—Notwithstanding any other provision of law, O&C Trust counties are authorized to loan to the O&C Trust, and the Board of Trustees is authorized to borrow from willing O&C Trust counties, amounts held on account by such counties that are required to be expended in accordance with the Act of May 23,1908 (35. Stat. 260; 16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (36 Stat.963; 16 U.S.C. 500), except that, upon repayment by the O&C Trust, the obligation of such counties to expend the funds in accordance with such Acts shall continue to apply.

SEC. 333. EXISTING BUREAU OF LAND MANAGEMENT AND FOREST SERVICE CONTRACTS.

(a) TREATMENT OF EXISTING CONTRACTS.—Any work or timber contracts sold or awarded by the Bureau of Land Management or Forest Service on or with respect to Oregon and California Railroad Grant lands or O&C Region Public Domain lands before the transfer of the lands to the O&C Trust or the Forest Service, or Tribal lands transferred under subtitle D, shall remain binding and effective according to the terms of the contracts after the transfer of the lands. The Board of Trustees and Secretary concerned shall make such accommodations as are necessary to avoid interfering in any way with the performance of the contracts.

(b) TREATMENT OF PAYMENTS UNDER CONTRACTS.—Payments made pursuant to the contracts described in subsection (a), if any, shall be made as provided in those contracts and not made to the O&C Trust.

SEC. 334. PROTECTION OF VALID EXISTING RIGHTS AND ACCESS TO NON-FEDERAL LAND.

(a) VALID RIGHTS.—Nothing in this title, or any amendment made by this title, shall be construed as terminating any valid lease, permit, patent, right-of-way, agreement, or other right of authorization existing on the date of the enactment of this Act with regard to Oregon and California Railroad Grant lands or O&C Region Public Domain lands, including O&C Trust lands over which management authority is transferred to the O&C Trust pursuant to section 311(c)(1), lands transferred to the Forest Service under section 321, and Tribal lands transferred under subtitle D.

(b) ACCESS TO LANDS.—

(1) EXISTING ACCESS RIGHTS.—The Secretary concerned shall preserve all rights of access and use, including (but not limited to) reciprocal right-of-way agreements, tail hold agreements, or other right-of-way or easement obligations existing on the date of the enactment of this Act, and such rights shall remain applicable to lands covered by this subtitle in the same manner and to the same extent as such rights applied before the date of the enactment of this Act.

(2) NEW ACCESS RIGHTS.—If a current or future landowner of land intermingled with Oregon and California Railroad Grant lands or O&C Region Public Domain lands does not have an existing access agreement related to the lands covered by this subtitle, the Secretary concerned shall enter into an access agreement, including appurtenant lands, to secure the landowner the reasonable use and enjoyment of the landowner's land, including the harvest and hauling of timber.

(c) MANAGEMENT COOPERATION.—The Board of Trustees and the Secretary concerned shall provide current and future landowners of land intermingled with Oregon and California Railroad Grant lands or O&C Region Public Domain lands the permission needed to manage their lands, including to locate tail holds, tramways, and logging wedges, to purchase guylines, and to cost-share property lines surveys to the lands covered by this subtitle, within 30 days after receiving notification of the landowner's plan of operation.

(d) JUDICIAL REVIEW.—Notwithstanding section 312(g)(2), a private landowner may obtain judicial review of a decision of the Board of Trustees to deny—

(1) the landowner the rights provided by subsection (b) regarding access to the landowner's land; or

(2) the landowner the reasonable use and enjoyment of the landowner's land.

SEC. 335. REPEAL OF SUPERSEDED LAW RELATING TO OREGON AND CALIFORNIA RAILROAD GRANT LANDS.

(a) REPEAL.—Except as provided in subsection (b), the Act of August 28, 1937 (43 U.S.C. 1181a et seq.) is repealed effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees.

(b) EFFECT OF CERTAIN COURT RULINGS.—If, as a result of judicial review authorized by section 312, any provision of this subtitle is held to be invalid and implementation of the provision or any activity conducted under the provision is then enjoined, the Act of August 28, 1937 (43 U.S.C. 1181a et seq.), as in effect immediately before its repeal by subsection (a), shall be restored to full legal force and effect as if the repeal had not taken effect.

Subtitle B—Coos Bay Wagon Roads

SEC. 341. TRANSFER OF MANAGEMENT AUTHORITY OVER CERTAIN COOS BAY WAGON ROAD GRANT LANDS TO COOS COUNTY, OREGON.

(a) TRANSFER REQUIRED.—Except in the case of the lands described in subsection (b), the Secretary of the Interior shall transfer management authority over the Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and the surface resources thereon, to the Coos County government. The transfer shall be completed not later than one year after the date of the enactment of this Act.

(b) LANDS EXCLUDED.—The transfer under subsection (a) shall not include any of the following Coos Bay Wagon Road Grant lands:

(1) Federal lands within the National Landscape Conservation System as of January 1, 2013.

(2) Federal lands designated as Areas of Critical Environmental Concern as of January 1, 2013.

(3) Federal lands that were in the National Wilderness Preservation System as of January 1, 2013.

(4) Federal lands included in the National Wild and Scenic Rivers System of January 1, 2013.

(5) Federal lands within the boundaries of a national monument, park, or other developed recreation area as of January 1, 2013.

(6) All stands of timber generally older than 125 years old, as of January 1, 2011, which shall be conclusively determined by reference to the polygon spatial data layer in the electronic data compilation filed by the Bureau of Land Management based on the predominant birth-date attribute, and the boundaries of such stands shall be conclusively determined for all purposes by the global positioning system coordinates for such stands.

(7) Tribal lands addressed in subtitle D.

(c) MANAGEMENT.—

(1) IN GENERAL.—Coos County shall manage the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) consistent with section 314, and for purposes of applying such section, ''Board of Trustees'' shall be deemed to mean ''Coos County'' and ''O&C Trust lands'' shall be deemed to mean the transferred lands.

(2) RESPONSIBILITY FOR MANAGEMENT COSTS.—Coos County shall be responsible for all management and administrative costs of the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a).

(3) MANAGEMENT CONTRACTS.—Coos County may contract, if competitively bid, with one or more public, private, or tribal entities, including (but not limited to) the Coquille Indian Tribe, if such entities are substantially based in Coos or Douglas Counties, Oregon, to manage and administer the lands.

(d) TREATMENT OF REVENUES.—

(1) IN GENERAL.—All revenues generated from the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) shall be deposited in the general fund of the Coos County treasury to be used as are other unrestricted county funds.

(2) TREASURY.—As soon as practicable after the end of the third fiscal year of the transition period and in each of the subsequent seven fiscal years, Coos County shall submit a payment of $400,000 to the United States Treasury.

(3) DOUGLAS COUNTY.—Beginning with the first fiscal year for which management of the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) generates net positive revenues, and for all subsequent fiscal years, Coos County shall transmit a payment to the general fund of the Douglas County treasury from the net revenues generated from the lands. The payment shall be made as soon as practicable following the end of each fiscal year and the amount of the payment shall bear the same proportion to total net revenues for the fiscal year as the proportion of the Coos Bay Wagon Road Grant lands in Douglas County in relation to all Coos Bay Wagon Road Grant lands in Coos and Douglas Counties as of January 1, 2013.

SEC. 342. TRANSFER OF CERTAIN COOS BAY WAGON ROAD GRANT LANDS TO FOREST SERVICE.

The Secretary of the Interior shall transfer administrative jurisdiction over the Coos Bay Wagon Road Grant lands excluded by paragraphs (1) through (6)of section 341(b) to the Secretary of Agriculture for inclusion in the National Forest System and administration by the Forest Service as provided in section 322.

SEC. 343. LAND EXCHANGE AUTHORITY.

Coos County may recommend land exchanges to the Secretary of Agriculture and carry out such land exchanges in the manner provided in section 316.

Subtitle C—Oregon Treasures

CHAPTER 1—WILDERNESS AREAS

SEC. 351. DESIGNATION OF DEVIL'S STAIRCASE WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal land in the State of Oregon administered by the Forest Service and the Bureau of Land Management, comprising approximately 30,520 acres, as generally depicted on the map titled ''Devil's Staircase Wilderness Proposal'', dated October 26, 2009, are designated as a wilderness area for inclusion in the National Wilderness Preservation System and to be known as the ''Devil's Staircase Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of wilderness area designated by subsection (a). The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and description. In the case of any discrepancy between the acreage specified in subsection (a) and the map, the map shall control. The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, the Devil's Staircase Wilderness Area shall be administered by the Secretaries of Agriculture and the Interior, in accordance with the Wilderness Act and the Oregon Wilderness Act of 1984, except that, with respect to the wilderness area, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(2) FOREST SERVICE ROADS.—As provided in section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary of Agriculture shall—

(A) decommission any National Forest System road within the wilderness boundaries; and

(B) convert Forest Service Road 4100 within the wilderness boundary to a trail for primitive recreational use.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of the wilderness area designated by this section that is acquired by the United States shall—

(1) become part of the Devil's Staircase Wilderness Area; and

(2) be managed in accordance with this section and any other applicable law.

(e) FISH AND WILDLIFE.—Nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State of Oregon with respect to wildlife and fish in the national forests.

(f) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness area by this section is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section shall be construed to diminish—

(1) the existing rights of any Indian tribe; or

(2) tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

SEC. 352. EXPANSION OF WILD ROGUE WILDERNESS AREA.

(a) EXPANSION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Bureau of Land Management, comprising approximately 58,100 acres, as generally depicted on the map entitled ''Wild Rogue'', dated September 16, 2010, are hereby included in the Wild Rogue Wilderness, a component of the National Wilderness Preservation System.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and a legal description of the wilderness area designated by this section, with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) ADMINISTRATION.—Subject to valid existing rights, the area designated as wilderness by this section shall be administered by the Secretary of Agriculture in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness by this section is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

CHAPTER 2—WILD AND SCENIC RIVER DESIGNATED AND RELATED PROTECTIONS

SEC. 361. WILD AND SCENIC RIVER DESIGNATIONS, MOLALLA RIVER.

(a) DESIGNATIONS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) MOLALLA RIVER, OREGON.—The following segments in the State of Oregon, to be administered by the Secretary of the Interior as a recreational river:

''(A) The approximately 15.1-mile segment from the southern boundary line of T. 7 S., R. 4 E., sec. 19, downstream to the edge of the Bureau of Land Management boundary in T. 6 S., R. 3 E., sec. 7.

''(B) The approximately 6.2-mile segment from the easternmost Bureau of Land Management boundary line in the NE¼ sec. 4, T. 7 S., R. 4 E., downstream to the confluence with the Molalla River.''.

(b) TECHNICAL CORRECTIONS.—Section 3(a)(102) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102)) is amended—

(1) in the heading, by striking ''SQUAW CREEK'' and inserting ''WHYCHUS CREEK'';

(2) in the matter preceding subparagraph (A), by striking ''McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork'' and inserting ''Plainview Ditch, including the Soap Creek, the North and South Forks of Whychus Creek, the East and West Forks of Park Creek, and Park Creek''; and

(3) in subparagraph (B), by striking ''McAllister Ditch'' and inserting ''Plainview Ditch''.

SEC. 362. WILD AND SCENIC RIVERS ACT TECHNICAL CORRECTIONS RELATED TO CHETCO RIVER.

Section 3(a)(69) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(69)) is amended—

(1) by inserting before the ''The 44.5-mile'' the following:

''(A) DESIGNATIONS.—'';

(2) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively (and by moving the margins 2 ems to the right);

(3) in clause (i), as redesignated—

(A) by striking ''25.5-mile'' and inserting ''27.5-mile''; and

(B) by striking ''Boulder Creek at the Kalmiopsis Wilderness boundary'' and inserting ''Mislatnah Creek'';

(4) in clause (ii), as redesignated—

(A) by striking ''8'' and inserting ''7.5'';

(B) by striking ''Boulder Creek'' and inserting ''Mislatnah Creek''; and

(C) by striking ''Steel Bridge'' and inserting ''Eagle Creek'';

(5) in clause (iii), as redesignated—

(A) by striking ''11'' and inserting ''9.5''; and

(B) by striking ''Steel Bridge'' and inserting ''Eagle Creek''; and

(6) by adding at the end the following:

''(B) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by subparagraph (A), is withdrawn from all forms of—

''(i) entry, appropriation, or disposal under the public land laws;

''(ii) location, entry, and patent under the mining laws; and

''(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.''.

SEC. 363. WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK AND FRANKLIN CREEK.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from the headwaters to the private land boundary in section 8 to be administered by the Secretary of Agriculture as a wild river.

''(____) WASSON CREEK, OREGON.—

''(A) The 4.2-mile segment from the eastern edge of section 17 downstream to the boundary of sections 11 and 12 to be administered by the Secretary of Interior as a wild river.

''(B) The 5.9-mile segment downstream from the boundary of sections 11 and 12 to the private land boundary in section 22 to be administered by the Secretary of Agriculture as a wild river.''.

SEC. 364. WILD AND SCENIC RIVER DESIGNATIONS, ROGUE RIVER AREA.

(a) DESIGNATIONS.—Section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (relating to the Rogue River, Oregon) is amended by adding at the end the following: ''In addition to the segment described in the previous sentence, the following segments in the Rogue River area are designated:

''(A) KELSEY CREEK.—The approximately 4.8 miles of Kelsey Creek from east section line of T32S, R9W, sec. 34, W.M. to the confluence with the Rogue River as a wild river.

''(B) EAST FORK KELSEY CREEK.—The approximately 4.6 miles of East Fork Kelsey Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 5, W.M. to the confluence with Kelsey Creek as a wild river.

''(C) WHISKY CREEK.—

''(i) The approximately 0.6 miles of Whisky Creek from the confluence of the East Fork and West Fork to 0.1 miles downstream from road 33-8-23 as a recreational river.

''(ii) The approximately 1.9 miles of Whisky Creek from 0.1 miles downstream from road 33-8-23 to the confluence with the Rogue River as a wild river.

''(D) EAST FORK WHISKY CREEK.—

''(i) The approximately 2.8 miles of East Fork Whisky Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 11, W.M. to 0.1 miles downstream of road 33-8-26 crossing as a wild river.

''(ii) The approximately .3 miles of East Fork Whisky Creek from 0.1 miles downstream of road 33-8-26 to the confluence with Whisky Creek as a recreational river.

''(E) WEST FORK WHISKY CREEK.—The approximately 4.8 miles of West Fork Whisky Creek from its headwaters to the confluence with Whisky Creek as a wild river.

''(F) BIG WINDY CREEK.—

''(i) The approximately 1.5 miles of Big Windy Creek from its headwaters to 0.1 miles downstream from road 34-9-17.1 as a scenic river.

''(ii) The approximately 5.8 miles of Big Windy Creek from 0.1 miles downstream from road 34-9-17.1 to the confluence with the Rogue River as a wild river.

''(G) EAST FORK BIG WINDY CREEK.—

''(i) The approximately 0.2 miles of East Fork Big Windy Creek from its headwaters to 0.1 miles downstream from road 34-8-36 as a scenic river.

''(ii) The approximately 3.7 miles of East Fork Big Windy Creek from 0.1 miles downstream from road 34-8-36 to the confluence with Big Windy Creek as a wild river.

''(H) LITTLE WINDY CREEK.—The approximately 1.9 miles of Little Windy Creek from 0.1 miles downstream of road 34-8-36 to the confluence with the Rogue River as a wild river.

''(I) HOWARD CREEK.—

''(i) The approximately 0.3 miles of Howard Creek from its headwaters to 0.1 miles downstream of road 34-9-34 as a scenic river.

''(ii) The approximately 6.9 miles of Howard Creek from 0.1 miles downstream of road 34-9-34 to the confluence with the Rogue River as a wild river.

''(J) MULE CREEK.—The approximately 6.3 miles of Mule Creek from east section line of T32S, R10W, sec. 25, W.M to the confluence with the Rogue River as a wild river.

''(K) ANNA CREEK.—The approximately 3.5-mile section of Anna Creek from its headwaters to the confluence with Howard Creek as a wild river.

''(L) MISSOURI CREEK.—The approximately 1.6 miles of Missouri Creek from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 24, W.M. to the confluence with the Rogue River as a wild river.

''(M) JENNY CREEK.—The approximately 1.8 miles of Jenny Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec.28, W.M. to the confluence with the Rogue River as a wild river.

''(N) RUM CREEK.—The approximately 2.2 miles of Rum Creek from the Wild Rogue Wilderness boundary in T34S, R8W, sec. 9, W.M. to the confluence with the Rogue River as a wild river.

''(O) EAST FORK RUM CREEK.—The approximately 1.5 miles of East Rum Creek from the Wild Rogue Wilderness boundary in T34S, R8W, sec. 10, W.M. to the confluence with Rum Creek as a wild river.

''(P) WILDCAT CREEK.—The approximately 1.7-mile section of Wildcat Creek from its headwaters downstream to the confluence with the Rogue River as a wild river.

''(Q) MONTGOMERY CREEK.—The approximately 1.8-mile section of Montgomery Creek from its headwaters downstream to the confluence with the Rogue River as a wild river.

''(R) HEWITT CREEK.—The approximately 1.2 miles of Hewitt Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 19, W.M. to the confluence with the Rogue River as a wild river.

''(S) BUNKER CREEK.—The approximately 6.6 miles of Bunker Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(T) DULOG CREEK.—

''(i) The approximately 0.8 miles of Dulog Creek from its headwaters to 0.1 miles downstream of road 34-8-36 as a scenic river.

''(ii) The approximately 1.0 miles of Dulog Creek from 0.1 miles downstream of road 34-8-36 to the confluence with the Rogue River as a wild river.

''(U) QUAIL CREEK.—The approximately 1.7 miles of Quail Creek from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 1, W.M. to the confluence with the Rogue River as a wild river.

''(V) MEADOW CREEK.—The approximately 4.1 miles of Meadow Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(W) RUSSIAN CREEK.—The approximately 2.5 miles of Russian Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 20, W.M. to the confluence with the Rogue River as a wild river.

''(X) ALDER CREEK.—The approximately 1.2 miles of Alder Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(Y) BOOZE CREEK.—The approximately 1.5 miles of Booze Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(Z) BRONCO CREEK.—The approximately 1.8 miles of Bronco Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(AA) COPSEY CREEK.—The approximately 1.5 miles of Copsey Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(BB) CORRAL CREEK.—The approximately 0.5 miles of Corral Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(CC) COWLEY CREEK.—The approximately 0.9 miles of Cowley Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(DD) DITCH CREEK.—The approximately 1.8 miles of Ditch Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 5, W.M. to its confluence with the Rogue River as a wild river.

''(EE) FRANCIS CREEK.—The approximately 0.9 miles of Francis Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(FF) LONG GULCH.—The approximately 1.1 miles of Long Gulch from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 23, W.M. to the confluence with the Rogue River as a wild river.

''(GG) BAILEY CREEK.—The approximately 1.7 miles of Bailey Creek from the west section line of T34S, R8W, sec.14, W.M. to the confluence of the Rogue River as a wild river.

''(HH) SHADY CREEK.—The approximately 0.7 miles of Shady Creek from its headwaters

to the confluence with the Rogue River as a wild river.

''(II) SLIDE CREEK.—

''(i) The approximately 0.5-mile section of Slide Creek from its headwaters to 0.1 miles downstream from road 33-9-6 as a scenic river.

''(ii) The approximately 0.7-mile section of Slide Creek from 0.1 miles downstream of road 33-9-6 to the confluence with the Rogue River as a wild river.''.

(b) MANAGEMENT.—All wild, scenic, and recreation classified segments designated by the amendment made by subsection (a) shall be managed as part of the Rogue Wild and Scenic River.

(c) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by the amendment made by subsection (a) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

SEC. 365. ADDITIONAL PROTECTIONS FOR ROGUE RIVER TRIBUTARIES.

(a) WITHDRAWAL.—Subject to valid rights, the Federal land within a quarter-mile on each side of the streams listed in subsection (b) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(b) STREAM SEGMENTS.—Subsection (a) applies the following tributaries of the Rogue River:

(1) KELSEY CREEK.—The approximately 4.5 miles of Kelsey Creek from its headwaters to the east section line of 32S 9W sec. 34.

(2) EAST FORK KELSEY CREEK.—The approximately .2 miles of East Fork Kelsey Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W sec. 5.

(3) EAST FORK WHISKY CREEK.—The approximately .7 miles of East Fork Whisky Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W section 11.

(4) LITTLE WINDY CREEK.—The approximately 1.2 miles of Little Windy Creek from its headwaters to west section line of 33S 9W sec. 34.

(5) MULE CREEK.—The approximately 5.1 miles of Mule Creek from its headwaters to east section line of 32S 10W sec. 25.

(6) MISSOURI CREEK.—The approximately 3.1 miles of Missouri Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 24.

(7) JENNY CREEK.—The approximately 3.1 miles of Jenny Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 28.

(8) RUM CREEK.—The approximately 2.2 miles of Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in 34S 8W sec. 9.

(9) EAST FORK RUM CREEK.—The approximately .5 miles of East Fork Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in 34S 8W sec. 10.

(10) HEWITT CREEK.—The approximately 1.4 miles of Hewitt Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 19.

(11) QUAIL CREEK.—The approximately .8 miles of Quail Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 1.

(12) RUSSIAN CREEK.—The approximately .1 miles of Russian Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W sec. 20.

(13) DITCH CREEK.—The approximately .7 miles of Ditch Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 5.

(14) LONG GULCH.—The approximately 1.4 miles of Long Gulch from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 23.

(15) BAILEY CREEK.—The approximately 1.4 miles of Bailey Creek from its headwaters to west section line of 34S 8W sec. 14.

(16) QUARTZ CREEK.—The approximately 3.3 miles of Quartz Creek from its headwaters to its confluence with the North Fork Galice Creek.

(17) NORTH FORK GALICE CREEK.—The approximately 5.7 miles of the North Fork Galice Creek from its headwaters to its confluence with Galice Creek.

(18) GRAVE CREEK.—The approximately 10.2 mile section of Grave Creek from the confluence of Wolf Creek downstream to the confluence with the Rogue River.

(19) CENTENNIAL GULCH.—The approximately 2.2 miles of Centennial Gulch from its headwaters to its confluence with the Rogue River.

CHAPTER 3—ADDITIONAL PROTECTIONS

SEC. 371. LIMITATIONS ON LAND ACQUISITION.

(a) PROHIBITION ON USE OF CONDEMNATION.—The Secretary of the Interior or the Secretary of Agriculture may not acquire by condemnation any land or interest within the boundaries of the river segments or wilderness designated by this subtitle.

(b) LANDOWNER CONSENT REQUIRED.—Private or non-Federal public property shall not be included within the boundaries of the river segments or wilderness designated by this subtitle unless the owner of the property has consented in writing to having that property included in such boundaries.

SEC. 372. OVERFLIGHTS.

(a) IN GENERAL.—Nothing in this subtitle or the Wilderness Act shall preclude low-level overflights and operations of military aircraft, helicopters, missiles, or unmanned aerial vehicles over the wilderness designated by this subtitle, including military overflights and operations that can be seen or heard within the wilderness.

(b) SPECIAL USE AIRSPACE AND TRAINING ROUTES.—Nothing in this subtitle or the Wilderness Act shall preclude the designation of new units of special use airspace, the expansion of existing units of special use airspace, or the use or establishment of military training routes over wilderness designated by this subtitle.

SEC. 373. BUFFER ZONES.

Nothing in this subtitle—

(1) establishes or authorizes the establishment of a protective perimeter or buffer zone around the boundaries of the river segments or wilderness designated by this subtitle; or

(2) precludes, limits, or restricts an activity from being conducted outside such boundaries, including an activity that can be seen or heard from within such boundaries.

SEC. 374. PREVENTION OF WILDFIRES.

The designation of a river segment or wilderness by this subtitle or the withdrawal of the Federal land under this subtitle shall not be construed to interfere with the authority of the Secretary of the Interior or the Secretary of Agriculture to authorize mechanical thinning of trees or underbrush to prevent or control the spread of wildfires, or conditions creating the risk of wildfire that threatens areas outside the boundary of the wilderness, or the use of mechanized equipment for wildfire pre-suppression and suppression.

SEC. 375. LIMITATION ON DESIGNATION OF CERTAIN LANDS IN OREGON.

A national monument designation under the Act of June 8, 1906 (commonly known as the Antiquities Act; 16 U.S.C. 431 et seq.) within or on any portion of the Oregon and California Railroad Grant Lands or the O&C Region Public Domain lands, regardless of whether management authority over the lands are transferred to the O&C Trust pursuant to section 311(c)(1), the lands are excluded from the O&C Trust pursuant to section 311(c)(2), or the lands are transferred to the Forest Service under section 321, shall only be made pursuant to Congressional approval in an Act of Congress.

CHAPTER 4—EFFECTIVE DATE

SEC. 381. EFFECTIVE DATE.

(a) IN GENERAL.—This subtitle and the amendments made by this subtitle shall take effect on October 1 of the second fiscal year of the transition period.

(b) EXCEPTION.—If, as a result of judicial review authorized by section 312, any provision of subtitle A is held to be invalid and implementation of the provision or any activity conducted under the provision is enjoined, this subtitle and the amendments made by this subtitle shall not take effect, or if the effective date specified in subsection (a) has already occurred, this subtitle shall have no force and effect and the amendments made by this subtitle are repealed.

Subtitle D—Tribal Trust Lands

PART 1—COUNCIL CREEK LAND CONVEYANCE

SEC. 391. DEFINITIONS.

In this part:

(1) COUNCIL CREEK LAND.—The term ''Council Creek land'' means the approximately 17,519 acres of land, as generally depicted on the map entitled ''Canyon Mountain Land Conveyance'' and dated June 27, 2013.

(2) TRIBE.—The term ''Tribe'' means the Cow Creek Band of Umpqua Tribe of Indians.

SEC. 392. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Council Creek land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) SURVEY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 393. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the Council Creek land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary of the Interior.

SEC. 394. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this part, nothing in this part affects any

right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Council Creek land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 392 shall not be eligible, or used, for any gaming activity carried out under Public Law 100-497 (25 U.S.C. 2701 et seq.).

(c) FOREST MANAGEMENT.—Any forest management activity that is carried out on the Council Creek land shall be managed in accordance with all applicable Federal laws.

PART 2—OREGON COASTAL LAND CONVEYANCE

SEC. 395. DEFINITIONS.

In this part:

(1) OREGON COASTAL LAND.—The term ''Oregon Coastal land'' means the approximately 14,804 acres of land, as generally depicted on the map entitled ''Oregon Coastal Land Conveyance'' and dated March 5, 2013.

(2) CONFEDERATED TRIBES.—The term ''Confederated Tribes'' means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

SEC. 396. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Oregon Coastal land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Confederated Tribes; and

(2) part of the reservation of the Confederated Tribes.

(b) SURVEY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 397. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the Oregon Coastal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary of the Interior.

SEC. 398. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this part, nothing in this part affects any right or claim of the Consolidated Tribes existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Oregon Coastal land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 396 shall not be eligible, or used, for any gaming activity carried out under Public Law 100-497 (25 U.S.C. 2701 et seq.).

(c) FOREST MANAGEMENT.—Any forest management activity that is carried out on the Oregon Coastal land shall be managed in accordance with all applicable Federal laws.

TITLE IV—COMMUNITY FOREST MANAGEMENT DEMONSTRATION

SEC. 401. PURPOSE AND DEFINITIONS.

(a) PURPOSE.—The purpose of this title is to generate dependable economic activity for counties and local governments by establishing a demonstration program for local, sustainable forest management.

(b) DEFINITIONS.—In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Advisory Committee appointed by the Governor of a State for the community forest demonstration area established for the State.

(2) COMMUNITY FOREST DEMONSTRATION AREA.—The term ''community forest demonstration area'' means a community forest demonstration area established for a State under section 402.

(3) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture or the designee of the Secretary of Agriculture.

(5) STATE.—The term ''State'' includes the Commonwealth of Puerto Rico.

SEC. 402. ESTABLISHMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) ESTABLISHMENT REQUIRED; TIME FOR ESTABLISHMENT.—Subject to subsection (c) and not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall establish a community forest demonstration area at the request of the Advisory Committee appointed to manage community forest demonstration area land in that State.

(b) COVERED LAND.—

(1) INCLUSION OF NATIONAL FOREST SYSTEM LAND.—The community forest demonstration areas of a State shall consist of the National Forest System land in the State identified for inclusion by the Advisory Committee of that State.

(2) EXCLUSION OF CERTAIN LAND.—A community forest demonstration area shall not include National Forest System land—

(A) that is a component of the National Wilderness Preservation System;

(B) on which the removal of vegetation is specifically prohibited by Federal statute;

(C) National Monuments; or

(D) over which administration jurisdiction was first assumed by the Forest Service under title III.

(c) CONDITIONS ON ESTABLISHMENT.—

(1) ACREAGE REQUIREMENT.—A community forest demonstration area must include at least 200,000 acres of National Forest System land. If the unit of the National Forest System in which a community forest demonstration area is being established contains more than 5,000,000 acres, the community forest demonstration area may include 900,000 or more acres of National Forest System land.

(2) MANAGEMENT LAW OR BEST MANAGEMENT PRACTICES REQUIREMENT.—A community forest demonstration area may be established in a State only if the State—

(A) has a forest practices law applicable to State or privately owned forest land in the State; or

(B) has established silvicultural best management practices or other regulations for forest management practices related to clean water, soil quality, wildlife or forest health.

(3) REVENUE SHARING REQUIREMENT.—As a condition of the inclusion in a community forest demonstration area of National Forest System land located in a particular county in a State, the county must enter into an agreement with the Governor of the State that requires that, in utilizing revenues received by the county under section 406(b), the county shall continue to meet any obligations under applicable State law as provided under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.) or as provided in the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (16 U.S.C. 500).

(d) TREATMENT UNDER CERTAIN OTHER LAWS.—National Forest System land included in a community forest demonstration area shall not be considered Federal land for purposes of—

(1) making payments to counties under the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (16 U.S.C. 500); or

(2) title I.

(e) ACREAGE LIMITATION.—Not more than a total of 4,000,000 acres of National Forest System land may be established as community forest demonstration areas.

(f) RECOGNITION OF VALID AND EXISTING RIGHTS.—Nothing in this title shall be construed to limit or restrict—

(1) access to National Forest System land included in a community forest demonstration area for hunting, fishing, and other related purposes; or

(2) valid and existing rights regarding such National Forest System land, including rights of any federally recognized Indian tribe.

SEC. 403. ADVISORY COMMITTEE.

(a) APPOINTMENT.—A community forest demonstration area for a State shall be managed by an Advisory Committee appointed by the Governor of the State.

(b) COMPOSITION.—The Advisory Committee for a community forest demonstration area in a State shall include, but is not limited to, the following members:

(1) One member who holds county or local elected office, appointed from each county or local governmental unit in the State containing community forest demonstration area land.

(2) One member who represents the commercial timber, wood products, or milling industry.

(3) One member who represents persons holding Federal grazing or other land use permits.

(4) One member who represents recreational users of National Forest System land.

(c) TERMS.—

(1) IN GENERAL.—Except in the case of certain initial appointments required by paragraph (2), members of an Advisory Committee shall serve for a term of three years.

(2) INITIAL APPOINTMENTS.—In making initial appointments to an Advisory Committee, the Governor making the appointments shall stagger terms so that at least one-third of the members will be replaced every three years.

(d) COMPENSATION.—Members of a Advisory Committee shall serve without pay, but may be reimbursed from the funds made available for the management of a community forest

demonstration area for the actual and necessary travel and subsistence expenses incurred by members in the performance of their duties.

SEC. 404. MANAGEMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) ASSUMPTION OF MANAGEMENT.—

(1) CONFIRMATION.—The Advisory Committee appointed for a community forest demonstration area shall assume all management authority with regard to the community forest demonstration area as soon as the Secretary confirms that—

(A) the National Forest System land to be included in the community forest demonstration area meets the requirements of subsections (b) and (c) of section 402;

(B) the Advisory Committee has been duly appointed under section 403 and is able to conduct business; and

(C) provision has been made for essential management services for the community forest demonstration area.

(2) SCOPE AND TIME FOR CONFIRMATION.—The determination of the Secretary under paragraph (1) is limited to confirming whether the conditions specified in subparagraphs (A) and (B) of such paragraph have been satisfied. The Secretary shall make the determination not later than 60 days after the date of the appointment of the Advisory Committee.

(3) EFFECT OF FAILURE TO CONFIRM.—If the Secretary determines that either or both conditions specified in subparagraphs (A) and (B) of paragraph (1) are not satisfied for confirmation of an Advisory Committee, the Secretary shall—

(A) promptly notify the Governor of the affected State and the Advisory Committee of the reasons preventing confirmation; and

(B) make a new determination under paragraph (2) within 60 days after receiving a new request from the Advisory Committee that addresses the reasons that previously prevented confirmation.

(b) MANAGEMENT RESPONSIBILITIES.—Upon assumption of management of a community forest demonstration area, the Advisory Committee for the community forest demonstration area shall manage the land and resources of the community forest demonstration area and the occupancy and use thereof in conformity with this title, and to the extent not in conflict with this title, the laws and regulations applicable to management of State or privately-owned forest lands in the State in which the community forest demonstration area is located.

(c) APPLICABILITY OF OTHER FEDERAL LAWS.—

(1) IN GENERAL.—The administration and management of a community forest demonstration area, including implementing actions, shall not be considered Federal action and shall be subject to the following only to the extent that such laws apply to the State or private administration and management of forest lands in the State in which the community forest demonstration area is located:

(A) The Federal Water Pollution Control Act (33 U.S.C. 1251 note).

(B) The Clean Air Act (42 U.S.C. 7401 et seq.).

(C) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(D) Federal laws and regulations governing procurement by Federal agencies.

(E) Except as provided in paragraph (2), other Federal laws.

(2) APPLICABILITY OF NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.—Notwithstanding the assumption by an Advisory Committee of management of a community forest demonstration area, the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) shall continue to apply to the National Forest System land included in the community forest demonstration area.

(d) CONSULTATION.—

(1) WITH INDIAN TRIBES.—The Advisory Committee for a community forest demonstration area shall cooperate and consult with Indian tribes on management policies and practices for the community forest demonstration area that may affect the Indian tribes. The Advisory Committee shall take into consideration the use of lands within the community forest demonstration area for religious and cultural uses by Native Americans.

(2) WITH COLLABORATIVE GROUPS.—The Advisory Committee for a community forest demonstration area shall consult with any applicable forest collaborative group.

(e) RECREATION.—Nothing in this section shall affect public use and recreation within a community forest demonstration area.

(f) FIRE MANAGEMENT.—The Secretary shall provide fire presuppression, suppression, and rehabilitation services on and with respect to a community forest demonstration area to the same extent generally authorized in other units of the National Forest System.

(g) PROHIBITION ON EXPORT.—As a condition on the sale of timber or other forest products from a community forest demonstration area, unprocessed timber harvested from a community forest demonstration area may not be exported in accordance with subpart F of part 223 of title 36, Code of Federal Regulations.

SEC. 405. DISTRIBUTION OF FUNDS FROM COMMUNITY FOREST DEMONSTRATION AREA.

(a) RETENTION OF FUNDS FOR MANAGEMENT.—The Advisory Committee appointed for a community forest demonstration area may retain such sums as the Advisory Committee considers to be necessary from amounts generated from that community forest demonstration area to fund the management, administration, restoration, operation and maintenance, improvement, repair, and related expenses incurred with respect to the community forest demonstration area.

(b) FUNDS TO COUNTIES OR LOCAL GOVERNMENTAL UNITS.—Subject to subsection (a) and section 407, the Advisory Committee for a community forest demonstration area in a State shall distribute funds generated from that community forest demonstration area to each county or local governmental unit in the State in an amount proportional to the funds received by the county or local governmental unit under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.).

SEC. 406. INITIAL FUNDING AUTHORITY.

(a) FUNDING SOURCE.—Counties may use such sum as the counties consider to be necessary from the amounts made available to the counties under section 501 to provide initial funding for the management of community forest demonstration areas.

(b) NO RESTRICTION ON USE OF NON-FEDERAL FUNDS.—Nothing in this title restricts the Advisory Committee of a community forest demonstration area from seeking non-Federal loans or other non-Federal funds for management of the community forest demonstration area.

SEC. 407. PAYMENTS TO UNITED STATES TREASURY.

(a) PAYMENT REQUIREMENT.—As soon as practicable after the end of the fiscal year in which a community forest demonstration area is established and as soon as practicable after the end of each subsequent fiscal year, the Advisory Committee for a community forest demonstration area shall make a payment to the United States Treasury.

(b) PAYMENT AMOUNT.—The payment for a fiscal year under subsection (a) with respect to a community forest demonstration area shall be equal to 75 percent of the quotient obtained by dividing—

(1) the number obtained by multiplying the number of acres of land in the community forest demonstration area by the average annual receipts generated over the preceding 10-fiscal year period from the unit or units of the National Forest System containing that community forest demonstration area; by

(2) the total acres of National Forest System land in that unit or units of the National Forest System.

SEC. 408. TERMINATION OF COMMUNITY FOREST DEMONSTRATION AREA.

(a) TERMINATION AUTHORITY.—Subject to approval by the Governor of the State, the Advisory Committee for a community forest demonstration area may terminate the community forest demonstration area by a unanimous vote.

(b) EFFECT OF TERMINATION.—Upon termination of a community forest demonstration area, the Secretary shall immediately resume management of the National Forest System land that had been included in the community forest demonstration area, and the Advisory Committee shall be dissolved.

(c) TREATMENT OF UNDISTRIBUTED FUNDS.—Any revenues from the terminated area that remain undistributed under section 405 more than 30 days after the date of termination shall be deposited in the general fund of the Treasury for use by the Forest Service in such amounts as may be provided in advance in appropriation Acts.

TITLE V—REAUTHORIZATION AND AMENDMENT OF EXISTING AUTHORITIES AND OTHER MATTERS

SEC. 501. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000 PENDING FULL OPERATION OF FOREST RESERVE REVENUE AREAS.

(a) BENEFICIARY COUNTIES.—No later than February 2014, the Secretary of Agriculture shall distribute to each beneficiary county (as defined in section 102(2)) a payment equal to the amount distributed to the beneficiary county for fiscal year 2010 under section 102(c)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(c)(1)).

(b) COUNTIES THAT WERE ELIGIBLE FOR DIRECT COUNTY PAYMENTS.—

(1) TOTAL AMOUNT AVAILABLE FOR PAYMENTS.—During the month of February 2015, the Secretary of the Inteiror shall distribute to all counties that received a payment for fiscal year 2010 under subsection (a)(2) of section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) payments in a total amount equal to the difference between—

(A) the total amount distributed to all such counties for fiscal year 2010 under subsection (c)(1) of such section; and

(B) $27,000,000.

(2) COUTY SHARE.—From the total amount determined under paragraph (1), each county described in such paragraph shall receive, during the month of February 2015, an amount that bears the same proportion to the total amount made available under such paragraph as that county's payment for fiscal year 2010 under subsection (c)(1) of section 102 of the Secure Rural Schools and Community Self-Determination act of 2000 (16 U.S.C. 7112) bears to the total amount distributed to all such counties for fiscal year 2010 under such subsection.

(c) EFFECT ON 25-PERCENT AND 50-PERCENT PAYMENTS.—A county that receives a payment made under subsection (a) and (b) may not receive a 25-percent payment or 50-percent payment (as those terms are defined in

section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102)) for fiscal year 2015.

SEC. 502. RESTORING ORIGINAL CALCULATION METHOD FOR 25-PERCENT PAYMENTS.

(a) AMENDMENT OF ACT OF MAY 23, 1908.—The sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) is amended in the first sentence—

(1) by striking ''the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years'' and inserting ''25 percent of all amounts received for the applicable fiscal year'';

(2) by striking ''said reserve'' both places it appears and inserting ''the national forest''; and

(3) by striking ''forest reserve'' both places it appears and inserting ''national forest''.

(b) CONFORMING AMENDMENT TO WEEKS LAW.—Section 13 of the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 500) is amended in the first sentence by striking ''the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years'' and inserting ''25 percent of all amounts received for the applicable fiscal year''.

SEC. 503. FOREST SERVICE AND BUREAU OF LAND MANAGEMENT GOOD-NEIGHBOR COOPERATION WITH STATES TO REDUCE WILDFIRE RISKS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that contains National Forest System land or land under the jurisdiction of the Bureau of Land Management.

(2) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to National Forest System land; or

(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

(3) STATE FORESTER.—The term ''State forester'' means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS AUTHORIZED.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration, management, and protection services described in subsection (c) on National Forest System land or land under the jurisdiction of the Bureau of Land Management, as applicable, in the eligible State.

(c) AUTHORIZED SERVICES.—The forest, rangeland, and watershed restoration, management, and protection services referred to in subsection (b) include the conduct of—

(1) activities to treat insect infected forests;

(2) activities to reduce hazardous fuels;

(3) activities involving commercial harvesting or other mechanical vegetative treatments; or

(4) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(d) STATE AS AGENT.—Except as provided in subsection (g), a cooperative agreement or contract entered into under subsection (b) may authorize the State forester to serve as the agent for the Secretary in providing the restoration, management, and protection services authorized under subsection (b).

(e) SUBCONTRACTS.—In accordance with applicable contract procedures for the eligible State, a State forester may enter into subcontracts to provide the restoration, management, and protection services authorized under a cooperative agreement or contract entered into under subsection (b).

(f) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract entered into under subsection (b).

(g) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any restoration, management, or protection services to be provided under this section by a State forester on National Forest System land or Bureau of Land Management land, as applicable, shall not be delegated to a State forester or any other officer or employee of the eligible State.

(h) APPLICABLE LAW.—The restoration, management, and protection services to be provided under this section shall be carried out on a project-to-project basis under existing authorities of the Forest Service or Bureau of Land Management, as applicable.

SEC. 504. STEWARDSHIP END RESULT CONTRACTING PROJECT AUTHORITY.

(a) EXTENSION OF AUTHORITY.—Effective October 1, 2014, section 347(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended by striking ''2013'' and inserting ''2017''.

(b) DURATION OF CONTRACTS.—Section 347(c)(2) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended by striking ''10 years'' and inserting ''20 years''.

(c) CANCELLATION CEILING.—Section 347(c) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively; and

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

''(4) CANCELLATION CEILING.—

''(A) AUTHORITY.—The Chief of the Forest Service and the Director of the Bureau of Land Management may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (a) in stages that are economically or programmatically viable.

''(B) NOTICE TO CONGRESS.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (a) that includes a cancellation ceiling in excess of $25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to the cancellation ceiling established in the agreement or contract, the Chief or the Director, as the case may be, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a written notice that includes—

''(i) the cancellation ceiling amounts proposed for each program year in the agreement or contract and the reasons for such cancellation ceiling amounts;

''(ii) the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

''(iii) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

''(C) NOTICE TO OMB.—At least 14 days before the date on which the Chief or Director enters into an agreement or contract under subsection (a), the Chief or Director shall transmit to the Director of the Office of Management and Budget a copy of any written notice submitted under subparagraph (B) with regard to such agreement or contract.''.

(d) FIRE LIABILITY.—Section 347(c) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended by inserting after paragraph (4), as added by subsection (c) of this section, the following new paragraph:

''(5) FIRE LIABILITY PROVISIONS.—Not later than 90 days after the date of enactment of this paragraph, the Chief of the Forest Service and the Director of the Bureau of Land Management shall issue, for use in all contracts and agreements under subsection (a), fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

''(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

''(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).''.

SEC. 505. CLARIFICATION OF NATIONAL FOREST MANAGEMENT ACT OF 1976 AUTHORITY.

Section 14(g) of the National Forest Management Act of 1976 (16 U.S.C. 472a(g)) is amended by striking ''Designation, marking when necessary,'' and inserting ''Designation, including marking when necessary, or designation by description or by prescription,''.

SEC. 506. TREATMENT AS SUPPLEMENTAL FUNDING.

None of the funds made available to a beneficiary county (as defined in section 102(2)) or other political subdivision of a State under this Act shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.

SEC. 507. EXCEPTION OF CERTAIN FOREST PROJECTS AND ACTIVITIES FROM APPEALS REFORM ACT AND OTHER REVIEW.

Section 322 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (Public Law 102–381; 16 U.S.C. 1612 note) and section 428 of Division E of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1046; 16 U.S.C. 6515 note) shall not apply to any project or activity implementing a land and resource management plan developed under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) that is categorically excluded from documentation in an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part C of House Report 113–215. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. DAINES

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 113–215.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 7, insert before the period the following: '', except that a court of the United States may not issue a restraining order, preliminary injunction, or injunction pending appeal covering a covered forest reserve project in response to an allegation that the Secretary violated any procedural requirement applicable to how the project was selected, planned, or analyzed''.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from Montana (Mr. DAINES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. DAINES. Mr. Chairman, as a fifth generation Montanan and an avid sportsman, I understand how protecting our beautiful landscapes and unmatched recreational opportunities are important to our way of life in Montana.

As much a part of Montana as our enjoyment of the great outdoors is our timber industry—or at least what used to be one. The timber industry has declined by 90 percent since I was a kid. Since then, the wildfires and beetle kill have worsened. Our loggers play an important role on the front lines of protecting our outdoor heritage, and we must never forget that.

I'm very concerned that many of these special places are being destroyed because the Forest Service does not have the tools necessary to manage these lands responsibly. H.R. 1526 gives the Forest Service the tools to protect and enhance our forests and will allow our timber industry to get back to work. It will cut the red tape that has held up responsible forest management and timber production. It includes comprehensive reforms to discourage and limit the flood of frivolous appeals and litigation. It also requires the Forest Service to increase timber harvests on nonwilderness lands now that it will have much needed latitude to do its work.

This improved management will protect the health of our forests and watersheds, the safety of our communities, jobs in the timber industry, and our cherished access to the outdoors. H.R. 1526 would help create 68,000 jobs and nearly 5,000 jobs in Montana. H.R. 1526 would allow access to marketable timber for our mills in Montana and breathe life back into this dying industry.

This bill keeps the Federal Government's commitment to provide crucial revenue to our forest counties. It extends the Secure Rural Schools program for 1 year as the new timber program stands up. SRS has provided essential stopgap funding for timber counties since 2000, but many of our counties are tired of seeing the funds depend on the whims of Congress.

This bill has the support of the National Association of Forested Counties. This bill also has the support of the National Education Association because they recognize the economic development and revenue that will be generated by our bill will strengthen our rural schools in States like Montana. Importantly, this bill helps to protect healthy forest management from habitual lawsuits brought by fringe groups.

My amendment would strengthen the bill's protections against court-ordered obstruction. Unfortunately, obstructionist tactics too often stop them from going forward. In region one alone, at least 40 percent of timber sales in fiscal '12 and fiscal '13 have been appealed or litigated. A top U.S. Forest Service official recently acknowledged that the abundance of litigation has played a ''huge role'' in blocking responsible timber sales.

In March of this year, the Friends of the Wild Swan, Alliance for the Wild Rockies, and others halted a much needed timber sale called the Colt Summit Project near Seeley Lake in Montana due to a minor technical error by the Forest Service involving the impact on the habitat of a listed species, the Canadian lynx.

□ 1915

Like the Colt Summit Project, oftentimes timber sales are stopped in their tracks by court-issued injunctions that are based solely on alleged procedural violations such as mere paperwork errors. My amendment would prohibit these injunctions that are based on nonsubstantive allegations.

Injunctions on timber sales often turn into permanent delays, leaving dying timber to rot and lose value. My amendment would allow these critical projects to move forward while litigation on the merits of the case is pending. In doing so, it will help ensure that responsible timber sales come to fruition.

My amendment simply allows projects like the Colt Summit Project to move forward while the merits of the case continue to be examined. I urge my colleagues to join me in support of making our forests healthier.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DAINES. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I want to tell the gentleman I think this amendment adds a great deal to this legislation, and I will support your amendment.

Mr. DAINES. I urge my colleagues to join me in support of making our forests healthier, and for the adoption of my amendment.

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

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Like many here tonight, I'm frustrated by the seemingly endless appeals and litigation on efforts to responsibly manage our forests, but not all appeals and litigation are frivolous. We know that some zero-cut groups seeking to end all logging in national forests have been successful in nitpicking the Forest Service's submission in Montana. However, this amendment literally tips the scales of justice.

The underlying bill already places extraordinary restrictions on parties—which I mentioned earlier, over which I have concern—on parties seeking to protect public resources. Do we really want to tell people they can't protest a government activity if the Federal Government violates a procedural requirement?

Failing to give notice of a major activity is a procedural requirement. Shouldn't the community be able to appeal an activity that's moving forward if they think it might impact their drinking water and they were never notified about the proposal?

Failing to properly advertise for bids is a procedural requirement. Shouldn't a small business be able to stop a project from being awarded to an out-of-State company if the Forest Service failed to follow proper contracting protocol?

The underlying bill already has numerous provisions that accelerate the approval of the projects and makes litigation much more difficult. We don't need to tip the scales further towards the power of Big Government and away from the public.

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

Mr. DAINES. Mr. Chairman, I respect the comments made by the gentleman from Oregon; but when we look at the State of Montana and see a 90 percent reduction in forest timber harvest on national forestlands, and when we hear from the Forest Service officials the number 1 issue is litigation, it is time that we put in place measures and reforms this amendment addresses, that addresses that those kind of concerns of procedural nature will not stop an entire forest project.

This is a very real issue in my home State. I saw it literally firsthand when I was visiting the Pyramid sawmill in Seeley Lake, when we saw, because of, literally, a small, little procedural error on one of 14 counts, that stopped an entire timber harvest.

This is getting out in front and saying, let's not let the trial lawyers and the courts control the forests. Let's let the people have control of the forests and restore the jobs that are needed and the revenue back to our schools.

Mr. Chairman, I reserve the balance of my time

The Acting CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. I yield myself the balance of the time.

We did have a hearing on this and similar issues, and I did find common ground with folks on the other side of the aisle.

We had a vigorous debate over fuel reduction 13 years ago, which ultimately resulted in a law called HFRA,

and I participated in writing that law here on the House side, very much a bipartisan law with myself and Mr. MILLER on the Democratic side and Scott McInnis, John Shadegg, and GREG WALDEN on the other. And we gave this tool to the Forest Service, and they pretty much haven't used it. They've used it in very minor ways.

And at the hearing, I asked the Deputy Chief, What about HFRA? Do we really need to change the laws further or prevent—do these radical things like preventing appeals and litigation?

And he said, Well, no. We're moving ahead with a major, major landscape-scale collaborative process in the Black Hills.

I said, Well, that's great, Mr. Deputy. I said, How about all the rest of the intermountain West? How about central Oregon and other places where we need these sort of landscape-scale projects that can't be nitpicked, you know, acre by acre, but they are developed collaboratively and we move forward? And as I mentioned earlier, we can do them under stewardship contracts, which will attract investors who will utilize the biomass and lower the cost to the Forest Service.

There is a way to better do this. We need to push the Forest Service on these issues. If there are minor changes that need to be made in HFRA, they should let us know.

I believe one is that it doesn't allow for them to go into areas of bug kill, and that is something that should be fixed and was fixed in a bipartisan bill in the Senate, which we recommended, in part, in a Democratic alternative here which was offered in committee but not allowed on the floor because of scoring issues.

So I believe there is a way to move forward here and solve some of these problems, but this is not the proper way.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. DAINES).

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

Mr. DEFAZIO. Mr. Chairman, on that I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. DAINES

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 113–215.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, page 17, after line 23, add the following new section:

SEC. 106. ANNUAL REPORT.

(a) REPORT REQUIRED.—Not later than 60 days after the end of each fiscal year, the Secretary shall submit to Congress an annual report specifying the annual volume requirement in effect for that fiscal year for each Forest Reserve Revenue Area, the volume of board feet actually harvested for each Forest Reserve Revenue Area, the average cost of preparation for timber sales, the forest reserve revenues generated from such sales, and the amount of receipts distributed to each beneficiary county.

(b) FORM OF REPORT.—The information required by subsection (a) to be provided with respect to a Forest Reserve Revenue Area shall be presented on a single page. In addition to submitting each report to Congress, the Secretary shall also make the report available on the website of the Forest Service.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from Montana (Mr. DAINES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. DAINES. Mr. Chairman, nationwide, more than 73 million acres of Forest Service lands and hundreds of millions of acres of other Federal lands are at risk for catastrophic wildfire. As our timber industry has declined by 90 percent in recent decades, however, our National Forest System has lost much of the labor force to sustain our forested ecosystems and to protect our communities.

The Restoring Healthy Forests for Healthy Communities Act addresses both challenges, providing the Forest Service with much-needed latitude to reduce the risk of catastrophic fires while revitalizing our country's dying timber industry.

I'm offering an amendment to hold the Forest Service accountable for doing the work required in this legislation. My amendment would simply require the Secretary of Agriculture to submit to Congress an annual report. In fact, the amendment specifies this annual report is one page in length. Rarely do we see a report here in Washington that is less than about 3 inches thick. This is going to require that it's just a one-page summary, simple, focused on the results for each Forest Service revenue area.

On this report, we would report the annual volume requirements in effect for that fiscal year: the volume of board feet actually harvested, the average cost of preparation of timber sales, the revenues generated from such sales, and the amount of receipts distributed to each beneficiary county. The amendment would also require that the Forest Service place the report on its Web site.

The American people whose lives are often in the paths of catastrophic wildfire, whose jobs rely on access to timber, and whose school systems and public works rely on revenues generated from Federal land within its borders deserve transparency and accountability in our Federal Government's land management, and our country needs results.

My amendment brings all three principles to the Forest Service as the agency implements H.R. 1526.

I urge the adoption of my amendment.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DAINES. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for offering this amendment. I think it adds a lot to it because, as we transition to targets in the future, I think something like this would be very beneficial. And so I congratulate the gentleman and I support his amendment.

Mr. DAINES. Mr. Chairman, I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Well, the previous amendment was going to limit public access to information. Now we're going to ask the public, the Forest Service, to produce more information. Although, actually, we aren't asking them to produce more information. We're asking them to produce less information than they currently make publicly available.

It would require an annual report to Congress as a result of implementing title I, amendment requiring an annual report, volume of timber, cost of preparing timber sales, revenue from the sales, and how it's distributed to counties on one page.

Well, the Forest Service does prepare these reports on a quarterly basis—it is available online—but no, it's not one page. I guess we could put it on one page. I'm having trouble reading it at this scale, which is 18 pages. This is the 18-page report for the Beaverhead-Deerlodge Forest.

If we look at the report, they offer 3.4 million board feet of timber, the amount of timber delayed, withdrawn from sale, what was successfully bid on, what didn't get any bids. There are also quarterly cut and sold reports, showing the value of these sales. In the first quarter of 2013, the Beaverhead-Deerlodge sold $312,000 worth of timber, nearly all of it Lodgepole pine.

If we limit it to one page, we might lose other things, like the report on Christmas trees—$6,050 value for sales of Christmas trees; mushrooms, $1,500 in the Bitterroot National Forest.

So the Forest Service is already producing this information. They are posting it online. I know it's kind of de rigueur around here to say let's get it all down to one page. Well, we could put it on one page, but you're going to need a microscope to read it, unless you want to leave out a lot of the stuff we're getting. And that's kind of interesting, if you really want to know what's going on in the forest.

If you want to know valid bids, no bids, delayed bids, withdrawn, resold, re-offered, regular sales, cancelled, opted other volume, resold, re-offered, previous fiscal year volume, replacement volume, I mean, how are you going to fit all this stuff on one page?

So we're just going to tell them, ''Don't bother anymore to produce this data. We don't want it. The public doesn't want it''?

So under the guise of asking for information, we're actually going to tell the Forest Service to produce less, which, you know, they might be kind of happy with because they will be less accountable if they produce less information.

With that, I reserve the balance of my time.

Mr. DAINES. I appreciate the gentleman from Oregon's remarks there.

Let me say this. I spent 28 years in the private sector having managed complex operations. And so what this amendment does, it doesn't preclude the Forest Service from generating all the data in the format that the gentleman from Oregon referenced. What this is asking for here is a one-page summary, a dashboard, if you will, so we can see, kind of cut to the bottom line in terms of the numbers that I pointed out here.

So often in Washington we are drowning in data. We're starving for wisdom. This is a simple dashboard that cuts to the bottom line here of looking for the volume of board feet actually harvested, the cost of the preparation of sales, the revenues generated from the sales, and the amount of receipts distributed to the beneficiary counties. That's the one-page summary.

All the other data can be contained in the other reports for the perusal of Members and others who want to see it, but this just cuts to the chase to give a simple, one-page dashboard of what the bottom-line results are as a result of this bill.

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

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

Well, the Forest Service isn't always responsive, but I believe if the committee chairman—in fact, I would be happy to join as the ranking member with the committee chairman and the gentleman from Montana and any other members of the committee interested in a letter to the Forest Service saying, Hey, you produce all this incredible amount of data. Some people think it's too much. So how about a one-page executive summary that covers these points, which would precede the other 18 pages online—they don't have to print them, so there's no cost to the government—I think that might solve this problem.

I don't believe we need to pass a law to get an executive summary. I mean, most Federal agencies provide executive summaries of all sorts of stuff for people who don't have time or interest in knowing things in more detail.

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

Mr. DAINES. I just would say that, as I've been back here, moving from the private sector to the public sector, sometimes you have got to lay out in specificity the need for a one-page summary of what's going on so that Members and anybody else that wants to see can see, can take the 30,000-foot view here in terms of this program being successful or not.

I reserve the balance of my time.

Mr. DEFAZIO. I have the right to close, and I'm prepared to close if the gentleman wants to summarize his previous arguments.

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

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. DAINES).

The amendment was agreed to.

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AMENDMENT NO. 3 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 113–215.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 10, add after the period the following new sentence: ''In addition, if the primary purpose of a hazardous fuel reduction project or a forest health project under this title is the salvage of dead, damaged, or down timber resulting from wildfire occurring in 2013, the hazardous fuel reduction project or forest health project, and any decision of the Secretary concerned in connection with the project, shall not be subject to judicial review or to any restraining order or injunction issued by a United States court.''.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

An estimated 1 billion board feet of fire-killed timber can still be salvaged out of the forests devastated by the Yosemite Rim fire, but it requires immediate action. As time passes, the value of this dead timber declines until after a year or so, when it becomes unsalvageable.

It has been the practice of radical environmental groups to file lawsuits against such projects, with the objective of delaying salvage until the timber is worthless. This amendment waives judicial review of the salvage plans for the 2013 fires. This is exactly the same approach taken in legislation offered by Tom Daschle a few years ago to allow salvage of beetle-killed timber in the Black Hills National Forest.

Salvaging this timber would throw an economic lifeline to communities already devastated by this fire, as local mills can be brought to full employment for the first time in many years. It would provide a new stream of revenue for the Federal Government as this salvageable timber is auctioned.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. MCCLINTOCK. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for offering this amendment.

Last year, in my home State of Washington, over 300,000 acres burned. And yet the Forest Service has yet to service anything. And I dare say now that whatever value there is to that salvage timber, it probably has gone away.

I think this amendment addresses that issue very, very well, and I support the gentleman's amendment.

Mr. MCCLINTOCK. Mr. Chairman, I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes

Mr. DEFAZIO. Mr. Chairman, I yield myself such time a I may consume.

Again, this is an area where we do have some grounds for potential agreement. Part of the problem is the Forest Service budget. Not only are they spending half their budget on fighting fires, they've had a brain drain because of cuts in personnel and staffing, and they really don't have the personnel to go out.

I suggested a number of years ago, the last time we had a salvage rider, that a great alternative would be to have the Forest Service establish a strike team to go out to major fires—in fact, while they're probably still burning—and begin to map out a recovery effort—where it might be appropriate to go in and do some salvage, where there are critical watersheds at risk and there's going to have to be some immediate mitigation with the planting of grass or other efforts to mitigate problems that will come with the rainy season in a few months in California.

I believe there is a better way to get there. But there's a new kind of current trend online. It's called throwback Thursday. To me, this is really throw-back Thursday to one of the most controversial pieces of legislation ever adopted by this body back in the 1990s, which was a massive salvage rider.

I have participated in a much more discrete, individual process when I was first here as a sophomore Member of Congress with Senator Mark Hatfield from Oregon. We sat down with an area that had been burned and we negotiated and legislated a salvage which preserved the areas that needed to be preserved.

There was a potential for 186 million board feet. We ended up legislating somewhere around 70 million board feet. The industry was disappointed. The environmentalists were appalled. But in the end, we got no additional sedimentation, we didn't get any slope slumping, and we did get 70 million board feet of timber out of there. We

didn't build a road into a sensitive, roadless area. We did it with helicopter logging. And the Forest Service still made money.

So there are ways to do this. But this, I don't think, is the best way to go forward. The underlying legislation already allows significant waivers of NEPA. Any project less than 10,000 acres is not required to go through an analysis. But this would allow a project to move forward no matter what the size or where it's located, without judicial review, if the project is salvaged, dead, damaged, or downed timber in an area impacted by fire this year.

We don't really know yet. I don't think a lot of the areas of Rim fire have yet been surveyed. Certainly, the Forest Service doesn't have the assets to do and find out what the impacts were—where the spot burns are, where the through burns are, what the conditions are, what areas would be critical to surviving wildlife, what areas are critical to watersheds and how we will deal with those areas, how we're going to recover the recreation in that area in the future, what would happen with building of roads and logging and salvage logging in those areas.

So I believe that this is a bridge too far in terms of expediting recovery and/or potentially salvage efforts, and I would oppose the amendment.

I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. LAMALFA), my neighbor to the north.

Mr. LAMALFA Mr. Chairman, I thank my colleague, Mr. MCCLINTOCK, for bringing this measure forward.

The crazy thing about this is each year you have devastating wildfires in California, the West, and other areas of the country. We act like we're reinventing the wheel each time when we need to go out and do the basic salvage work.

You have a narrow window of time that you can get value out of it before the trees there that have value can be salvaged and turned into something useful. You could have participatory people in the industry helping bring that value up. If you lose that window of time, then you have higher costs maybe as areas don't get recovered because nobody can make a living out of this.

So this is a commonsense measure. It's really a no-brainer. It ought to be used to move forward for this 2013 season but to also establish a template long term so that we can have a sensible forest management policy and get in and do these strike teams. Let's get a template so we don't have to reinvent the wheel each time there's a fire, but instead move quickly, get the industry to do it, and have our forests start their restoration and recovery project as soon as possible with that value.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. MCCLINTOCK. I yield 1 minute to the gentleman from California (Mr. DENHAM), my neighbor to the south, also a coauthor of the measure.

Mr. DENHAM. Mr. Chairman, I rise in support of the McClintock-McCarthy-LaMalfa-Denham amendment. I'm proud to cosponsor this amendment to speed up the timber salvage project on the acres burned in this catastrophic Yosemite Rim fire.

I'm never surprised by some of the arguments that are made down here. You will hear that we just don't have enough people to go out there and survey. But yet by harvesting this very timber that will be rotted or infested in several months, it would actually pay not only for the Forest Service to go out there and survey and help to pay for the Forest Service salaries, but actually, in a community like ours, help to pay for our schooling and some of our local costs as well.

The timber salvage can go a long way to benefit local economies throughout the State. This timely amendment limits the amount of lawsuits that could be used to slow down and hold up the salvage process.

Under the proposed amendment, wood salvaged from the Yosemite Rim fire could be quickly sent to mills across California, fueling construction projects and benefiting local economies receiving the timber and providing much-needed local jobs and revenues to the impacted counties.

Our communities have suffered untold damage with the historic and catastrophic wildfire that burned over 400 square miles.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCCLINTOCK. Mr. Chairman, I yield the gentleman an additional 15 seconds.

Mr. DENHAM. The air quality is worsened, the fertile range land near the fire may have been sterilized by the heat, our water sources will experience degradation from runoff, and our beautiful forest land will remain blackened and sparse for years to come.

I ask your assistance in passing this critical amendment to put people back to work and start cleaning up this catastrophic situation.

Mr. DEFAZIO. Mr. Chairman, I'm prepared to close.

Mr. MCCLINTOCK. Mr. Chairman, in closing, I can't put it any plainer than this: without this amendment, 1 billion board feet of timber owned by the people of the United States will be lost forever. We do not have time for endless years of litigation.

Within a year, this timber which can now be salvaged for productive use and can provide jobs for the people of our region and provide a stream of revenues for our ailing U.S. Treasury will be rendered utterly worthless. This is precisely the same approach that was used when Democrat Tom Daschle faced the same problem in his district over beetle-killed timber. We are applying exactly the same policy to salvage this timber.

I would hope that the gentleman from Oregon, in the spirit of bipartisanship, will recognize that the same remedy used in a Democratic region ought now to be used for this district in California.

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

Mr. DEFAZIO. Mr. Chairman, actually, this wouldn't apply just to the Rim fire, as I read it. The gentleman can correct me if I'm wrong. I believe it applies to any area that burned in 2013 anywhere in the United States of America, which would certainly include both Democratic and Republican districts. Fires are not very partisan in their destruction.

So that is an incredibly broad brush. That would mean there could be no analysis done by the Forest Service, Fish and Wildlife, or anybody else, before salvage efforts might begin on forests all across America.

If you're bidding on a salvage sale, it isn't your job to care about whether or not the road you're going to build in or the area you're going to access is subject to the slope slumping when the rain starts in a couple of months or the snows come in the inner mountain regions or up in the Northwest.

So this is extraordinarily and overly broad. We've already exempted things up to 10,000 acres. I believe there's a better way to approach this.

The other gentleman from California talked about getting in there and then we would have the money for strike teams. I would say that's just a little bit backwards. These are public assets. This fire is a disaster not only for the people of your district, the people of California, but the people of the Nation, particularly with the proximity to one of the Nation's most loved parks.

If we did have a strike team, we could have areas like that surveyed by spring and plans in place by spring to know where it might be appropriate to salvage and where it isn't appropriate to salvage, and it would still be valuable.

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

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

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. SMITH OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 113–215.

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title II (page 26, after line 22), add the following new section:

SEC. 207. MORATORIUM ON USE OF PRESCRIBED FIRE IN MARK TWAIN NATIONAL FOREST, MISSOURI, PENDING REPORT.

(a) MORATORIUM.—Except as provided in subsection (b), the Secretary of Agriculture may not conduct any prescribed fire in Mark Twain National Forest, Missouri, under the Collaborative Forest Landscape Restoration Project until the report required by subsection (c) is submitted to Congress.

(b) EXCEPTION FOR WILDFIRE SUPPRESSION.—Subsection (a) does not prohibit the use of prescribed fire as part of wildfire suppression activities.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report containing an evaluation of recent and current Forest Service management practices for Mark Twain National Forest, including lands in the National Forest enrolled, or under consideration for enrollment, in the Collaborative Forest Landscape Restoration Project to convert certain lands into shortleaf pine-oak woodlands, to determine the impact of such management practices on forest health and tree mortality. The report shall specifically address—

(1) the economic costs associated with the failure to utilize hardwoods cut as part of the Collaborative Forest Landscape Restoration Project and the subsequent loss of hardwood production from the treated lands in the long term;

(2) the extent of increased tree mortality due to excessive heat generated by prescribed fires;

(3) the impacts to water quality and rate of water run off due to erosion of the scorched earth left in the aftermath of the prescribed fires; and

(4) a long-term plan for evaluation of the impacts of prescribed fires on lands previously burned within the Eleven Point Ranger District.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from Missouri (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Let me begin first by saying I fully support increasing the timber harvest on Federal lands, and I'm excited for the opportunity to create jobs and stimulate the economy in my rural Missouri district.

The issue that my amendment deals with, prescribed fires within the Mark Twain National Forest, is a symptom of the larger problem that H.R. 1526 seeks to fix. To put it simply, our national forest system could be better managed. Fifty million board feet of timber, with an estimated value of $4.75 million, dies every year in the Mark Twain National Forest. Only 38 million board feet of timber, with an estimated value of $4.37 million, is harvested. There are individuals ready, willing, and able to harvest the timber, but they are prevented from acting by the Federal Government.

The Forest Service has made the harvest problem even worse by burning whole swaths of harvestable acreage. While prescribed fire has been used in the past as an effective technique to manage and prevent forest fires, in this instance the fires are being used to change the landscape of the area from its current forested state to pine-oak woodlands.

I have personally visited sites where trees that could be harvested for timber are being burned. Folks, it just doesn't make sense to be burning this timber that could be used to bring new jobs and economic prosperity to my district.

The forest products industry in my district is alive and well, and we certainly could make use of these trees that are instead being burned. The wood flooring, the barrel industry, and timber and charcoal industries are major employers in my district that will put people back to work turning these trees into valuable finished products.

□ 1945

My constituents who have evaluated the impacts of the initial prescribed fires are very concerned about the results. The large size of the burns and the failure to utilize cut hardwoods has created a residual forest condition with scorched trees and bare mineral soil.

A number of trees the burns intended to promote were exposed to excessive heat, which has caused these trees to die unnecessarily. The burns have also caused the forest floor to become more susceptible to erosion. As a result of this situation, we need to place a moratorium on these prescribed fires in the Mark Twain National Forest until such time as their effects on the forest can be determined. I wrote a letter to the Forest Service in August, along with five of my colleagues from Missouri, seeking this information and have yet to receive a response.

I ask this body to approve my amendment so that we can get more information from the Forest Service about this situation and that in the meantime more of our valuable Missouri hardwoods will not be indiscriminately burned.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. SMITH of Missouri. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for yielding, and I thank him for offering this amendment. I think his amendment takes care of a unique problem, although it may be applicable in other parts. But I think the gentleman has the right approach, and I support his amendment.

Mr. SMITH of Missouri. I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I certainly don't know what is best for the Mark Twain Forest. And you had five Members sign your letter, so that would leave 430 who probably don't think they have any clue either about what would be appropriate in your forest.

We do have a committee of jurisdiction. There are times when the Forest Service bureaucracy is doing things that I do not approve of. I don't believe that the committee has done any oversight on this issue. I don't know if the issue was brought to the chairman before it was offered as an amendment here on the floor. This amendment wasn't offered in committee, nor was—I was there, there was no discussion of this in committee.

It's a very, very localized problem. I would suggest again, as we did earlier, that, first off, this bill is not going to become law before they're going to burn this winter—which is when they burn in the Northwest. I assume they do the same thing in your district, when the risk of fire is down because of other vegetation and when the moisture levels are higher.

This isn't going to be law by then—if it ever became law. If you're doing it to get their attention, perhaps you will get their attention if they're listening. But I would suggest that the gentleman initiate a process through the committee. Ask for a meeting with the Forest Service under the auspices of the chair and attempt to get answers to the questions he has. Doing it through this particular amendment is really not going to accomplish those goals in time if indeed there are immediate plans to go forward this winter.

I reserve the balance of my time.

Mr. SMITH of Missouri. Mr. Chairman, I yield back the balance of my time.

Mr. DEFAZIO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 113–215.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 508. PROHIBITION ON CERTAIN ACTIONS REGARDING FOREST SERVICE ROADS AND TRAILS.

The Forest Service shall not remove or otherwise eliminate or obliterate any legally created road or trail unless there has been a specific decision, which included adequate and appropriate public involvement, to decommission the specific road or trail in question. The fact that any road or trail is not a Forest System road or trail, or does not appear on a Motor Vehicle Use Map, shall not constitute a decision.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment guarantees that the public has the full opportunity to comment before a forest road is closed or destroyed.

These roads are vital to tourism, and tourism is vital to the economy of these communities. Yet the U.S. Forest Service has become very aggressive in recent years in shutting down these roads, restricting public access to the public lands, and replacing Gifford Pinchot's inclusionary vision for the Forest Service, which he once described as serving ''the greatest good for the greatest number in the long run,'' into an exclusionary vision that can best be described as: look, but don't touch.

The Forest Service has now bypassed Congress and has adopted a rule that effectively allows it to close any road that it deems to be unnecessary or undesirable without environmental review or public consultation or comment. My amendment simply reasserts Congress' authority to protect public access to the public lands and requires that road or trail closures follow the established process of public notification and input.

Under this provision, the Forest Service can still decommission trails or roads that it considers obsolete, but only after ''adequate and appropriate public involvement.'' That's it. Before you decommission or destroy an existing road or trail, you have to ask the public. It codifies one of Pinchot's maxims for what he called ''the behavior of foresters in public office.'' He said: It is more trouble to consult the public than to ignore them, but that is what you are hired for.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. MCCLINTOCK. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for offering this amendment.

If I were to categorize this amendment, it would just simply prohibit the Forest Service from removing or eliminating roads without public involvement.

In my district, in the Naches Ranger District, there was a case where they were in fact using other funds that were used to maintain roads, and they were using them to close roads, but all the time there was no public involvement. I think your amendment addresses that issue, and I support the gentleman's amendment.

Mr. MCCLINTOCK. I thank the gentleman.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Again, there are grounds for some agreement here. I agree with the gentleman from California that this very sensitive issue, access to forest lands, is critically important to people who live in, around or near the forest, or people who choose to travel there to recreate.

We recently had a disastrous example in my State. The Proposed Travel Management Plan in the Wallowa-Whitman Forest, which is in Mr. WALDEN's district in northeast Oregon, the plan was developed in 2009, little public input; would have closed a substantial amount of the road network. It became a huge, huge controversy because of the lack of public involvement. I had complaints from my constituents and we're 250 miles away. Although I do recreate sometimes in that forest, but it's not on the road. I access the areas by forest roads. So this is something that was of major concern.

A regional forester who was new said, yeah, you're right, they really screwed this up; let's do it over again. They started all over again in a very collaborative public process.

But this goes a little bit beyond requiring the public to be notified and involved. In fact, it's a little contradictory because major parts of this bill do away with NEPA, which does require meaningful public involvement and response to comments by the public meaningfully by the agency. So I don't know whether we've removed that requirement from the existing law for the removal of roads and that's why we have to have this amendment or not.

But this goes a little further. It says these would be legally created roads. As you know, I mean, we get people down in Nevada and elsewhere arguing with the government or even attempting to take back government property by saying these are legally created and are not the property of the Forest Service.

So first you have to decide which roads are legal, which are covered, which are illegal, not covered. Who is going to decide that? The Forest Service user group who has an informal road that they have established? How will that help with this problem?

It also requires the Forest Service to make a specific decision regarding a road or trail closure, including adequate and appropriate public involvement. Okay. Well, what are those standards as opposed to, say, the NEPA standards which should apply in these cases? So I think that this could actually lead to more confusion and litigation.

I agree with the gentleman that there is a problem. This is a sensitive area. In some areas the Forest Service has not dealt well with it and believe there are other avenues to a solution.

I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, perhaps I could assist the gentleman in his confusion by simply reading the amendment, which is simple, straightforward, and clear:

> The Forest Service shall not remove or otherwise eliminate or obliterate any legally created road or trail unless there has been a specific decision, which included adequate and appropriate public involvement, to decommission the specific road or trail in question. The fact that any road or trail is not a Forest System road or trail, or does not appear on a Motor Vehicle Use Map, shall not constitute a decision.

That is it. That is the alpha and omega of this amendment in its entirety. If you're going to close a public road to the public, you need to ask them first.

I cannot emphasize enough how important this is to the mountain communities of the Sierra Nevada that depend on mountain tourism for their economies. Tourists don't go where they're not welcomed. Tourists don't visit where they can't get to. The public's use of mountain trails and roads is absolutely central to mountain tourism, and removing or closing these trails or roads is not something that should be done behind closed doors by administrative fiat.

I ask for your ''aye'' vote, and I yield back the balance of my time.

Mr. DEFAZIO. Well, that doesn't address the concern about legally created road or trail. Again, I'm not aware that there is a definition elsewhere in the bill, nor in this amendment, for ''legally created.'' And there is tremendous controversy and litigation over the issue of ''legally created.''

It does go on to say:

> The fact that any road or trail is not a Forest System road or trail, or does not appear on a Motor Vehicle Use Map, shall not constitute a decision.

That leaves open the issue of informal-use roads, potentially in sensitive areas, that would have to go through a process before they could be closed. What if it's a newly developed ORV trail through a sensitive meadow? We had someone running doughnuts up in a very sensitive meadow in the Three Sisters Wilderness in an area—on the edge of the Three Sisters Wilderness. I mean, did that become a road or a trail that then would be available to vehicles and we couldn't close that area? And they did, they put in big rocks and other things to close the area off to motor vehicles. Would that have been precluded under this amendment? I don't know.

This opens too many questions to controversy and interpretation. There are times when we do need to act quickly when abuse is taking place. There are other times when the Forest Service has to act more deliberately. I believe the Forest Service can do a better job. I believe in having the public notified, the public fully involved; And the best way to do that on these roads is through NEPA.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 113–215.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 508. LIMITATIONS ON TYPES OF DAMAGES THE FEDERAL GOVERNMENT MAY SEEK ARISING FROM WILDFIRES.

The Attorney General, acting on behalf of the United States, may not seek intangible damages from a landowner from whose land wildfire escaped to Federal land when such intangible damages are not permitted by the law of the State in which the landowner's land is located.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. I appreciate working with the chairman of the committee, DOC HASTINGS, on the amendments to this legislation.

This amendment seeks to prevent the Department of Justice from seeking excessive, unquantifiable damages from property owners who have fires accidentally escape from their property onto public lands.

We have seen U.S. Attorneys sue landowners for hundreds of millions of dollars above the damage to national forests and the costs of firefighting based on very speculative claims about the value of habitat—claims which appear to be based not on science, not on fact, but only on the desire to generate revenue for the government.

When the Forest Service gains as much revenue from lawsuits as it does from timber receipts from an actual working forest, something is surely wrong with the system. This language would help to end that problem in many Western States. However, I plan to continue working on this issue until we develop a 50–State solution to this problem. So it is for these reasons that I respectfully ask unanimous consent to withdraw this amendment at this time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 7 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part C of House Report 113–215.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 508. DEFINITION OF FIRE SUPPRESSION TO INCLUDE CERTAIN RELATED ACTIVITIES.

For purposes of utilizing amounts made available to the Secretary of Agriculture or the Secretary of the Interior for fire suppression activities, including funds made available from the FLAME Fund, the term ''fire suppression'' includes reforestation, site rehabilitation, salvage operations, and replanting occurring following fire damage on lands under the jurisdiction of the Secretary concerned or following fire suppression efforts on such lands by the Secretary concerned.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 2000

Mr. LAMALFA. Mr. Chairman, disasters like the massive Rim fire that impacts my colleague's, Mr. MCCLINTOCK's, district in Yosemite National Park, which many people believe is a national treasure, and I agree, not only threaten residents, homes, and other structures, they also destroy valuable public property: forests that provide jobs in rural communities, revenue for local governments, and recreation for Americans.

Unfortunately, planning and procedural hurdles often prevent the Forest Service from salvaging usable timber and returning the land to a healthy condition.

This amendment enables the Forest Service to rapidly undertake salvage, rehabilitation, and replanting by allowing those activities to be included in fire suppression operational and funding plans.

When wildfires impact private timberland, owners know that salvage and restoration work must be conducted immediately. The window before decay and insects eliminates timber's value can be only weeks. Site rehabilitation must be done before the rainy season to prevent landslides and sediment from clogging waterways. However, the Forest Service's ability to conduct these operations on public lands is so restricted that timber which could generate jobs and revenue literally rots on the ground, even as adjacent private timberland is rapidly rehabilitated.

After the 46,000 Bagley fire in my district last year, private landowners sprang into action and, it is my understanding, that salvage and rehab operations are already complete on nearly all these private lands. These areas have been replanted and rehabilitated and soon will once again be healthy, productive forests. The Forest Service lands, however, lie nearly untouched as the value of the burned timber disappears.

In Trinity County, in northern California, 13 lightning-sparked fires burned over 250,000 acres during the memorable 2008 fire season and caused $150 million in suppression costs. However, the Forest Service conducted salvage and rehabilitation on just a few hundred acres, leaving an area one-third the size of Rhode Island blackened and scarred.

This amendment speeds the salvage and rehabilitation process by allowing the Forest Service to plan this work in conjunction with suppression plans and removes procedural hurdles by defining these activities as part of suppression efforts. The amendment allows, but does not mandate, the use of suppression funds for these efforts. Again, it does not mandate, but allows, the use of suppression funds for these efforts. The CBO has stated this amendment has no impact on overall Federal spending.

Finally, this language will offset firefighting costs by generating revenue for local communities and the Federal Government through salvage operations. Federal agencies spent over $1.9 billion on firefighting in 2012, and every dollar derived from salvaged timber is one less dollar diverted from other programs.

As you may know, I have cosponsored an amendment with Representative MCCLINTOCK streamlining judicial delays that slow salvage operations. This amendment complements that language by accelerating the salvage and rehabilitation planning progress but functions independently.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. LAMALFA. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for offering this amendment.

The issue of salvage is a very important part of proper management in forests, and I think your amendment adds to that.

I support your amendment.

Mr. LAMALFA. Thank you, Mr. Chairman.

I respectfully request your support, and I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, the gentleman has made the point that it is not mandatory, but the problem would be we already have inadequate funds for firefighting. As the gentleman, I'm certain, well knows, the Forest Service has devastated the remaining funds for fuel reduction, probably restoration activities, and a whole bunch of recreation activities and other things that have all been ripped from this year's budget because they had to spend $1 billion fighting fires, and I believe Congress appropriated less than half that amount.

This is an annual problem, and it's time to get real around here about the problem. One is to adequately invest in fuel reduction and not underinvest in firefighting. Until we do a lot more fuel

reduction across the West, we are going to have big fires. If we have big fires, we need to fight them. But we don't need to make the big fires more prevalent, more common, by cutting the fuel reduction budgets.

We had this discussion a bit in committee and actually found there was some common ground in this discussion. Certainly site rehabilitation and other activities, those are very desirable. But, again, to categorize them under firefighting I think could create major problems.

With that, I reserve the balance of my time.

Mr. LAMALFA Mr. Chairman, in speaking of inadequate funds, if we were actually generating the funds by having actual timber harvest receipts, we wouldn't be looking to the government for the money for the type of fuel reductions that are needed. We would actually be making a living at it by taking adequate marketable timber, as well as operations that go along under a timber harvest plan that requires cleanup and replanting.

So we would be generating the receipts at the same time we would be doing this if we had this type of thinking involved with more of our forest management, not only in the current year where you're gaining those receipts, but in the future as you have a regenerated forest.

I would harken back to Weaverville, in Trinity County, in my area, where there was a fire some years ago that nearly burned the town; but then with no management, with no restoration, the land laid idle with brush, with snags, with all sorts of things growing back and remaining behind from that fire. It burned again just 7, 8, 9 years later and almost devastated the town once again. Whereas, we see on private lands, they're out there. They're salving. They're getting the job going again and restoring the forest, which is better for the habitat, better for siltation, better for the wildlife, better for the economy, better for everybody.

So let's move in the direction of fuel reductions, as my colleague from Oregon was talking about. Let's do the fuel reductions. But we don't have to do it with tax dollars. We can do it with the private sector having marketable timber being taken off and get the job done.

I, again, think this amendment will really help in this regard, so I respectfully, again, seek your support for this amendment.

I yield back the balance of my time.

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

Fuel reduction and salvage are two infinitely different categories. Salvage needs to be carefully planned. We already discussed earlier, the Forest Service doesn't have the resources to do that. Yet, if we take and add that onto suppression costs, that will take money away from fuel reduction and other programs of the agency.

I know around here we spend a lot of time talking about sequestration and a lot of people think it doesn't have much real impact or it's just waste coming out of the government. That came out of the fuel suppression budget. Then a bunch of the firefighting money came out of the fuel suppression budget. And now we are going to act like there was enough money in the fuel suppression budget or the firefighting budget that we could spend it on other activities. Yes, we want to do restoration activity, but at some point we have got to suck it up and make the investments we need to make in our resource agencies so they can get the job done right.

We had a discussion of how to properly approach salvage earlier tonight. I'm not going to reiterate that issue. This amendment is not mandatory, but as an addition to an already inadequate account, which is stealing from other accounts, would not be good policy.

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

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

The amendment was agreed to.

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BENTIVOLIO) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1526) to restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from National Forest System land, to provide a temporary extension of the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes, had come to no resolution thereon.

PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Pennsylvania (Mr. CARTWRIGHT) is recognized for 55 minutes as the designee of the minority leader.

Mr. CARTWRIGHT. Mr. Speaker, I rise this evening on behalf of the Congressional Progressive Caucus to repeat and enhance the calls made by our colleagues today to end the disastrous spending cuts known as sequestration, to put a stop to the proposed disastrous cuts to SNAP benefits, and to urge the majority to abandon their plans to force the closure of the government and to default on the national debt.

I want to start with SNAP. Mr. Speaker, while nearly 50 million Americans struggle to put food on their tables, the majority are doubling their cuts to basic food aid, Supplemental Nutrition Assistance Program, also known as SNAP, which primarily helps children, seniors, and the disabled.

Mr. Speaker, 92 percent of the people who are on SNAP are children, the elderly, disabled, or already working. Food stamp recipients currently receive just $1.40 per meal. SNAP is a vital tool to prevent hunger, fight hunger, and help struggling Americans feed their families as they seek new employment, send their children to school, and get themselves back on their feet.

Slashing nearly $40 billion from SNAP, the majority bill takes the food out of the mouths of nearly 4 million Americans next year, particularly harming children, seniors, veterans, and Americans living in urban, rural, and suburban communities with chronically high unemployment. One in five children—that is 16 million children—struggle with hunger, a record high.

Mr. Speaker, here to address the effects of the SNAP cuts that we are talking about today is my valued and esteemed colleague from California, Representative ALAN LOWENTHAL.

Congressman LOWENTHAL was elected to represent the 47th District of California after a long and distinguished career both in city politics and in the California State Assembly in Sacramento. Congressman LOWENTHAL serves on the House Committee on Foreign Affairs as well as with me on the House Committee on Natural Resources. Congressman LOWENTHAL has stood up as a loud voice against cuts to the SNAP program. He has been quoted in the press as saying, ''These cuts literally take the food from the mouths of babes.''

At this time, Mr. Speaker, I yield to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Speaker, I thank the gentleman from Pennsylvania, and I appreciate his leadership in holding this vital conversation.

During my two decades in public service, I've heard many stories about how, when the economy slows down and when Americans fall on hard times, the American social safety net has helped our fellow Americans get back on their feet again.

I want to talk a little bit today, my dear friend, about what a constituent told me. I want to talk about his personal food stamp success, a story that really illustrates how SNAP is an investment in the future success of Americans.

□ 2015

This young man, whose name is Stefan, from Long Beach, recently wrote to me. He said:

My parents, after graduating from college in the mid-seventies, had to rely on food stamps for a period. They eventually went on to complete advanced degrees and began to have wonderful and productive jobs in the private sector and in higher education,

but they are both now quick to acknowledge the essential helping hand that food stamps—and also, for this young man, the WIC program for both his sister and him—played in helping them when times were tough.

Let us just remember what took place today, because these two Americans were low-income, childless adults at the time. It was for a very short period in their lives that they were low-income and also childless as adults. However, let us remember that this is one of the categories of people from whom the just-passed House bill would strip SNAP benefits. Stefan's parents, my friend, did not want to stay on food stamps, but food stamps provided them the ability to go on and become highly productive members of society because America invested in them through the SNAP program.

Contrary to the majority's claim, poor and unemployed Americans do not—and I repeat ''do not''—want to remain unemployed in order to receive a meager $1.40 per meal. That argument is specious. It paints a false picture of the masses of people who would rather have less than 6 quarters per meal than a paying job. This is not a rational choice. No one chooses the 6 quarters. These are people who need America's support and investment in order to survive.

Mr. CARTWRIGHT. Mr. LOWENTHAL, to your point about no one would choose to take meals for 6 quarters and that no one would choose to remain on SNAP benefits, there is this myth running around that we hear all the time that people abuse SNAP benefits—that people are buying crab legs and lobster tails with their food stamps.

What is your opinion on that?

Mr. LOWENTHAL. My dear colleague from Pennsylvania, I agree that it's absolutely ludicrous.

On $1.40 per meal, you are not having lobster dinners. You are not having real dinners. You are barely surviving. These are proud people who want to make a contribution to society, who went through a difficult period. As this son pointed out, after their getting through this difficult time, they moved on after receiving these benefits, which they proudly talk about how much they helped them, and they are now productive members of our society and contribute greatly to this society. It is fallacious and silly to think that people choose to be on SNAP because they want to exploit the system.

I want to talk a little bit about who our Congressional Budget Office estimates the bill that just passed today would deny SNAP benefits to.

First of all, it would deny SNAP benefits to over 3.8 million of our fellow Americans in the year 2014. Now, who are these poor, unemployed, childless Americans that this bill largely targets? According to the nonpartisan Center on Budget and Policy Priorities, 40 percent are women; 34 percent are over 40 years of age; 50 percent are white; 30 percent are African American; 10 percent are Hispanic; and 5 percent are Native American; 40 percent live in suburban areas; 40 percent live in urban areas; and 20 percent live in rural areas.

I would like to say, Mr. Speaker, that SNAP is an investment in America's workers, both current and prospective. To gut that investment—to let Americans go hungry—is to deny each of them an opportunity to become a contributing member of our society. This is not how America takes care of its people.

Mr. CARTWRIGHT. I want to thank the gentleman from California for really bringing home the point of the importance of SNAP benefits to our Nation, the validity of the program and the ridiculousness of the cuts that were passed out of the House today.

Instead of working to create jobs here at home, the majority is punishing people in America. It's pushing punishing legislation that abandons Americans who want to work but who can't find jobs. Even in communities with high unemployment, with double-digit unemployment, adults who can't find at least a half-time job under this bill would be thrown off SNAP after 3 months regardless of how high local unemployment is.

Now, this is unnecessary. SNAP currently has work requirements that can be waived by the States during times of high unemployment. Forty-six States, including almost every State with a Republican Governor, sought waivers in fiscal year '13 to provide SNAP for those looking for work—and repeatedly so over the last 10 years.

The bottom line here is that the bill that passed out of the House today on SNAP—cutting SNAP benefits close to $40 billion over the next 10 years—is radical, and it won't pass into law. The Senate will not take up such a bill. The President would never sign it. It's radical, and it's a waste of time. By imposing such draconian cuts, the majority is really derailing any chance at the enactment of a responsible new bill, critical legislation to support our Nation's farmers and ranchers, to support food security, conservation, rural communities, and the 16 million Americans whose jobs directly depend on the agriculture industry. These majority cuts are almost 10 times those in the Senate bill, and they would make any chance at a bipartisan agreement on a much-needed farm bill nearly impossible.

I want to share with you some of the statistics from my own district in northeastern Pennsylvania. I represent the 17th Congressional District. This consists of six counties. In these six counties, we have fully 39,000 households receiving SNAP benefits at this time—an incredible number of people who really rely on these benefits, who use them to alleviate hunger and to prevent the situation in which kids are going to school hungry every day. The average monthly household SNAP participation in Pennsylvania in 2011 was 815,765 people. The average monthly household SNAP participation in the United States in 2011, according to the USDA, was 21 million people in this country. In my district, over 14 percent of the households rely on SNAP benefits. These draconian cuts would go right to the heart of real people in my district.

Mr. Speaker, I want to switch gears, and I want to talk about the sequester. I want to enhance the calls by our colleagues in the Congressional Progressive Caucus to end the disastrous spending cuts called ''sequester.''

It has been months since these across-the-board cuts have gone into effect, devastating many important programs that Americans rely on every day. The purpose, of course, of the sequestration was to create a scheme of cuts so odious that Congress would do anything possible to avoid them, that Congress would be forced to come together and agree on a responsible budget. It was like a ticking time bomb that would force the Members of this House to come together, Mr. Speaker, and arrive at a reasonable compromise on an American budget; but the time bomb went off, and sequestration went into effect.

The bottom line here is that sequestration is going to cost 750,000 American jobs because of the disaster it wreaks on the American economy. That's not my figure. That's the figure put out by the nonpartisan Congressional Budget Office—750,000 American jobs.

The majority's effort to make sequestration a reality shows it is ready, willing, and able to take our economy backward at a time when Americans are desperate to move this Nation forward. That's just missing the point. The majority has shown a willingness to vote on a fix for the front-page news FAA flight delay problem, but it hasn't addressed the 70,000 children who would lose access to Head Start or any of the other programs that have been crippled. Programs and services that millions of Americans rely on, like Head Start and even the Federal Emergency Management Agency program, are being decimated by draconian cuts in funding.

Funding for the FEMA agency has been slashed by over $1 billion under sequester. Just as hurricane season began, cuts for the NOAA, the National Oceanic and Atmospheric Administration, will delay its weather satellite launch, causing an increase in cost to the program and an increased risk of inaccurate forecasts for future extreme weather. Public safety is being put at risk. It's also being put at risk as the U.S. Forest Service is facing fire season understaffed and underequipped with 500 fewer firefighters, 50 to 70 fewer fire engines, and two fewer aircraft. In fact, our transportation infrastructure in the United States is threatened by the sequester. The U.S. Department of Transportation will face $1.943 billion in total budget cuts; and Amtrak, too, was cut by $77 million under the sequester.

The services that keep us healthy are being hurt, including important mental health programs that are delivered through the Substance Abuse and Mental Health Services Administration, which will be cut by $168 million at a time when many are looking to expand mental health services to keep our communities safer, including communities like Washington, D.C. Food safety is being compromised as the Food and Drug Administration, the FDA, has to perform fewer inspections, increasing the risk of foodborne illness. Funding for NIH, the National Institutes of Health, shrunk by $1.5 billion. Remember what the NIH does. It does lifesaving medical research. Every single area of medical research in this country will be affected, including research to cure breast cancer, heart disease, Alzheimer's disease. The cuts from NIH alone will result in a loss of more than 20,000 jobs and $3 billion in economic activity in this country. A $285 million cut from the Centers for Disease Control research compromises our ability to detect and combat disease outbreaks, to facilitate immunizations, to plan for public health emergencies, and to conduct HIV and AIDS tests.

Critical support to everything, from putting police on our streets to agents at our borders, has been jeopardized. Our Federal public defenders are being furloughed, undermining the services that the already overburdened Federal courts face and forcing courts to hire private attorneys for defendants on an ad hoc basis at as much as $125 an hour. It's being penny-wise and pound-foolish.

□ 2030

As for our national security, 800,000 Department of Defense civilian employees—including in my home district, where we have the Tobyhanna Army Depot—are facing 11 days of furloughs. These are families that are already struggling to make ends meet, to pay their mortgages, make their car payments, that try to put their kids through college. Eleven days of furloughs for these faithful employees of civilian defense contractors just isn't right. The Department of Defense budget was slashed by a total of $37 billion this year, hurting economic growth in this Nation, among many other consequences.

In short, these cuts are putting the ability of our government to fully perform basic government functions that we need to keep us safe at risk. There are personal consequences. I represent Carbon County, Pennsylvania, in my district. Kim Henry from Carbon County is a participant in Head Start. Head Start doesn't just educate preschool children. It also educates and helps entire families. Head Start for Kim Henry in Carbon County helped her to figure out how to deal with situations she was facing struggling as a single mother, separated from her son's father. She was having a problem with her living arrangements. She was having a problem putting meals on the table. She was having trouble communicating her needs and figuring out how to get along in life as a single mother. Head Start, through its healthy family relationship singles workshop, helped her figure these things out.

We put too much on public schools in this country. We expect teachers to solve problems that parents need to solve. Kids don't come with instruction manuals, and a lot of times people need some guidance on how to be parents. Head Start helps provide that information, and it helped Kim Henry get her life back on track and get her relationship with her child back on track so that she's going to be a responsible parent and she's going to guide her child into being a responsible adult herself.

Meals on Wheels is cut by sequester, as well, not just Head Start. By the way, Head Start in Wilkes-Barre, Pennsylvania, alone, 49 kids alone are being asked to leave Head Start in Wilkes-Barre, Pennsylvania, because of the sequester cuts. They're never going to be 3 and 4 years old again. They're never going to have a chance to replay their time that they had to be in preschool. And they're going to spend their entire academic careers playing catchup with the other kids who have preschool. You know what that means. It means that they lose confidence in themselves as they struggle to keep up with the other kids, and they question their own ability to hang in there academically and to achieve and make the most of themselves. It's a big deal that kids get preschool through Head Start. When we cut kids from Head Start because of sequester, it's being penny-wise and pound-foolish because everybody knows that statistics show that the people who do worse academically, who struggle and fail academically, are way more likely to enter the criminal justice system in one form or another. It's a truth that is proven time and time again. The way to handle this problem is nip these problems in the bud, make good students out of kids, and do it through Head Start. Let's not cut these things.

Meals on Wheels is another great American program. In Scranton, Pennsylvania, which I represent, Meals on Wheels is a very important program. It doesn't just provide meals for seniors; it also provides socialization. People are showing up at seniors' homes and talking with them and communicating with them and checking in on them.

It's not just about socialization. It's also about safety. Just recently, a Meals on Wheels volunteer in Scranton was delivering a meal to an elderly man who didn't come to his door. The volunteer was concerned, looked through the window, and saw the man lying unconscious on his floor in his home. This volunteer was able to summon help, get the man medical help, get him to the hospital, and basically save his life. Meals on Wheels isn't just about a meal, it's about communication, it's about checking up on people who don't have other people to check up on them.

Old Forge, Pennsylvania, is another town that I represent. A different Meals on Wheels volunteer in Old Forge was delivering food during winter to an elderly woman and noticed that she came to the door wearing a parka and mittens and a hat. When the volunteer inquired as to why she was wearing that, as if she had to, the woman replied that she didn't have any heat. That volunteer was able to make contact with the appropriate social service agencies, figure out how to get the heat turned back on, and the heat was turned back on. Again, a potentially dangerous situation for the elderly woman was averted. Why? Because of Meals on Wheels. It makes no sense for us to cut Meals on Wheels. The people who are suffering by these cuts are our seniors. We need to be honoring our seniors, not cutting their benefits.

Mr. Speaker, while the sequestration process has obviously already begun, it is not too late to work together to change course. On behalf of the Congressional Progressive Caucus, I say we must change course. We can't take these sequester cuts and plan on living with them ad infinitum. It makes no sense. It's the wrong solution for America.

Mr. Speaker, I also want to address on behalf of the Congressional Progressive Caucus the question about Congress acting to avoid another shutdown showdown. Once again, a deadline looms before the United States Congress, and once again the majority is set to play politics by threatening to shut down the Federal Government rather than work toward a budget compromise. Instead of working together to develop a budget that is going to work for all Americans, the majority is letting extremists and ideologues drive the agenda.

Just last month, we marked an inauspicious anniversary: Standard & Poor's downgrading the full faith and credit of the United States of America. So we have two things going on: we have the majority trying to extract political concessions in exchange for keeping the doors of America's government open and in exchange for America not defaulting on its national debt.

Mr. Speaker, this is the United States of America. We pay our bills. We pay our bills, and we pay them on time. That's what preserves the full faith and credit of the United States, it preserves our creditworthiness, and it prevents our interest rates from skyrocketing because that is exactly what will happen if we default on the national debt. Our interest rates will go through the roof, and it will cause not an immediate recession, but an immediate depression. That is ridiculous, to hold the national debt hostage in that fashion because you're not just holding the debt ceiling hostage, you are holding the American economy and the welfare

of every single American hostage, as well. We cannot let that happen. It is the most ridiculous thing. To have that held hostage for political gain, for political ideological purposes, is simply unacceptable.

Mr. Speaker, on behalf of the Congressional Progressive Caucus, I urge my fellow colleagues in the House to abandon this plan to hold hostage the American full faith and credit, the American creditworthiness, and the American economy on the basis that it's a good way to extract political concessions for what the ideologues in this House are after.

Mr. Speaker, instead of working together to do our jobs and resolve these critical issues, the majority are staking out a decidedly different approach from working together. In fact, Speaker BOEHNER has indicated that he is gearing up for ''a whale of a fight'' to push the interests of the majority's right flank ahead of the needs of the American people. In fact, Mr. BOEHNER has been vocal about his plans to use the need to raise that debt limit to call for cuts to the programs that we've been discussing, the programs that help American families. As Speaker BOEHNER said, ''I'll say this: It may be unfair, but what I'm trying to do here is to leverage the political process.''

Mr. Speaker, on behalf of the Congressional Progressive Caucus, I say, no, don't do that. Don't do that. Back off of that extreme approach. Back off of that dangerous approach. Holding hostage the entire American Government and holding hostage the American interest rate and economy doesn't make sense. Let's work together and figure out our problems in a responsible, reasonable, and a measured manner. We can do that. And on behalf of the Congressional Progressive Caucus, I say we must do that.

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

THE MEDICAL DEVICE INDUSTRY

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

Mr. PAULSEN. Mr. Speaker, tonight we'd like to spend some time talking about an issue that I think has bipartisan support and what the American people will want to pay a little bit of attention to. I am actually going to talk a little bit about the medical device industry. Mr. Speaker, I'm a passionate advocate for this industry.

Coming from the State of Minnesota, we have some giant titans in this industry. Many of the folks out in this country may know the names of Medtronic, Boston Scientific, and St. Jude, but I'll tell you there are also 400 medical device companies in Minnesota that are small. These are companies you have never heard of, but many of which I've had the opportunity to tour and visit. They're all about entrepreneurship, innovation, improving lives, and saving lives.

Tonight we have a handful of Members who really want to devote some time talking about a challenge that has risen up against this industry, and that's the new medical device tax. It was part of the health care law. It just started being implemented in January. This is an excise tax that might not sound like a lot at 2.3 percent. This is also a tax not on profit, but a tax on their revenue. We'll get into a little more detail about why that is so dangerous to this industry and why it has become so much more challenging in just a little bit.

I will say this, though: of the 400 companies that are in Minnesota, about 200 of them alone are in my district, the Third District of Minnesota. So it's easy for me to be a passionate advocate. Many people think of Minnesota as just being the Land of 10,000 Lakes, but it's more than that. And there's no doubt that the innovative spirit that is alive in Minnesota is actually alive across the country in many States, and you're going to hear from some Members that represent some of those States that are being impacted very negatively from this new tax. It's a $30 billion tax that is being collected. That's a significant amount of money.

What does that mean? It essentially means less research and development. It means less innovation. In the end, that means less opportunity for American patients to access new breakthrough technologies. I would argue that many of us would also say that that means it is also going to result in less access to health care and then lowering health care costs, because technology has the great ability to lower health care costs. There are many statistics that actually show that in the last 20 years, the medical device and technology industry has been responsible for a 4 percent increase in U.S. life expectancy, a 16 percent decrease in mortality rates, and an astounding 25 percent decline in elderly disability rates.

□ 2045

So medical devices that help to slash the death rate from heart disease by a stunning 50 percent and cut the death rate from stroke by 30 percent.

Mr. Speaker, there are a lot of issues where Republicans and Democrats don't necessarily see eye to eye, but I think we can all agree on this: the single worst thing we can do in America is to crush our inventive spirit, and that is exactly what this new medical device tax does and is doing.

We've got some bipartisan support. I first want to thank Congressman RON KIND, my colleague from Wisconsin, for being the lead author and for helping build up the 260 coauthors to repeal this dangerous tax.

And I'm going to yield right now to my colleague from Utah, who also is going to share some thoughts and a perspective on this tax. He has been a great leader tonight in gathering up some folks to come and testify and talk on the floor. I want to thank him and his staff for encouraging his colleagues to come out and speak tonight. He has been a strong leader and a great partner in this repeal effort. So I would like to yield to my friend and colleague, Mr. MATHESON.

Mr. MATHESON. I appreciate my friend and colleague, Mr. PAULSEN, for organizing this.

I think at the outset what should be noted most is, after the House finishes its regular business of the day, we hold these opportunities for people to take 60 minutes to talk about a particular issue; and, generally, these 60 minutes are divided up where one party has an hour and then the other party has an hour. And I just think that it's really important to note that here we are talking about an issue, and it's people from both parties getting together.

Everywhere I go, I hear about people wanting folks in Congress to work together; and here we have an issue where we've got, as Mr. PAULSEN said, 260 cosponsors. A majority of the House of Representatives is already on the legislation to repeal the medical device tax. So I applaud his leadership in working in a constructive way and building a coalition around this issue. And I'm going to take some time a little bit later to continue talking about this issue.

But if I could just for the moment, I would like to recognize my colleague Mr. PETERS from California for some comments on the medical device tax.

Mr. PETERS. Mr. Speaker, I rise today with many of my colleagues to urge the full and immediate repeal of the medical device tax provision in the Affordable Care Act. As we speak, there are thousands of companies nationwide that are working to develop new technologies that will transform the face of medical care.

My district in San Diego, California, is home to numerous medical device manufacturers, innovating each day to improve the standard of care, reduce recuperation time for patients, and lower health care costs in the long term. There are small businesses and large companies generating an increasingly large economic impact in local communities like mine across the country.

I will use a few examples from my district, and I will feel bad because someone will tell me that I have missed some. NuVasive has developed minimally invasive spinal surgeries that allow a patient to walk more quickly post-surgery, spend less time in the hospital, and return to work sooner. That's better care, and that's money saved. CareFusion creates devices to improve patient care in hospitals, which minimizes mistakes and saves money. ResMed creates unique sleep apnea masks that improve patient health and productivity and reduces the incidence of other diseases

associated with poor sleep. And Volcano created a new system which allowed physicians to get images inside arteries in a less invasive and more accurate way, giving a better picture of diseased arteries and how to treat them. All of these technologies will improve patient health and save health care costs, and they are vital job creators.

Nearly 250 medical device companies call my region home. Between San Diego, Orange, Riverside, and Imperial Counties, the medical device and diagnostics industry generated nearly $10 billion in economic activity last year. According to BIOCOM, our local life sciences trade organization, medical device companies in the San Diego area employ nearly 10,000 people and create more than $3 billion worth of economic activity in the county. That money has flowed into our local communities and further supports tens of thousands of other good jobs with good pay and good benefits.

In my party, we talk a lot about Make It in America, which is a great initiative. And there's no better way to make it in America than to support the development and manufacturing of medical devices.

So how are we supporting the development of this industry? Well, we aren't. We're punishing it. Instead of incentivizing or supporting this growing and productive industry, we are assessing a special tax just against this very industry, just against the medical device industry. And it's not a tax on profits, but a tax on revenues. So that makes it especially hard on early-stage innovators who are not yet making money. And can you imagine when you are getting started and every time you make a sale, you lose more money because of a tax directed at your revenues instead of your profits? And that's a result of the medical device tax.

This tax, added to the long lag we have in the FDA consideration and approval of medical devices, will drive jobs offshore. And that's not my guess. It's already happening.

Recently Cyberronics in Texas cited the medical device tax in its decision to expand not in Texas, not in America, but in Costa Rica. And San Diego businesses, I can tell you, today are actively making the same consideration: Can we make it here, or do we have to move offshore? Do we have to move these jobs offshore and this innovation offshore?

It's time to come to our senses, Mr. Speaker. The examples of technological innovation abound in San Diego and across the country, and we just can't punish our industries at the same time other countries are providing incentives—faster approval times—and not taxing this industry in particular, not singling it out with this kind of economic punishment.

So let's eliminate this tax. Let's support our innovators. And let's keep our American jobs. And I ask that we repeal this tax.

And I, again, thank the gentleman from Minnesota for setting this up and for helping to lead this bipartisan effort to keep our American jobs here and to keep innovation on our shores.

Mr. PAULSEN. I thank the gentleman. I know the gentleman's comments reflect the interest for all of us to make things in America. And how many times have we heard where we want to make sure that we are able to make things in this country, and this is a clear example where an American success story can continue and should continue. But we're punishing this industry, and we have an opportunity to repeal this tax.

Mr. Speaker, I want to take just a second to introduce a new leader, someone who wants to speak briefly on this issue, Mr. MULLIN from Oklahoma, who is a small businessperson who understands the value of entrepreneurship and would like to offer a few comments. I yield to the gentleman from Oklahoma.

Mr. MULLIN. Thank you for this opportunity to rise up in opposition against this horrible tax. You know, this is an opportunity we have to work with our colleagues on the other side of the aisle; and these days it doesn't seem like that happens too often. But I do rise today in support of repealing the medical device tax put in effect by ObamaCare.

We've seen time and time again how this mandate is wreaking havoc on individuals and businesses' security and pocketbooks. Yet here we are again talking about how this law will cost taxpayers their jobs and hard-earned money. Dentists throughout my district have voiced their concerns with this tax and how the burden is going to choke their productivity.

I recently polled my constituents throughout my district on whether ObamaCare had driven up the costs of health care in their communities. And an overwhelming 86 percent said ''yes.''

America can't afford another $30 billion tax bill and 43,000 jobs lost. We must continue to work tirelessly to put America back in business, and I believe repealing the medical device tax definitely puts us in that direction. So it is with great pleasure that I get to stand up and work with my colleagues on the other side of the aisle. Thank you so much for working with us on this, and thank you for giving me the time to speak out.

Mr. MATHESON. Mr. Speaker, I appreciate the comments of the gentleman, once again emphasizing the fact that this is one of those where we can agree in a consensus way across party lines. And I hope we can get this legislation to repeal this tax up for a vote soon.

At this time, I would like to recognize my colleague from New York (Mr. OWENS).

Mr. OWENS. Thank you, Mr. PAULSEN. Thank you, Mr. MATHESON. I appreciate the opportunity to speak tonight.

In my district, we have the opportunity to continue to support jobs that pay an average wage of $46,500, which in my area is an extraordinarily high wage. It employs 19,645 folks and generates $913 billion in wages. As we look around at what we are attempting to accomplish—and I would note, as many of the other speakers have, in a bipartisan fashion—it is to continue economic growth, to continue innovation, and to allow us to be globally competitive.

This tax is one of those items in the health care bill which clearly needs amendment. There are any number of areas where I concur that it needs amendment. Certainly, virtually every significant piece of legislation which we have passed in the last 100 years has required amendment and modification. That is simply the reality that we all live with. Any of my business friends who embark on a new product development adventure or a new marketing adventure will have to tweak it. They'll have to change it. They'll have to modify it. That is simply a fact of life.

I'm very pleased that this matter has been brought before Congress in a bipartisan fashion. In fact, at last count, there were 261 cosponsors, a sufficient number to bring this to the floor for a vote.

I would urge that this bill be moved. I think it's extremely important that we eliminate this tax. It will allow for, I know, growth in my district and I suspect growth in jobs in many other districts throughout the United States.

Again, I thank my colleagues for working in a bipartisan fashion, and I look forward to working with them in many other ways to improve the welfare and job opportunities for all Americans.

Mr. PAULSEN. I want to thank the gentleman for his comments.

It's clearly an example where now we have across this country States that are impacted by this new device tax. But it does show how this is an industry that is an American success story. It covers all sections of the country, from the Midwest to the west coast to the east coast. And I think the share in part of that view too is someone who is a new leader in Congress as well as in the medical technology industry in California, without a doubt, generates $60 billion for that State's economy. It's huge. Significantly more than any other State, even more than my home State of Minnesota.

So the 21st Congressional District is represented by Mr. VALADAO, and I yield to the gentleman.

Mr. VALADAO. Thank you.

The Patient Protection and Affordable Care Act, also known as ObamaCare, implemented numerous taxes on the American people. One such tax, a nearly $30 billion medical device tax, took effect on January 1, 2013. This tax hurts American jobs and harms innovation in the marketplace.

As of this past July, the tax had already cost device manufacturers $1 billion. For fiscal year 2014, which starts October 1, the device will cost manufacturers over $2.5 billion. The additional cost burdens resulting from this tax will force manufacturers to reduce or freeze hiring or even eliminate current employees, putting over 43,000 American jobs at risk. That's why I cosponsored the Protect American Innovation Act, which aims to repeal the excise taxes on medical devices.

This is a bipartisan bill with substantial support from both Democrats and Republicans. Both parties know that the medical device tax hurts patients' access to medical innovation and the competitiveness of this important sector for manufacturing and high-skilled jobs. As legislators, we need to be promoting American innovation and protecting American manufacturing, not stifling it.

Mr. MATHESON. Mr. PAULSEN, if it's okay, I would like to take one more opportunity to offer a few comments on this. I wanted to make sure my colleagues on this side had a chance to speak.

But I think there are a couple other points that ought to be made. This is an excise tax that's being assessed on an industry that is, by any imagination, one of these American success stories. This is an American-based industry where innovation and hard work have created this opportunity for great value for this generation. It's created great jobs, and it's also enhanced the quality of health care in this country for all of us. This is an industry we should embrace, we should be proud of. It's a poster child for American innovation.

And isn't it ironic that here in the policy world, we now have a policy put in place where we say, well, let's take this industry and let's apply a special tax to it. And when this was put in the ObamaCare bill, it wasn't put in for any particular policy reason associated with this industry. It was put in to raise revenue, pure and simple. It wasn't put in for any other reason.

□ 2100

Why we would single out this industry, to me it doesn't make sense. This is an industry that has a few very large companies in it and a number of smaller companies that are also across-the-board innovators.

And when you tax, as a couple of the previous speakers have said, not profits, but when you tax sales revenue, you know, if you're a start-up company, you don't have a profit.

Why would we put a 2.3 percent tax on the sales of a start-up company?

This, on so many levels, is rather disturbing, when you think about it. This is an industry that already faces some challenges in terms of the regulatory approval process through the Food and Drug Administration. This is an industry that we ought to be looking at to figure out ways to allow this industry to work better, and instead, the Affordable Care Act created this additional tax.

Now, this tax started this year, in 2013. Already the industry, collectively, has paid over $1 billion through July of this year. This is real money—real money.

And what we're doing is we're taking an industry that, as I said, was successful and we're saying—in some respects we're giving them an incentive to move offshore. That's not what we want. We want these jobs onshore.

By the way, we like them to sell their product offshore. That's another thing that hasn't been mentioned, about how powerful this industry is to the U.S. economy. This is a net exporting industry. This industry contributes in a positive way to our balance of payments with the rest of the world.

We've been running a trade deficit not because of the medical device industry. They've been part of the solution to that challenge of the trade deficit. And here in the public policy world, a tax has been assessed on that industry. It just doesn't make sense.

I just want to close by, once again, mentioning my admiration and appreciation for Mr. PAULSEN, who's been a leader on this issue. We've got the 260 cosponsors on this bill. We've got the votes to pass it.

The Senate earlier this year, during consideration of their budget resolution, in more of a symbolic vote, but on medical device tax had a bipartisan majority come together as well to suggest we should remove this tax.

For all the controversy that dominates Washington today, for all the partisan bickering, for all the polarization, and for all the gridlock, here we have an issue where we all agree it's the right thing to do.

I again thank my colleague for organizing this opportunity to talk about this issue tonight and, collectively, I hope we can encourage more momentum to bring this legislation up for a vote. Let's do the right thing for this economy, the right thing for the industry.

Mr. PAULSEN. I thank the gentleman. He made several important comments that we've heard from some of the other folks that represent districts across this country. And, in fact, he made the reference point that 261 coauthors of this bill—Mr. Speaker, we can pass this in the House at any time. There's no doubt we can do that at any time. We did it last year—actually, a year and a half ago—when we passed the repeal of this device tax, but it did get roadblocked in the Senate.

Seventy-nine Senators voting in favor of repealing this device tax as a part of their budget, a symbolic vote, as he mentioned, is nothing to scoff at. And that's something where I think we need to continue to put bipartisan pressure on our leadership, on the Senate leadership, to move that issue forward so we can do the right thing and see that this repeal happens before the end of this year.

I thank the gentleman for his leadership in that effort.

Mr. Speaker, I just want to now introduce someone who is from Indiana's Ninth Congressional District. He's been a real partner for repealing the device tax on the Ways and Means Committee. He's a pro-growth, economic advocate for creating jobs. And Indiana, as a State, I think, has about 20,000 medical device jobs, and this is near and dear, I think, to his heart as well.

So I, with great pleasure, have a chance to yield to the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. I thank the gentleman for his leadership on this issue, a bipartisan issue. And I am encouraged to see so many colleagues on both sides of the aisle be here with us this evening to speak out to encourage our leadership, to encourage our fellow Members to stay engaged on this.

In the end, this is about improving lives. This is about delivering innovation within one of our highest growth economic sectors so that lives can be changed in a very positive way.

And to bring this sort of down to Earth here, aside from the very important economic statistics that we'll be citing this evening related to jobs and economic growth and losses in revenue, aside from the stories that we're going to hear this evening about manufacturing facilities being moved overseas, plans to build them no longer in the Midwest in a place like Indiana, instead, Europe is a better place to do business, let's set all that aside just for a moment and talk about one individual. This young lady, her name is Sheila Fraser.

Now, Sheila is a Hoosier, and she testified at a field hearing on the device tax and its impact on the individuals who benefit from medical devices and on businesses. This field hearing was held in Indianapolis a couple of years back, and Mr. PAULSEN helped convene it, and we appreciated that.

But Sheila testified that, at age 10, she was diagnosed with bone cancer in her leg. She was an elite athlete for her age, playing gymnastics and track. And one day she just woke up facing the prospect of amputation, of all things, at age 10.

Biomet, a company out of Indiana, made a custom device for Sheila designed to expand as she grew and to replace the diseased bone while saving her leg.

Now, today, Sheila's much older. She leads a normal, active life. When we first met, she was a senior at Marian High School in Mishawaka, Indiana. Her courses were geared for college preparation. She received honors for a GPA of 3.5 or above. She's a member of the National Honor Society.

Now, Ms. Fraser, no doubt, has a bright future ahead of her. We have to wonder how differently her life might be were it not for the innovation that occurred at that Indiana medical device company.

Innovation in devices changes lives, thousands of lives every year across

this country. It's just—she's just one remarkable example of all the people that benefit from these devices.

And without this type of innovation, let's think about what Sheila's life would look like. Well, she'd be physically disabled. She'd face a future of sky-high health care costs. Who knows what sort of opportunities she wouldn't be able to seize as a result of the innovations that came out of Biomet, just one company.

Now, taxing companies that rely so much on research and development and are positively impacting so many lives, it makes absolutely no sense to me. And the only way I can make any measure of sense out of it is something that my good colleague from the other side of the aisle, Mr. MATHESON, said earlier.

This medical device surtax wasn't included in the Affordable Care Act, what the President calls ObamaCare, for any sort of policy reason. It was just put in to raise revenue. There was no real consideration when this bill was passed about how to make the bill sustainable from a fiscal standpoint. Instead, it was an insurance coverage bill, and they were going to figure out some of the financials later. And so this was one effort, I think, to mitigate the cost of the bill.

We've discovered that it's just incredibly costly in other ways, though, the opportunity costs that will be borne by people like Sheila Fraser if this innovation doesn't occur. So, for Sheila and for millions of Americans, tens of millions of people around the world that benefit from these devices, I think we owe it to them to repeal this medical device tax, a very bipartisan issue, a bicameral issue. My constituents are demanding it. The American people are increasingly demanding it across the country.

And so I just look forward to getting this done in conjunction with those here and others in this body.

Mr. PAULSEN. I look forward to continue working with you to repeal this device tax. And as you laid out so eloquently, I had a chance to come to Indiana, and I heard the same exact story from a young girl impacted and affected positively by the value of medical technology and medical innovation; and, unfortunately, now that's under threat for our own patients, providing that type of access.

Someone who's going to share a little bit more, having a personal reflection and a personal story about that, is the gentleman from Kentucky's Sixth District, Mr. BARR, whose father recently is the beneficiary of medical innovation.

I yield to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. I thank my friend, the gentleman from Minnesota, my friend, the gentleman from Indiana, and I want to compliment both of the gentlemen here and my friends on the other side of the aisle for their leadership, and, in particular, the gentleman from Minnesota, who has been an absolute champion in advocating life-improving and lifesaving technologies that really stand a chance of declining as a sector of our economy and, more importantly, declining as an opportunity for Americans and people all around this world to achieve a better life, a better way of life, and to actually have an opportunity to live because of some of this lifesaving technology.

The medical technology industry impacts all of us all over this country. The medical device industry is in virtually every State. But it's in my home State, the Commonwealth of Kentucky as well. Kentucky has over 7,500 jobs in the medical technology industry.

The med-tech job multiplier factor in Kentucky guarantees that for every one job in the Commonwealth's medical technology sector, 1.8 additional jobs are created as a result. And these jobs are responsible for over $364 million in total personal income and $1.3 billion in annual output for Kentucky. According to the Battellle study, the medical device tax could cost Kentucky over 100 jobs in this high-paying, high-tech sector.

But as my friends have noted tonight, this is not just about jobs. It's not just about economic growth or free enterprise and the opportunities that these companies create for workers and for people. It's really about creating a quality of life for so many Kentucky families. This truly is a life-or-death decision.

There's a lot of reasons why I oppose ObamaCare, but tonight you're seeing something happen on ObamaCare that we haven't seen as much, and that is a huge bipartisan outpouring of opposition to this particular feature of ObamaCare, the medical device tax, a tax on the revenues of medical device manufacturers, not on the profits, but the revenues, a job-killing, innovation-destroying tax that absolutely should be repealed. And we should do it sooner rather than later.

But there's a human dimension to this. There's a reason why we should repeal this tax, and it is because it is going to compromise the quality of health care that Americans and people all over this planet receive because of the innovation of the medical technology sector.

This innovation has benefited my own family in a profound way recently, and it's benefited, actually, two members of my family. The gentleman from Minnesota was mentioning my father, and certainly my father is the beneficiary of a pacemaker. And it was just December 25 last year, Christmas Day, last year, I got a call from my mother, and she told me that my father had fainted. He had a fainting spell, and that obviously worried me and my wife. And so I picked up the phone and asked to speak to my father, and I did. And he was a little shaky, and I encouraged him to stop drinking the coffee and call us back if he needed anything.

About an hour later, again, Christmas morning—we were planning on going over to his home to see him later that day—I got another phone call, this time again from my mother. But this time it was from the emergency room, and it was very alarming. And she said, You need to get over here right away.

So I got in the car and sped over to the ER and walked in there, and I was greeted by the emergency room physician, and he said that my father was in a room getting an EKG. And I went over there and he showed me the tape of the EKG, and it showed his—basically, a flat line.

And I said, Well, what does that mean?

And he said, Andy, your father's heart is slowing down.

Now, that is a very grim report from an emergency room physician, I can tell you. And I know families all across this country experience difficult health care emergencies in their families as well.

But I asked the doctor, I said, Well, what are we going to do about this?

And he said, We're going to call in an electrophysiology expert, a cardiologist who's going to come in, and we are going to take a look at this.

The electrophysiology expert came in and he said, We've got good news. We can fix your father. We can put in a pacemaker in emergency surgery, and we really think we can fix this problem. Otherwise, he's in good health. It's just that he has an electrical problem with his cardiovascular system.

And so my father went into emergency surgery, got a pacemaker, a great new piece of technology put into his heart. And when he came out of surgery, the doctor checked everything and everything was great, and this pacemaker had saved my father's life.

Another story, my sister, Emily, 2 years older than me, she has suffered from juvenile rheumatoid arthritis for her entire life. And for those of you listening on TV tonight and those of who have loved ones, or if you suffer yourself from juvenile rheumatoid arthritis, you know what a disabling condition this can be.

□ 2115

It eats away at the joints. Emily is a brave person. She's a very faithful person, a very optimistic person. But she's gone through a lot. One of the things she's had to go through is hip replacement surgery and knee replacement surgery. And when anyone who is an athlete and gets hip replacements or joints replacements or suffers from arthritis and has to have these surgeries, you know that this is critical in order to become functional in your life.

Fortunately, through the innovation of medical devices, through the unbelievable entrepreneurial spirit, American medical device manufacturers have come up with prosthetic hips and joints and knees. And those innovations, those medical devices, were implanted in my sister's broken and disabled body, and she can walk because

of that. Because of that, she can walk. And hundreds and thousands and even millions of Americans can walk because of the unbelievable innovation of medical device manufacturers.

And this summer, my sister had to have a couple of hip revisions because it had been 15 years since her last hip replacement. So she had two surgeries and had hip revisions and new implants into her hips so that she could continue to function—disabled—but still function and do all the things she can do to serve her community and her family.

Mr. Speaker, I tell these stories not because my family is unique. There's families all around this country sitting at home tonight who can tell stories just like the stories I told tonight about my father and the pacemaker that saved his life or my sister and the prosthetic joints that she now has that help her in her daily life.

There are all kinds of stories like this. There's the story of Sheila that Congressman YOUNG was talking about in the Hoosier State of Indiana.

This has a human dimension to it. ObamaCare is bad policy for a lot of reasons, but on this particular reason we need to come together as a country. It was great to see friends on the other side of the aisle come and join us in the fight to repeal this job-killing medical device tax, which is really impairing the quality of life for so many Americans and has the potential to really suppress medical innovation that improves lives.

I'll just conclude by saying this: in a note of bipartisan optimism in a time of conflict and divided government in Washington, the truth be told, there's no such thing as a Republican heart attack or a Democrat heart attack. There's no such thing as Republican arthritis or Democratic arthritis.

The human condition is such that we face these challenges in our lives. And our loved ones and our families face these challenges in our life. So why on Earth would we support a policy in Washington, D.C., that limits the innovation that can better the human condition?

And so that's what I would say in conclusion, Mr. Speaker, my friends and colleagues here tonight. Let's repeal this medical device tax, let's help American families all around this country, and let's help the human condition to make sure that they have the opportunity for health and achieve their potential.

I appreciate the gentleman's leadership.

Mr. PAULSEN. I thank the gentleman for sharing the personal perspective of how medical innovation has helped his family members literally save lives, improve lives. Thousands and thousands and thousands of Americans have a friend or a family member that can share that exact same story. That is uniquely American, in many ways. And now we are exporting these devices around the world to make health care better. Again, improve lives, saving lives.

Where did the medical device tax come from? That's what a lot of my constituents ask. Why in the world would we tax medical innovation, have a tax on innovation? When the health care law was being debated a few years ago, we needed to find revenue. Let's just do a $40 billion tax on the medical device industry. They backed into the number 2.3 percent. We won't make it $40 billion. We'll make it $20 billion. Well, guess what, Mr. Speaker. It ended up being about $30 billion now.

Despite all of our best efforts now, and bipartisan support on this floor, this tax is in effect. It is being collected. The first payments began being collected in January. Every 2 weeks they get collected—the same amount of time, by the way, that companies give payroll every 2 weeks. So what do company owners have to make the decision to do? Are they going to hire more workers? And they also look at the tax. And the bottom line is they're having to pay that tax every 2 weeks.

So close to $2 billion, Mr. Speaker, has already been collected. It's a little bit like bleeding a patient every 2 weeks in the hopes of making them stronger. It just doesn't make sense.

Now the reality is now this medical technology industry in the United States faces one of the highest effective tax rates of any industry in the world because we've got a high corporate tax rate. That's another issue we're trying to solve with tax reform. But this new tax is killing jobs. Literally, about 10,000 layoffs have happened across the country, primarily because it's a tax on sales and revenue, not on profit.

The Federal Government usually, when they do an excise tax, they apply that type of a tax to ''sin'' goods. Think of alcohol or tobacco. You're trying to discourage consumption. Why would we want to discourage the consumption or the production or the innovation of new medical technologies? I find that quite ironic, actually.

This is about competitiveness, Mr. Speaker. Innovation is the key to providing cutting-edge, lifesaving technologies to patients.

I just want to share a couple more statistics. Between 1980 and 2000, new diagnostic and treatment tools increased life expectancy by more than 3 years. The new tax is hampering innovation and slows medical advancement at a time when our population is aging. We know the population is aging. An innovation can absolutely help reduce the burden of chronic diseases, which now represent more than 70 percent of all health care costs.

Mr. Speaker, the larger companies will cut back on their research and development. But as I mentioned earlier, a lot of small companies in my district and in Congressman YOUNG's district in Indiana, in particular—because I've had a chance to visit some of these companies in Indiana—80 percent of these companies are small businesses. They've got 50 employees or less, Mr. Speaker. Many of these companies, when they start out, it takes 8 to 10 years to become profitable. They just don't see a profit in the first couple of years. They need to attract venture capital, they need to attract investors. They need to convince investors that it is worth the investment.

Many of these companies, by the way, are burning $500,000 to $1 million a month just to bring their product forward—go through the clinical trials, get approval from the FDA, and then have success in the market. That's a big challenge. It's 8 to 10 years to become profitable. Sometimes even longer. We've raised the hurdle now with the tax. We've raised the bar. We've made it that much tougher to become profitable.

So there are going to be fewer investors in these companies. There's going to be less of them. When you've got less small companies being developed, what does that mean? You're not going to have breakthrough technologies. You're not going to have in-the-garage inventions, in-the-backyard inventions.

By the way, a lot of larger medical device companies, through acquisition, look for these small companies. They look for the innovators. They acquire them. And it grows their operations larger. So that's a challenge as well, Mr. Speaker.

Mr. YOUNG, I remember when I was in Indiana with you—and we can share some more stories—but this is clearly something that is an ongoing frustration, I think, for investment in this industry.

Mr. YOUNG of Indiana. This hits very close to home. Because for every Zimmer or Biomet I visit in the State of Indiana, there have to be four or five small, fledgling businesses that aspire to become the next Zimmer or Biomet of the world. We're inhibiting, with this device tax, their future growth, their research efforts, and the lean years when they're just trying to get a product approved into market.

With entrepreneurship at a 15-year low, we need to be doing everything conceivable to incentivize people to start businesses, to grow jobs, to increase personal incomes, which is exactly what this medical device sector has done in recent years. But it's all in jeopardy as a result of this surtax.

I'm in the mood this evening to tell stories. So you have opened the door there, my good friend, Mr. PAULSEN of Minnesota. So let me share with you another story about innovation in this sector.

There was a young college student who dreamed one day of becoming a doctor. So he did very well in school and studied incredibly hard. When he graduated, the U.S. military came calling. He was brought into the service against his will—drafted—and served his time as a medical technician. He got married later and they had children and one thing led to another.

They ended up moving to my hometown of Bloomington, Indiana.

And so this once-aspiring doctor did what so many Americans decide to do: they didn't give up on their dreams. So he and his wife decided to try and make a difference in the area of medicine in their own little way. He started tinkering with some wire guides in a spare bedroom of their apartment in Bloomington. Eventually, this turned into a small business—a profitable business—and they were able to hire other people and move out of the spare bedroom.

In later years, this company would grow to become the largest privately-held medical device company in the world, the Cook Group, headquartered in Bloomington, Indiana. Its founder was Bill Cook and his wife, Gayle, who survives him.

They have created thousands of jobs not just in Bloomington but around the State of Indiana, all around the Midwest. And now they're creating them in Europe. They're creating them in Europe not because they want to. In fact, there were plans, I'm told, for a number of manufacturing facilities to be built in America's Midwest. But because of our regulatory burdens and, more importantly, this medical device surtax, the plans were changed and those manufacturing facilities are now going to be constructed and jobs created in Europe. Because that's a better place to do business when they look at their financials. They tried hard. They resisted making this decision. But their Federal Government pushed them in this direction.

There's still an opportunity to salvage so many jobs, to rescue this great American industry that's really in its early stages of development. We must repeal this medical device tax. This is a no-brainer, as my oldest child says. It's a bipartisan issue.

So I'm really encouraged to see Republicans and Democrats down here this evening trying to ensure that the next Cook Group can be created and the next Cook Group won't be strangled in the cradle during its early formative years when it's trying to get cash-flow positive.

I'm glad we're getting out the word tonight to the American people on this important issue.

Mr. PAULSEN. I thank the gentleman. I remember being in Indiana and also having a chance to talk to Cook Medical. A great success story, without a doubt. It's located right there in the heartland.

I do remember, though, their concerns of the looming tax that was on its way. They were pretty clear that, Look, we've got the opportunity to build new factories, new innovative headquarter operations. We're not going to do it in the United States with this tax facing us right now. We're going to expand elsewhere.

Unfortunately, we've heard tonight how other companies in some districts have moved to Costa Rica. So we are literally sending high-quality jobs offshore—jobs that should be here in the United States.

I remember touring Sunshine Heart in Eden Prairie, my hometown in Minnesota. I met with the CEO there. This is a very small and early-stage medtech company. And many other medtech companies that are small and in the early stage would be in the exact same category. He was pretty clear. The CEO said, The device tax has put all of our hiring on hold. So now Sunshine Heart officials have got to sit back and determine exactly how much it's going to affect their cash flow. It's all about cash flow as they try to achieve that profitability.

Mr. Speaker, we've got someone else who's joined us tonight who's a member of the Energy and Commerce Committee, which is a very important committee. It has oversight over the FDA. I know that Congressman GARDNER, who represents Colorado, a very innovative State, has been a champion for streamlining and modernizing the FDA.

Thank you for joining us tonight.

Mr. GARDNER. I thank the gentleman for his leadership, and the gentleman from Indiana for sharing his experience with the medical device industry in your great State.

I kind of wanted to spend some time walking through the experiences that I have had in Colorado when it comes to innovation in medical technology and some of the things that I've seen firsthand.

It was just a couple of weeks ago that I was able to go to a business in Colorado that had developed a technology to do surgery on people's spinal cords; to help insert a precision tool into the back.

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It was almost like a ratchet that you would use in your garage, but obviously a very precise ratchet that you could develop to put into a person's spinal cord, and to tighten the bolt if they had a break, or something that needed to be fastened to save somebody's life, to put somebody's life back together for sure.

Mr. YOUNG of Indiana. One would hope it's precise.

Mr. GARDNER. It's precise. The neat thing about this technology was that you could actually view on the monitor as you're doing this surgery. You could view as the tool is inserted into the back. You could see where it was on the screen. And it immobilized the patient so that it would minimize the side effects. It minimized the risks of injury to the spinal cord.

I visited the business that had a cauterizing tool that they had spent a decade creating. This tool had an electric current running through it, so it would also be allowing a surgeon to cauterize tissue as they were able to perform life-saving surgery. But these tools cost millions of dollars to invent. They cost millions of dollars to research and to develop. They cost millions of dollars to get into surgery rooms around the country to save life.

As we talk about innovation, as we talk about the need to create opportunities for businesses in Colorado, in Indiana, in Minnesota and around this country to grow, we talk about the need to keep that investment happening. But the company told me that over the 10-year course of their business, the medical device tax will run them somewhere in the tens of millions of dollars because of the gross tax nature of the medical device tax. When I asked what the device that we were looking at cost, they said tens of millions of dollars.

So take that tax, that money, that revenue that could go into investment, to creating the next life-saving technology, take that out of that business and you no longer have a life-saving technology because they didn't have the money available to develop that life-saving tool.

So what the medical device tax is doing is it's removing money from the private sector. It's removing their ability to invest money into innovative technologies that save lives.

As we talk about the future of the President's health care bill in this country, we talk about the need for quality care, to reduce the cost of care, to increase the quality of care. But it's not doing that through the device tax because it's penalizing innovative businesses for their success. It's taking away their opportunities to develop new technologies, to create that next cauterizing tool, the next spinal cord tool to build a better life for people.

So as we debate the health care bill, as we debate the future of health care legislation in this country, I hope that people will realize that we shouldn't penalize opportunities to create better tools in health care, that we shouldn't penalize success for innovation. And in a State like Colorado, in a State like ours—Indiana, and yours in Minnesota—I do hope that we can come together in a bipartisan fashion to repeal the medical device tax so that we can actually allow that money to be invested where it matters, and that's in saving lives.

So I thank my colleague from Minnesota for his tremendous leadership, and the gentleman from Indiana for your leadership in making sure that people understand it's not just about a tax, but it is indeed about the opportunity to invest in saving lives.

Mr. PAULSEN. Thank you very much for your leadership, as well, on the Energy and Commerce Committee and for understanding the value of keeping these life-saving and live-improving technologies alive and well.

In a State like Colorado—I know your heart goes out to some other challenges in Colorado right now with the flooding, etcetera, but I know that that innovative and entrepreneurial spirit will see Coloradans through that situation as well.

Mr. Speaker, I want to mention one other thing—and my colleague from the Ways and Means Committee, I think, can comment on this a little bit as well—but there's no doubt this is about less invasive technology. This is about keeping people out of the hospital. It's about keeping health care and lowering health care costs.

This is a very complicated tax. This is not just a simple tax. It's collected every 2 weeks; every single 2 weeks. So a $30 billion tax, it's actually extremely challenging for companies to figure out how they're going to collect the tax. It's pretty onerous. So it's more complicated than a typical excise tax. It's regulated by the IRS—of course. The complexity and the difficulty in developing these regulations for the tax actually underscores that an excise tax—it's a very blunt and a very damaging instrument that is being applied to a highly innovative and dynamic industry, which you just talked about. And the compliance costs alone are very hard, as we've learned in the Ways and Means Committee.

Mr. YOUNG of Indiana. They are, indeed. And the numbers add up quickly. Right now, you indicated we're looking at a semi-monthly payment of this tax by our device companies. Roughly $100 million is due to the Internal Revenue Service semi-monthly as a result of this tax, And those numbers add up quickly.

So far in fiscal year 2013, the taxes already cost device manufacturers nearly $2 billion, and next year is looking even worse. Next fiscal year, starting October 1, the device tax is projected to cost manufacturers over $2.5 billion. So, once again, these taxes are not just being paid by the large companies; they're being paid by companies that are drawing on all their financial wherewithal—all the venture capital they can find, all their personal savings, all the community bank loans they may be able to get during these rough times. Those monies are being used to, with a threadbare budget, to research and develop these technologies into something that can finally make their way to the market. And all the while Uncle Sam is taxing away any profits they might be realizing on another product that may already be at market.

So this is absolutely something that is a disincentive to innovation. It undermines job creation at a time that all politicians are talking about creating jobs and saving the middle class. These are good-paying jobs. Manufacturing jobs, which you started off talking about, we need to be creating more manufacturing jobs here in the United States. So these pay better than your median or your average wage in a given State.

This is why we have 79 supporters in the United States Senate, Republican and Democrat—and I think perhaps an independent in there, one never knows, that might favor repealing this device tax. Here in the House, we have 260 cosponsors for repealing the device tax, Republican and Democrat. So let's get it done.

Mr. PAULSEN. I thank the gentleman.

I have to share a story as well because this is about high-valued manufacturing without a doubt. There was a story, an editorial in the Detroit News just the other day. It essentially highlights a successful Michigan business, Fortune 500 company, Stryker. It's based in Kalamazoo. They were pretty clear, talking about how the new 2.3 percent medical device tax will cost the company $100 million this year alone. That's going to reduce its research and development budget by about 20 percent, which is the equivalent of the loss of 1,000 workers, Mr. Speaker.

We can't afford to be talking about laying off thousands more people when the economy is struggling as it is. We should be flying at 30,000 feet after we came out of the recession, and we're bumping along at 10,000 feet. There's a lot of reasons for that, but the medical device tax is really crippling an industry that could help lead the way out of that recession as well.

Mr. Speaker, I just want to mention one other thing that I think is important as well, that is, that as my colleague mentioned, we know 79 Senators support repealing this device tax. The challenge is with the Senate leadership. We need these rank-and-file Members to pressure the Senate leadership to also bring this up for a vote. We can do this in the House at any time. We will likely be doing that sometime this fall as a part of the other budget negotiations and discussions, but we've got to make sure that our bipartisan efforts continue to pressure our leadership to act on this and convince the White House that this is a top priority.

My colleague would agree, I would assume.

Mr. YOUNG of Indiana. I would absolutely agree. And I throw another wrinkle into this conversation.

We need to be identifying ways to control health care costs. Whatever one thinks of the Patient Protection and Affordable Care Act—as the President's health care law is known—we are not here to discuss the larger law. But to the extent we figure out or can incorporate into our policies cost-saving measures that still maintain the quality of care that Americans have grown to expect from our medical system, that allows us to reduce the burden of taxation.

So I think those who are enamored of this law need to reflect on this litany of different taxes that have been put into place in order to pay for it—many of them, I believe, unwise. But this one is particularly unwise; that's why we have so much bipartisan support behind its repeal.

Mr. PAULSEN. I just want to thank the gentleman for joining us tonight, and all of our colleagues for taking the time to express our frustration, but our optimism that we can repeal this tax because it's about protecting economic growth, it's about protecting innovation, and it's about protecting global competitiveness.

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

ADJOURNMENT

Mr. PAULSEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Friday, September 20, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3022. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality: Revision to Definition of Volatile Organic Compounds — Exclusion of trans 1-chloro-3,3,3-trifluoroprop-1-ene [Solstice TM 1233zd(E)] [EPA-HQ-OAR-2012-0393; FRL-9844-3] (RIN: 2060-AR67) received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3023. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Maintenance Plan Update for Lake County, Indiana for Sulfur Dioxide [EPA-R05-OAR-2013-0377; FRL-9900-51-Region 5] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3024. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Michigan; Redesignation of the Detroit-Ann Arbor Area to Attainment of the 1997 Annual Standard and the 2006 24-Hour Standard for Fine Particulate Matter [EPA-R05-OAR-2011-0673; FRL-9900-49-Region 5] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3025. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Florida; Regional Haze State Implementation Plan [EPA-R04-OAR-2010-0935; FRL-9900-31-Region 4] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3026. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of New Jersey; Redesignation of Areas for Air Quality Planning Purposes and Approval of the Associated Maintenance Plan [Docket No.: EPA-R02-OAR-2012-0889; FRL-9900-33-Region 2] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3027. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation

of Implementation Plans; Arkansas; Interstate Transport of Fine Particulate Matter [EPA-R06-OAR-2008-0633; FRL-9900-32-Region 6] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3028. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; St. Louis Area Transportation Conformity Requirements [EPA-R07-OAR-2013-0482; FRL-9900-41-Region 7] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3029. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ethyl-2E,4Z-Decadienoate (Pear Ester); Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-1018; FRL-9396-8] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3030. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Halosulfuron-methyl; Pesticide Tolerances [EPA-HQ-OPP-2012-0586; FRL-9393-8] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3031. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and Defer Sanctions; California; San Joaquin Valley [EPA-R09-OAR-2013-0534; FRL-9900-36-Region 9] received August 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3032. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No.: 13-24] [CG Docket No.: 03-123] received September 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3033. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Species Status for the Grotto Sculpin (Cottus specus) Throughout Its Range [Docket No.: FWS-R3-ES-2012-0065] (RIN: 1018-AY16) received September 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3034. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Species Status for the Austin Blind Salamander and Threatened Species Status for the Jollyville Plateau Salamander Throughout Their Ranges [Docket No.: FWS-R2-ES-2012-0035; 4500030113] (RIN: 1018-AY22) received September 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3035. 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; Revisions to the Regulations for Impact Analyses of Critical Habitat [Docket No.: FWS-R9-ES-2011-0073] [Docket No.: 120606146-3505-01] (RIN: 1018-AY62; 0648-BC24] received September 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3036. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Grotto Sculpin (Cottus specus) [Docket No.: FWS-R3-ES-2013-0016; 4500030113] (RIN: 1018-AZ41) received September 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3037. A letter from the Acting Assistant Secretary, Department of Labor, transmitting the Department's final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Delay of Effective Date (RIN: 1205-AB61) received September 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3038. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Seagoing Barges [Docket No.: USCG-2011-0363] (RIN: 1625-AC03 (formerly RIN 1625-AB71)) received September 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE: Committee on Rules. Supplemental report on House Resolution 352. Resolution providing for consideration of the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, and providing for consideration of motions to suspend the rules (Rept. 113–216 Pt. 2).

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. LABRADOR (for himself, Mr. PITTS, Mrs. HARTZLER, Mr. MCINTYRE, Mr. SCALISE, Mr. FRANKS of Arizona, Mr. MEADOWS, Mr. FLEMING, Mr. LIPINSKI, Mr. GARRETT, Mr. BRIDENSTINE, Mr. DAINES, Mr. BOUSTANY, Mrs. BACHMANN, Mrs. WAGNER, Mr. BRADY of Texas, Mr. COLLINS of New York, Mr. PEARCE, Mr. WALBERG, Mrs. BLACK, Mr. HULTGREN, Mr. BROUN of Georgia, Mr. HARPER, Mr. CASSIDY, Mr. CRAMER, Mr. ADERHOLT, Mr. MULVANEY, Mr. BISHOP of Utah, Mr. ROKITA, Mr. SANFORD, Mr. MARINO, Mr. LONG, Mr. GRAVES of Georgia, Mr. SESSIONS, Mr. FLORES, Mr. DUNCAN of South Carolina, Mr. JORDAN, Mr. WEBER of Texas, Mr. HUIZENGA of Michigan, Mr. STUTZMAN, Mr. KINGSTON, Mr. LAMALFA, Mr. SALMON, Mr. COTTON, Mr. KELLY of Pennsylvania, Mr. FORTENBERRY, Mr. HARRIS, Mr. MILLER of Florida, Mr. BENTIVOLIO, Mr. HALL, Mr. ROGERS of Alabama, Mr. LAMBORN, Mr. PALAZZO, Mr. ROTHFUS, Mr. ROE of Tennessee, Mr. CHAFFETZ, Mr. GOHMERT, Mr. STEWART, Mr. SMITH of New Jersey, Mr. CHABOT, Mr. SOUTHERLAND, Mr. JONES, and Mrs. LUMMIS):

H.R. 3133. A bill to prevent adverse treatment of any person on the basis of views held with respect to marriage; to the Committee on Oversight and Government Reform, 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. KELLY of Pennsylvania:

H.R. 3134. A bill to amend the Internal Revenue Code of 1986 to allow charitable contributions made by an individual after the close of the taxable year, but before the tax return due date, to be treated as made in such taxable year; to the Committee on Ways and Means.

By Mr. POCAN (for himself, Ms. ROS-LEHTINEN, Mr. CONNOLLY, Mr. HANNA, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CARTWRIGHT, Ms. CHU, Mr. CICILLINE, Mr. COHEN, Mr. CUMMINGS, Ms. DELBENE, Mr. DOYLE, Ms. EDWARDS, Ms. ESTY, Ms. FUDGE, Mr. GRIJALVA, Mr. HONDA, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. LEE of California, Mr. LEWIS, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUIGLEY, Mr. RANGEL, Mr. RUSH, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Ms. SCHWARTZ, Mr. SERRANO, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Ms. VELÁZQUEZ, Mr. WALZ, Mr. WAXMAN, and Mr. WELCH):

H.R. 3135. A bill to provide certain benefits to domestic partners of Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committees on Education and the Workforce, House Administration, 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. SALMON (for himself, Mr. POLIS, Mrs. BROOKS of Indiana, and Mr. ANDREWS):

H.R. 3136. A bill to establish a demonstration program for competency-based education; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY (for herself, Mr. CONYERS, Mr. DEFAZIO, Mr. ELLISON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. LEE of California, and Ms. NORTON):

H.R. 3137. A bill to provide a framework establishing the rights, liabilities, and responsibilities of participants in closing procedures for certain types of consumer deposit accounts, to protect individual consumer rights, and for other purposes; to the Committee on Financial Services.

By Mr. ROTHFUS (for himself, Mr. DENT, Mr. BARLETTA, and Mr. THOMPSON of Pennsylvania):

H.R. 3138. A bill to provide that certain emission limits for hydrogen chloride and sulfur dioxide shall not apply to certain existing electric utility steam generating units that use circulating fluidized bed technology to convert coal refuse into energy; to the Committee on Energy and Commerce.

By Mr. SARBANES (for himself, Mr. HOYER, Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. RUPPERSBERGER, Mr. MORAN, Mr. WITTMAN, Ms. EDWARDS, Mr. DELANEY, Mr. SCOTT of Virginia, and Mr. CONNOLLY):

H.R. 3139. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the reauthorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Natural Resources.

By Mrs. CAPITO (for herself, Mrs. LUMMIS, Mr. BARR, Mr. ROGERS of Kentucky, Mr. JOHNSON of Ohio, Mr.

ROTHFUS, Mr. BUCSHON, Mrs. NOEM, Mr. GRIFFITH of Virginia, and Mr. MCKINLEY):

H.R. 3140. A bill to amend the Clean Air Act to prohibit any regulation under such Act concerning the emissions of carbon dioxide from a fossil fuel-fired electric generating unit from taking effect until the Administrator of the Environmental Protection Agency makes certain certifications, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MILLER of Michigan (for herself, Ms. LORETTA SANCHEZ of California, Mr. MCCAUL, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, and Mr. KING of New York):

H.R. 3141. A bill to require the Secretary of Homeland Security to establish a biometric exit data system, and for other purposes; to the Committee on Homeland Security.

By Ms. KELLY of Illinois:

H.R. 3142. A bill to improve science, technology, engineering, and mathematics education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KING of New York (for himself, Mr. NADLER, Mr. FRELINGHUYSEN, Mrs. CAROLYN B. MALONEY of New York, Mr. GRIMM, Mr. MEEHAN, Mr. SWALWELL of California, and Mr. POE of Texas):

H.R. 3143. A bill to deter terrorism, provide justice for victims, and for other purposes; to the Committee on the Judiciary.

By Mr. MCDERMOTT:

H.R. 3144. A bill to amend title XVIII of the Social Security Act to provide Medicare coverage of extended care services without regard to a requirement for a 3-day prior hospitalization, and for other purposes; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 3145. A bill to amend the Internal Revenue Code of 1986 to permit students who were homeless youths or homeless veterans to occupy low-income housing units; to the Committee on Ways and Means.

By Mr. MURPHY of Florida (for himself, Mr. COFFMAN, Mr. PETERS of California, and Ms. SINEMA):

H.R. 3146. A bill to take steps to reduce the deficit of the Federal Government; to the Committee on Ways and Means, and in addition to the Committees on Armed Services, Foreign Affairs, the Judiciary, Financial Services, House Administration, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Ms. DELAURO):

H.R. 3147. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERS of California (for himself and Mr. SCHRADER):

H.R. 3148. A bill to amend title 31, United States Code, to apply the debt limit only to debt held by the public and to adjust the debt limit for increases in the gross domestic product; to the Committee on Ways and Means.

By Mr. PETERS of California (for himself and Mr. SCHRADER):

H.R. 3149. A bill to amend the Congressional Budget Act of 1974 to provide for a debt stabilization process, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. CÁRDENAS, Ms. CLARKE, Mr. GRIJALVA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Ms. NORTON, Mr. PETERS of Michigan, Mr. VARGAS, Mr. NADLER, Mr. SCOTT of Virginia, Mr. ANDREWS, and Mr. PERLMUTTER):

H.R. 3150. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of hearing aids and related hearing services; 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. REED (for himself, Mr. KELLY of Pennsylvania, Mr. YOUNG of Indiana, and Mr. GRIFFIN of Arkansas):

H.R. 3151. A bill to amend title IV of the Social Security Act to modify the State maintenance of effort requirement, and for other purposes; to the Committee on Ways and Means.

By Mr. REED:

H.R. 3152. A bill to prohibit Members of Congress, the President, the Vice President, and the head of any Executive department from receiving pay for any period in which there is a Government shutdown and to provide for payments to seniors, military and veterans during a Government shutdown; to the Committee on Oversight and Government Reform, and in addition to the Committees on Armed Services, House Administration, Ways and Means, Energy and Commerce, and Veterans' Affairs, 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. RICHMOND:

H.R. 3153. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to establish the Office of School Discipline Policy, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on 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. ROKITA (for himself, Mr. ALEXANDER, Mrs. BLACK, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mr. BUCSHON, Mr. BURGESS, Mr. CAMPBELL, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COLE, Mr. CONAWAY, Mr. CRAWFORD, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLEISCHMANN, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. GRIFFIN of Arkansas, Mr. HARPER, Mrs. HARTZLER, Mr. HENSARLING, Mr. HUDSON, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HURT, Mr. JONES, Mr. KING of Iowa, Mr. LAMBORN, Mr. LANKFORD, Mr. LONG, Mr. MCCLINTOCK, Mr. MILLER of Florida, Mr. MULVANEY, Mr. NUNNELEE, Mr. OLSON, Mr. PEARCE, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. SCALISE, Mr. AUSTIN SCOTT of Georgia, Mr. SMITH of Texas, Mr. STIVERS, Mr. STUTZMAN, Mrs. WAGNER, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. YOUNG of Indiana, Mr. MICA, and Mr. STOCKMAN):

H.R. 3154. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Education and the Workforce.

By Ms. ROS-LEHTINEN:

H.R. 3155. A bill to promote transparency, accountability, and reform within the United Nations system, and for other purposes; to the Committee on Foreign Affairs.

By Mr. STOCKMAN:

H.R. 3156. A bill to reform the Biggert-Waters Flood Insurance Reform Act of 2012 to responsibly protect homeownership; to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure.

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. LABRADOR:

H.R. 3133.

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

This legislation has been written pursuant to protections guaranteed by the First Amendment, which outlines, ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech,'' and the due process clause of the 14th Amendment, which guarantees that no person will ''be deprived of life, liberty, or property, without due process of law.''

The constitutional authority on which this bill rests is the power of Congress ''to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States'' as outlined in Article 1, Section 8, Clause 1 of the Constitution. Additionally, Article 1, Section 8, Clause 18 of the United States Constitution states, ''Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department of officer thereof.''

By Mr. KELLY of Pennsylvania:

H.R. 3134.

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

Article 1, Section 8.

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

By Mr. POCAN:

H.R. 3135.

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

Article 1, Section 8

By Mr. SALMON:

H.R. 3136.

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

Article I, Section 8 of the Constitution of the United States of America.

By Ms. SCHAKOWSKY:

H.R. 3137.

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

Article I, Section VIII.

By Mr. ROTHFUS:

H.R. 3138.

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

Article I, Section 8, Clause 3 of the U.S. Constitution, ''[t]o regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes. . . .''

By Mr. SARBANES:
H.R. 3139.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.
By Mrs. CAPITO:
H.R. 3140.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 1: All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
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 Mrs. MILLER of Michigan:
H.R. 3141.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States.
By Ms. KELLY of Illinois:
H.R. 3142.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the U.S. Constitution
By Mr. KING of New York:
H.R. 3143.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 6
The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. MCDERMOTT:
H.R. 3144.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. MCDERMOTT:
H.R. 3145.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 7 and Section 8
By Mr. MURPHY of Florida:
H.R. 3146.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Article 1 Section 8 Clause 18 of the United States Constitution, which states that the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. PALLONE:
H.R. 3147.
Congress has the power to enact this legislation pursuant to the following:
section 8 of article I of the Constitution.
By Mr. PETERS of California:
H.R. 3148.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to lay and collect taxes, duties, imports, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform thought the United States.
By Mr. PETERS of California:
H.R. 3149.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to lay and collect taxes, duties, imports, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform thought the United States.
By Mr. CARTWRIGHT:
H.R. 3150.
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. REED:
H.R. 3151.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
By Mr. REED:
H.R. 3152.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7
By Mr. RICHMOND:
H.R. 3153.
Congress has the power to enact this legislation pursuant to the following:
This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).
Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.
By Mr. ROKITA:
H.R. 3154.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the Constitution of the United States that states ''The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Ms. ROS-LEHTINEN:
H.R. 3155.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution
By Mr. STOCKMAN:
H.R. 3156.
Congress has the power to enact this legislation pursuant to the following:
The Tenth Amendment to the United States Constitution.

ADDITIONAL SPONSORS

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

H.R. 93: Mr. CARTWRIGHT.
H.R. 183: Mr. SWALWELL of California.
H.R. 269: Ms. SPEIER.
H.R. 303: Mr. CARSON of Indiana.
H.R. 318: Mr. O'ROURKE.
H.R. 351: Mr. LABRADOR.
H.R. 366: Mr. O'ROURKE.
H.R. 383: Mr. SALMON, Mr. LOEBSACK, Mr. HARRIS, Mr. MEADOWS, and Mr. COLLINS of New York.
H.R. 385: Mr. MCGOVERN.
H.R. 543: Mrs. NAPOLITANO.
H.R. 565: Mr. HUFFMAN.
H.R. 635: Mr. NOLAN.
H.R. 685: Mr. GEORGE MILLER of California, Mr. LANGEVIN, Mr. POMPEO, and Mr. THORNBERRY.
H.R. 717: Mr. GARCIA.
H.R. 721: Mr. PITTS.
H.R. 724: Mr. LATHAM, Mr. KELLY of Pennsylvania, and Ms. SHEA-PORTER.
H.R. 822: Mr. HINOJOSA.
H.R. 896: Mr. BISHOP of Georgia.
H.R. 920: Mr. MULLIN and Mr. LAMBORN.
H.R. 1014: Mr. NOLAN.
H.R. 1024: Mr. LANCE.
H.R. 1029: Mr. ISRAEL.
H.R. 1078: Mr. CALVERT.
H.R. 1143: Mr. MCKINLEY.
H.R. 1201: Mr. QUIGLEY.
H.R. 1229: Ms. FUDGE.
H.R. 1249: Mr. FITZPATRICK.
H.R. 1250: Ms. GRANGER and Mr. ROGERS of Kentucky.
H.R. 1281: Mr. SIRES, Ms. SCHAKOWSKY, Mr. COSTA, Ms. LORETTA SANCHEZ of California, Mr. RUIZ, Mrs. NEGRETE MCLEOD, Mr. CASTRO of Texas, Mr. GALLEGO, Mr. BECERRA, Mr. SABLAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CÁRDENAS, Mr. GUTIÉRREZ, Mr. RYAN of Ohio, Mr. BEN RAY LUJÁN of New Mexico, Mr. GARCIA, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. VARGAS, Mr. SERRANO, Ms. VELÁZQUEZ, and Mr. KING of New York.
H.R. 1339: Mr. CARNEY, Mr. SCHNEIDER, Ms. LOFGREN, Mr. POCAN, and Mr. DOYLE.
H.R. 1354: Mr. SOUTHERLAND and Mr. VALADAO.
H.R. 1409: Mr. KELLY of Pennsylvania.
H.R. 1421: Mr. RUIZ and Ms. ESTY.
H.R. 1518: Mr. LATHAM, Mr. O'ROURKE, Mr. SWALWELL of California, and Mr. CHABOT.
H.R. 1528: Mr. HONDA.
H.R. 1553: Mr. BROOKS of Alabama.
H.R. 1616: Ms. CASTOR of Florida.
H.R. 1658: Mr. ISSA.
H.R. 1666: Mr. HUFFMAN and Mr. RUSH.
H.R. 1699: Mrs. CAROLYN B. MALONEY of New York, Ms. BORDALLO, Ms. CLARKE, Mrs. BEATTY, Mr. RANGEL, and Mr. RUSH.
H.R. 1705: Mr. MICHAUD.
H.R. 1708: Mr. MCINTYRE.
H.R. 1731: Mr. SWALWELL of California and Mr. CARTWRIGHT.
H.R. 1750: Mr. ENYART and Mr. TIPTON.
H.R. 1763: Mr. POCAN.
H.R. 1779: Mr. TIPTON, Mr. SCHRADER, Mr. PETRI, and Mr. RUNYAN.
H.R. 1814: Mr. KELLY of Pennsylvania, Mr. KILDEE, Ms. CHU, Mr. NUGENT, and Mr. SCHWEIKERT.
H.R. 1827: Mr. MCNERNEY.
H.R. 1830: Ms. SCHWARTZ.
H.R. 1844: Mr. COURTNEY and Mrs. CAPPS.
H.R. 1869: Mr. GENE GREEN of Texas.
H.R. 1884: Ms. DELBENE and Mr. FOSTER.
H.R. 1905: Mr. CARSON of Indiana.
H.R. 1915: Mr. POSEY.
H.R. 1982: Mr. GERLACH.
H.R. 1985: Mr. PALLONE and Mr. KELLY of Pennsylvania.
H.R. 2000: Mr. CLEAVER.
H.R. 2087: Mr. SCHWEIKERT.
H.R. 2099: Mr. JONES.
H.R. 2146: Mr. DAVID SCOTT of Georgia, Mr. CARNEY, and Mr. KILDEE.
H.R. 2169: Mr. TAKANO.
H.R. 2247: Mr. ROSS.
H.R. 2273: Mr. SCHNEIDER.
H.R. 2288: Mr. YOUNG of Alaska and Mr. LIPINSKI.
H.R. 2308: Mr. HUFFMAN.
H.R. 2328: Ms. LOFGREN.
H.R. 2374: Mr. MURPHY of Florida.
H.R. 2478: Mr. PEARCE, Mr. LATTA, Mr. SAM JOHNSON of Texas, and Mr. PITTENGER.
H.R. 2485: Mr. TAKANO.
H.R. 2500: Mr. RUNYAN.
H.R. 2502: Mr. NEAL.
H.R. 2506: Mr. GENE GREEN of Texas.
H.R. 2520: Mr. TAKANO.
H.R. 2578: Mr. WALZ.
H.R. 2590: Mr. GENE GREEN of Texas.
H.R. 2591: Mr. SWALWELL of California and Ms. GRANGER.
H.R. 2606: Mr. CARSON of Indiana and Mr. CARTWRIGHT.
H.R. 2663: Ms. PINGREE of Maine and Mr. SENSENBRENNER.
H.R. 2675: Mr. GENE GREEN of Texas.
H.R. 2682: Mrs. ROBY.
H.R. 2689: Mr. GENE GREEN of Texas.
H.R. 2694: Mr. GENE GREEN of Texas.

H.R. 2756: Mr. O'ROURKE.
H.R. 2794: Mr. SAM JOHNSON of Texas.
H.R. 2809: Mr. GRAVES of Missouri, Mrs. MILLER of Michigan, Mr. ROSKAM, Mr. UPTON, Mr. DAINES, Mrs. LUMMIS, Mr. FITZPATRICK, Mr. GARRETT, Mr. GOWDY, Mr. RODNEY DAVIS of Illinois, Mr. JONES, Mr. STEWART, and Mr. LATTA.
H.R. 2821: Mr. HASTINGS of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. LOWENTHAL.
H.R. 2839: Mr. LARSON of Connecticut.
H.R. 2841: Mr. HECK of Nevada.
H.R. 2874: Ms. PINGREE of Maine, Ms. SHEA-PORTER, Ms. ESTY, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2876: Mr. MULVANEY, Mrs. BLACKburn and Mr. WALBERG.
H.R. 2901: Mr. STOCKMAN, Mr. MORAN and Mr. ELLISON.
H.R. 2911: Mrs. CAROLYN B. MALONEY of New York and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2918: Ms. WILSON of Florida and Mr. GRIFFITH of Virginia.
H.R. 3039: Mr. CICILLINE.
H.R. 3040: Mr. KING of New York.
H.R. 3045: Mr. LOWENTHAL, Mr. HECK of Nevada, and Mr. JOHNSON of Ohio.
H.R. 3067: Mr. WITTMAN and Mr. SIMPSON.
H.R. 3076: Mr. BARR and Mr. WENSTRUP.
H.R. 3077: Mr. MARCHANT, Mr. LANCE, and Mr. KELLY of Pennsylvania.
H.R. 3086: Mr. SESSIONS.
H.R. 3087: Mr. JOHNSON of Ohio and Mr. PALAZZO.
H.R. 3093: Mr. KING of Iowa and Mr. BUCSHON.
H.R. 3095: Mr. CRAWFORD, Mr. DEFAZIO, Mr. LATTA, Mrs. ELLMERS, Mr. WILSON of South Carolina, Mr. GERLACH, Mr. GIBSON, Mr. LATHAM, and Mr. TERRY.
H.R. 3098: Mr. TAKANO and Mr. O'ROURKE.
H.R. 3103: Ms. SCHAKOWSKY, Mr. PASTOR of Arizona, Ms. SEWELL of Alabama, Mr. HIMES, Mr. HUNTER, Mr. POMPEO, Mr. HECK of Nevada, Ms. LOFGREN, Ms. BASS, Ms. JACKSON LEE, Ms. CHU, Ms. DELBENE, Mr. SCOTT of Virginia, and Mr. SCHIFF.
H.R. 3106: Mr. CARSON of Indiana.
H.R. 3112: Ms. DUCKWORTH and Mr. RUPPERSBERGER.
H.R. 3118: Mr. LYNCH and Mr. LANGEVIN.
H.R. 3121: Mr. GINGREY of Georgia, Mr. COLE, Mrs. LUMMIS, Mr. GUTHRIE, Mr. HARRIS, and Mr. LAMBORN.
H.R. 3128: Mr. THOMPSON of California.
H.R. 3130: Mr. O'ROURKE.
H. J. Res. 34: Mr. BISHOP of Georgia.
H. J. Res. 44: Mr. BISHOP of Georgia.
H. J. Res. 62: Mr. HULTGREN.
H. Con. Res. 16: Mr. MCINTYRE, Mr. DAINES, Mr. DUFFY, and Ms. KUSTER.
H. Con. Res. 34: Mr. DOGGETT.
H. Con. Res. 45: Mr. BARR.
H. Con. Res. 48: Mr. FORBES.
H. Res. 55: Mr. AL GREEN of Texas.
H. Res. 145: Ms. KUSTER.
H. Res. 254: Mr. COHEN.
H. Res. 281: Mr. HECK of Nevada, Ms. SCHWARTZ, Mr. LOBIONDO, Mr. SMITH of Washington, Mr. PAYNE, Mr. HURT, Mr. QUIGLEY, Mr. LARSON of Connecticut, Mr. GOWDY, Ms. BONAMICI, and Mr. DOGGETT.
H. Res. 284: Mr. STOCKMAN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits are submitted as follows:

OFFERED BY MR. ROYCE

The provisions that warranted a referral to the Committee on Foreign Affairs in H.R. 3102 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

51. The SPEAKER presented a petition of the City of Kenosha, Wisconsin, relative to Resolution No. 112-13 urging the Congress to take swift action to reinvigorate Section 4 of the Voting Rights Act of 1965; to the Committee on the Judiciary.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.J. RES. 59

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 1 After the enacting clause, insert the following new center heading ''Division A''.

Page 3, strike lines 3 through 18.

Page 5, line 15, strike ''December'' and insert ''November''.

Page 13, line 24, strike ''in sections 403(b) and 413(h)'' and insert ''in section 403(b)''.

Page 15, strike line 1 and all that follows through page 16, line 5, and insert the following:

SEC. 133. (a) The second paragraph under the heading ''Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund'' in Public Law 112–74 shall be applied as though the funding for activities described in that paragraph had been appropriated from the general fund of the Treasury with a two-year period of availability.

(b) In addition to the amounts made available under section 101 for ''Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund'', amounts are provided, at the following rates for operations, for the following activities:

(1) $250,000,000, for necessary expenses for procuring security countermeasures (as defined in section 319F-2(c)(1)(B) of the Public Health Service Act), to remain available until expended.

(2) $140,009,000, for expenses necessary to prepare for and respond to an influenza pandemic and other emerging infectious diseases, of which $108,000,000 shall be available, until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools.

(c)(1) The amounts made available under this section for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose.

(2) Products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F-2 of the Public Health Service Act.

Page 16, after line 20, insert the following:

SEC. 137. (a) The rate for operations provided by this joint resolution—

(1) for each discretionary appropriation in the security category is increased by the percentage necessary such that total funding during fiscal year 2014 for the security category (excluding amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985) equals $552,000,000,000; and

(2) for each discretionary appropriation in the non-security category is increased by the percentage necessary such that total funding during fiscal year 2014 for the non-security category (excluding amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, or for purposes of section 251(b)(2)(B) of such Act) equals $506,000,000,000.

(b) The increases provided under subsection (a) shall not apply to any amount designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, or for purposes of section 251(b)(2)(B) of such Act.

Insert at the end the following new division:

DIVISION B

SECTION 1. SHORT TITLE.

This division may be cited as the ''Stop the Sequester Job Loss for 2014 Act''.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—BUDGET PROCESS AMENDMENTS

Sec. 101. Repeal the 2014 sequester.
Sec. 102. Reduction of Defense Discretionary Limits.
Sec. 103. Protecting veterans programs from sequester.

TITLE II—AGRICULTURAL SAVINGS

Sec. 201. One-year extension of agricultural commodity programs, except direct payment programs.

TITLE III—OIL AND GAS SUBSIDIES

Sec. 301. Prohibition on using last-in, first-out accounting for major integrated oil companies.
Sec. 302. Deduction for income attributable to domestic production activities not allowed with respect to oil and gas activities of major integrated oil companies.
Sec. 303. Limitation on deduction for intangible drilling and development costs of major integrated oil companies.

TITLE IV—THE BUFFETT RULE

Sec. 401. Fair share tax on high-income taxpayers.

TITLE V—SENSE OF THE HOUSE

Sec. 501. Sense of the House on the need for a fair, balanced and bipartisan approach to long-term deficit reduction.

TITLE I—BUDGET PROCESS AMENDMENTS

SEC. 101. REPEAL THE 2014 SEQUESTER.

(a) CALCULATION OF TOTAL DEFICIT REDUCTION AND ALLOCATION TO FUNCTIONS.—(1) Section 251A(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by striking ''2013'' and inserting ''2015''.

(2) Paragraph (4) of such section is amended by striking ''2014''and inserting ''2015''.

(b) DEFENSE AND NONDEFENSE FUNCTION REDUCTIONS.—Paragraphs (5) and (6) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 are amended by striking ''2013'' and inserting ''2015'' each place it appears.

(c) IMPLEMENTING DISCRETIONARY REDUCTIONS.—Section 251A(7)(B) of such Act is amended by striking ''2014'' and inserting ''2015'' each place it appears.

(d) CONFORMING CHANGE.—Upon the date of enactment of this Act, the report entitled ''OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2014 and OMB Report to the Congress on the Joint Committee Reductions for Fiscal Year 2014'', issued on April 10, 2013, and corrected on May 20, 2013, shall have no force or effect.

SEC. 102. REDUCTION OF DEFENSE DISCRETIONARY LIMITS.

The discretionary limits set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the security category for fiscal years 2017 through 2021 are replaced with the following limits: for fiscal year 2017, $586,000,000,000; for fiscal year 2018, $595,000,000,000; for fiscal year 2019, $604,000,000,000; for fiscal year 2020, $614,000,000,000; and for fiscal year 2021, $624,000,000,000.

SEC. 103. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

TITLE II—AGRICULTURAL SAVINGS

SEC. 201. ONE-YEAR EXTENSION OF AGRICULTURAL COMMODITY PROGRAMS, EXCEPT DIRECT PAYMENT PROGRAMS.

(a) EXTENSION.—Except as provided in subsection (b) and notwithstanding any other provision of law, the authorities provided by each provision of title I of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651) and each amendment made by that title (and for mandatory programs at such funding levels), as in effect on September 30, 2013, shall continue, and the Secretary of Agriculture shall carry out the authorities, until September 30, 2014.

(b) TERMINATION OF DIRECT PAYMENT PROGRAMS.—

(1) COVERED COMMODITIES.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1103 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713).

(2) PEANUTS.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7953).

(c) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(1) the date of the enactment of this Act; and

(2) September 30, 2013.

TITLE III—OIL AND GAS SUBSIDIES

SEC. 301. PROHIBITION ON USING LAST-IN, FIRST-OUT ACCOUNTING FOR MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 472 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(h) MAJOR INTEGRATED OIL COMPANIES.—Notwithstanding any other provision of this section, a major integrated oil company (as defined in section 167(h)(5)(B)) may not use the method provided in subsection (b) in inventorying of any goods.''.

(b) EFFECTIVE DATE AND SPECIAL RULE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by this section to change its method of accounting for its first taxable year beginning after the date of the enactment of this Act—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account ratably over a period (not greater than 8 taxable years) beginning with such first taxable year.

SEC. 302. DEDUCTION FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES NOT ALLOWED WITH RESPECT TO OIL AND GAS ACTIVITIES OF MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Subparagraph (A) of section 199(d)(9) of the Internal Revenue Code of 1986 is amended by inserting ''(9 percent in the case of any major integrated oil company (as defined in section 167(h)(5)(B))'' after ''3 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 303. LIMITATION ON DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS OF MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 263(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''This subsection shall not apply to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (as defined in section 167(h)(5)(B)).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after the date of the enactment of this Act.

TITLE IV—THE BUFFETT RULE

SEC. 401. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''SEC. 59B. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) PHASE-IN OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2014, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such taxes are attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during the taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CONFORMING AMENDMENT.—Section 26(b)(2) of such Code is amended by redesignating subparagraphs (C) through (X) as subparagraphs (D) through (Y), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) section 59B (relating to fair share tax),''.

(c) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Part VII—Fair Share Tax on High-Income Taxpayers''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

TITLE V—SENSE OF THE HOUSE

SEC. 501. SENSE OF THE HOUSE ON THE NEED FOR A FAIR, BALANCED AND BIPARTISAN APPROACH TO LONG-TERM DEFICIT REDUCTION.

(a) The House finds that—

(1) every bipartisan commission has recommended – and the majority of Americans agree – that we should take a balanced, bipartisan approach to reducing the deficit that addresses both revenue and spending; and

(2) sequestration is a meat-ax approach to deficit reduction that imposes deep and mindless cuts, regardless of their impact on vital services and investments.

(b) It is the sense of the House that the Congress should replace the entire 10-year sequester established by the Budget Control Act of 2011 with a balanced approach that would increase revenues without increasing the tax burden on middle-income Americans, and decrease long-term spending while maintaining the Medicare guarantee, protecting Social Security and a strong social safety net, and making strategic investments in education, science, research, and critical infrastructure necessary to compete in the global economy.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

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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 PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Kenneth Kolibas, pastor at St. Joseph Church in Raritan, NJ.

The guest Chaplain offered the following prayer:

Let us pray.

Dear Lord in Heaven, You blessed the creation of this great Nation of men and women and today I ask for the continuance of Your support and guidance of the women and men of the Senate. Bless them with the wisdom necessary to make tough decisions concerning our Nation and its well-being. Guide them toward keeping our Nation strong, free, and generous. Help them to use their talents and gifts to benefit our Nation and come to the aid of those in need. May they be the best of teachers as role models for the future generations of our country. Please bless them with good health and the ability to do the work that is brought before them. 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 19, 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.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I yield to the junior Senator from New Jersey to speak about the Chaplain today.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

WELCOMING THE GUEST CHAPLAIN

Mr. CHIESA. Mr. President, I rise today to recognize my pastor, Father Ken Kolibas, who is joining us here in Washington today.

I am honored and delighted that Father Ken Kolibas, pastor of the Church of St. Joseph in Raritan, NJ, is serving as our guest chaplain today. Father Ken is the pastor and spiritual leader for the people of St. Joseph's and for the larger community.

Father Ken began his working career as a small businessman in New Jersey. When he was 23 years old, he opened Ken's Flowers and Gifts in Carteret, NJ. He quickly became a respected leader of the business community. But Father Ken later received and answered the call to ministry, and he now dedicates his life to our spiritual growth. His commitment and generosity to the members of our parish is unwavering, and his door is open to anyone who seeks his guidance.

The Church of St. Joseph's is nearing the conclusion of its year-long celebration of its 100th year. We are fortunate at St. Joseph's to have Father Ken as our pastor and our leader, and I am proud to have him as our guest chaplain today.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following my remarks the Senate will be in a period of morning business. The majority will control the first 30 minutes and the Republicans will control the second 30 minutes. Following morning business we will resume consideration of S. 1392.

ECONOMIC RECOVERY

Mr. REID. Mr. President, it was about five decades ago that Vice President Humphrey predicted it was possible to eradicate poverty in America. In fact, this is what he said: ''We can banish hunger from the face of the Earth.'' That was in 1965.

Today, in 2013, there are more than 50 million people living in the United States—including 150,000 families in Nevada—who don't know where their next meal will come from. In the richest country in the world, one in six is in danger of going to bed hungry tonight, and half of those people are children.

But despite these sobering numbers—and despite these difficult economic times—House Republicans have turned their backs on American families struggling to put food on the table. It is true the bill being considered in the House of Representatives today would save $40 billion. How would it save that $40 billion? By snatching food out of the hands of millions of the neediest children and their families.

Why are there people on food stamps? We have tried to create a safety net so

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

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these people have at least the basics of being able to have a meal during the day.

House Republicans are determined to gut the nutrition assistance program in the name of austerity, even though 9 out of 10 recipients are families with children, senior citizens, or people with disabilities. These needy Americans aren't exactly living a life of excess on the government's dime. They get about $4 in food assistance each day.

One of my favorite things I like to do in Nevada and here in Washington is to go grocery shopping. It is such a diversion for me. I love going grocery shopping to look around, buy things. Landra and I are without our children and our grandchildren—we live alone—but we still buy food and I enjoy that so very much. So I have a good idea how much $4 will buy, or $4.50 to be specific. That is enough money to buy, if one is lucky, a pound of hamburger. They have different grades of hamburger. They have the expensive kind, the not so expensive, and then the cheaper kind. Even for the cheaper kind, $4 couldn't buy a pound of that most of the time. A gallon of milk costs about four bucks. So a person couldn't buy them both on the same day; a person certainly couldn't buy hamburger and milk on the same day.

It is possible to make important reforms to both farm and food stamp programs without balancing the budget on the backs of people who are hungry. But instead of cutting waste and eliminating fraud, the House Republicans would cut lunches for 210,000 children and eliminate food assistance for 170,000 veterans.

There is another way. It was done here in the Senate under the direction of Chairwoman STABENOW: the bipartisan Senate agricultural bill, passed under her direction and that of the ranking member. It saves $23 billion without forcing needy children to skip meals. It does it fairly. If the Senate farm bill came to the House of Representatives floor, it would pass overwhelmingly, but the Republican leadership won't let Democrats vote. That is why they will probably pass this very mean-spirited piece of legislation today, because only Republicans will be allowed to vote on it.

The House Republican leadership refuses to consider any bill that would garner votes from both parties. Leave it to the House of Representatives to take the hard way whenever possible.

These same reckless Republicans are also determined to take the uphill route to passing a CR—a continuing resolution. What does that do? It funds the government. Instead of doing what is necessary to keep the economy on a firm footing, Republicans are obsessed with denying and undermining the law of the land—ObamaCare. Remember, the law passed about 4 years ago and the Supreme Court declared it constitutional. Many good things are already working to keep people who are sick from declaring bankruptcy. It is a good piece of legislation that will make America like all modern nations and have health care for everybody, with rare exception.

Watching the Republican Party self-destruct—and that is not coming from me; that is what pundits are saying all over the country—would be good political theater, to watch them self-destruct—and that is what they are doing—if there were not so much at stake.

The economic consequences of a government shutdown are deadly serious. Even today, when I had my news briefing—the Republicans are openly fighting against each other now. Senate Republicans are saying, Well, we know we don't have enough votes to get rid of ObamaCare, but let's send it back to the House and let them hang tough. The House Republicans are saying, Why aren't the Senate Republicans doing it themselves?

The consequences of a government shutdown are deadly serious. The economic consequences of a first-ever default on the full faith and credit of the United States are deadly serious. Look what happened last time they threatened this: The stock market dropped 2,000 points. We lost our credit rating. It dropped.

Anyone listening to this doesn't have to take my word for it. The U.S. Chamber of Commerce, not noted for being this base of liberality in the country, wrote to Members of the House yesterday, saying: Prevent a shutdown. Ease the fears of default. Specifically, here is what they said:

> It is not in the best interests of the United States or its business community or the American people to risk even a brief government shutdown that might trigger disruptive consequences or raise new policy uncertainties washing over the U.S. economy.

The quote continues:

> Likewise, the U.S. Chamber respectfully urges the House of Representatives to raise the debt ceiling in a timely manner and thus eliminate any question of threat to the full faith and credit of the United States.

But in spite of these warnings from the largest business organization in the country, Republicans either don't realize the stakes or simply don't care. They are willing to put the Nation's economic recovery at risk to make an ideological point.

What remains to be seen is how many innocent Americans will be hurt by their reckless political games. How many children will go to school without breakfast? How many workers will lose their jobs? How many seniors will lose their retirement? How many businesses will lose their hard-earned investments if Republicans tank the economy?

I only hope the anarchists in the House of Representatives come to their senses before it is too late.

I note 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. MCCONNELL. 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.

RECOGNITION OF THE MINORITY LEADER

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

UNANIMOUS CONSENT REQUEST—S. 1514

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 191, S. 1514, the Saving Coal Jobs Act. I ask unanimous consent that the bill be read a third time and passed without intervening action or debate, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, I know how important coal is to the States of Kentucky, West Virginia, Indiana, and a lot of States feel very strongly about coal. We will be happy to work with the Republican leader and others who are concerned about the coal issue in the United States to come up with a procedure where we can try to figure out a way to get a vote on this and have a reasonable debate on it. So I will be happy to work with the Republican leader, but based on my brief review, I think it best now for me to object, and I do object.

The ACTING PRESIDENT pro tempore. Objection is heard.

WAR ON COAL

Mr. MCCONNELL. Mr. President, I might say we have a genuine emergency in Kentucky—a depression in eastern Kentucky—as a result of what this administration has done and is about to further do this very week, directed at the jobs and livelihood of my constituents. So it is for us a genuine emergency.

The EPA is due this week to announce regulations capping carbon emissions on new coal-fired powerplants. It is just the latest administration salvo in its never-ending war on coal, a war against the very people who provide power and energy for our country. The EPA has already stifled the permitting process for new coal mines. The Agency has done this so dramatically that they have effectively shut down many coal mines through illegitimate, dilatory tactics.

The EPA's actions ignore the thousands of people in my home State of Kentucky who depend on the coal industry for their livelihoods. Kentucky's own Jimmy Rose, a veteran and former coal miner, said it best in

the title to his song: ''Coal Keeps the Lights On.'' Coal keeps the lights on.

In the year President Obama took office, there were over 18,600 employed in the coal industry in my State. Over 18,600 Kentuckians were employed in the coal industry in my State the year President Obama took office. But as of September 2013—this month—the number of persons employed in Kentucky coal mines is down to 13,000. That is 18,600 when the President took office; 13,000 today employed in coal mines in my State.

The picture is actually getting worse instead of better. This week a major employer announced 525 layoffs in eastern Kentucky mines. This news ironically came out on the same day the President announced that his proposals, according to him anyway, are helping to strengthen the economy. Try and tell that—try and tell that—to the hard-working coal miners in eastern Kentucky that this is a way to strengthen the economy. These people are now trying to figure out how to feed their families and pay their bills.

Kentucky coal miners have suffered far too much already. Congress cannot idly sit by and let the EPA unilaterally destroy a vital source of energy and a vital source of employment. That is the reason I sought a few moments ago to bring up and pass the Saving Coal Jobs Act. Saving coal jobs is the single most important accomplishment in the near term for the people of Kentucky. It is a combination of two bills, both of which have languished in committee for literally months.

The bill would essentially repeal the administration's declaration of war against coal. The first part of the bill would prevent the EPA from regulating carbon on new and existing coal plants; the second would force the EPA to stop stalling on mining permits.

It is time to act on the Saving Coal Jobs Act. The time to act is now. This is a genuine emergency in the Commonwealth of Kentucky.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Arkansas.

THE FARM BILL

Mr. PRYOR. Mr. President, I rise to talk about the farm bill. Ten days, that is all the time we have to work out some agreement on our farm legislation before we revert to the 1949 farm policy in this country.

Let me make this very clear to the American people and to my colleagues. This has nothing to do with the traditional battle lines in agriculture. This is not one of those Midwest farming versus Southern farming type scenarios. This is not a specialty crop versus a row crop type issue. This has nothing to do with that at all. It is an ideological fight, where we see hyperpartisanship and gridlock politics taking over the Congress.

Today, the House of Representatives has a vote. It is a very important vote. What they are proposing is that they cut $40 billion from the nutrition title over 10 years. That is $40 billion.

Here again, this is not about a traditional fight that you see and you have seen for decades in agriculture. This is about hunger in America. It is a sad fact. It is something that maybe people in this building do not like to acknowledge. But we have people who are hungry in this country. They may be people with whom we go to church. They may be our neighbors. They may be friends, coworkers, folks with whom we graduated from high school. They could be seniors or children or the working poor. But we have people in this country who are hungry today.

Can you imagine America being the land of plenty and having hungry people and having folks in this building—in the Chamber of the House of Representatives—voting to not lend a helping hand when people need it the most?

I am reminded of that great song, ''America the Beautiful,'' where it starts out:

O beautiful for spacious skies,
For amber waves of grain,
For purple mountain majesties
Above the fruited plain!

It goes on and on and on to talk about the riches of this great country. But, unfortunately, as I said, today we have way too much hunger in our Nation.

The Congress can do something about that. The Congress can do something about it. In fact, the Senate already has done something about it. Thanks to Senator STABENOW and Senator COCHRAN and the bipartisan efforts on the Senate Agriculture Committee, they made responsible reforms in SNAP, in other nutrition programs to streamline and fix and correct and improve the nutrition title. They went after what we are concerned about, such as waste and abuse of the system, and fraud. We all know you have some of that in these programs. But we have a saying in our State. It is kind of a country saying. I know people have heard it before. But we say: If it ain't broke, don't fix it. Our agriculture law in this country ain't broke.

It can be improved, and I think that is what the Senate has done. The Senate has been responsible. The Senate has worked in a bipartisan way. Again, that bill passed through this Chamber a few months ago with 66 votes, a very bipartisan vote. That is the solution. That is the solution of us working together.

Unfortunately, again we have people down the hall in the House of Representatives who are going to put that in jeopardy with a ''my way or the highway'' political solution. This is not good for the country.

I think the reason some of these folks are doing this is because they do not understand the impact their decision could have on this country. But let me put it in perspective. When we look at America, there are lots of different ways to look at agriculture and look at our economy and look at the global economy, but one way is this: We have several core strengths in the U.S. economy. We do some things better than anybody else in the world, and one of those is agriculture.

If we look at investment, if we look at innovation, if we look at new farming practices and ways to conserve water—how to get more per acre—all these things that improve and increase production and nutrition, et cetera, et cetera, et cetera, they come from America. It is one of the core strengths of the U.S. economy. Everybody in the world wants to be like America when it comes to agriculture. Everybody wants what we have. They copy us. They model what they do after this country. It is something we should be proud of. I know inside the beltway it is not very exciting, it is not very flashy, but we have the safest and highest quality and, in relative terms, the cheapest food supply in the entire world. It is one of the true reasons for America's strength.

But, unfortunately, if we do not pass a new farm bill by September 30, we run the risk of putting all that in jeopardy, and there could be dire consequences. There is no question about it. If we talk to all the experts, talk to all the economists, talk to the people who understand this, what we can see very clearly is that crop prices will destabilize, and that means some prices will go up, some will go down.

For example, soybean farmers all over this country are going to lose their crop support. They are going to lose that protection that has been there since the 1960s. Because it was not there in 1949, it will be gone, and that will be devastating to the soybean industry. That is just one little piece of the puzzle.

I could go on and on. We have a huge trade deficit in this country. We know that. But our saving grace, when it comes to trade, is agriculture. Those export programs to sell our ag products overseas will be lost if this agreement is not reached.

Again, food prices will rise dramatically. We have heard others talk about that even this morning. The Democratic leader mentioned it. But it is going to hurt not only farmers, it is going to hurt families all over this country.

This is personal to me. I know in the Acting President pro tempore's home State of Hawaii they have a huge agricultural sector. I know it is very important to his State. Everybody thinks of how beautiful Hawaii is and tourism and all that, but agriculture is critically important to his State's economy, just like it is for the other 49 States. In almost every State—maybe with one or two exceptions—agriculture is very critical to that State's economy. That is true for Arkansas.

Again, this is very personal for me. One in six jobs in our State is related directly or indirectly to agriculture. Agriculture—we love our Fortune 500 companies. We love having them. We have several that are based in Arkansas. We are proud of them. But 25 percent of our State's economy is tied to agriculture—25 percent.

So the question is, How do we fix this? It is something we will never hear on the talk shows. We will not hear the talking heads chatter on about this. But the way we fix it is to work in a bipartisan way, to come together, to be very responsible—as the Senate has been on this issue—to put something together, and to get it done.

This is why groups in my State, such as the Arkansas Farm Bureau, Agricultural Council of Arkansas, Riceland Foods, Arkansas Rice Growers Association, Tyson Foods, the Arkansas Cattlemen's Association, et cetera, et cetera, et cetera—the list goes on—all supported what we did in the Senate, and they do not support what is going on in the House right now.

But even more important than the groups, I have been around my State, of course, all year—and over the last 10 years. But during the August recess, I went around the State, and every time I saw a farmer—and I literally talked to hundreds of them—they said: Please, please, don't let this happen. Don't let this happen. Why do we want to put all this at risk? What we have now is working. Sure, we can make improvements. Yes, we support the Senate bill. Even though the Senate bill is not perfect, we support that because we know the importance of agriculture.

I would ask my House colleagues to please get themselves out of this manufactured crisis they have created for us all. Let's turn off the politics. Let's work together. The American people are counting on us.

I yield the floor.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Mr. President, are we in morning business at this time?

The ACTING PRESIDENT pro tempore. We are.

Mr. DURBIN. Does the majority have the control for an additional period of time?

The ACTING PRESIDENT pro tempore. Yes.

Mr. DURBIN. How much time is remaining?

The ACTING PRESIDENT pro tempore. There is 20½ minutes.

Mr. DURBIN. Thank you very much, Mr. President.

FACING DEADLINES

Mr. DURBIN. Mr. President, the news out of Washington is not encouraging. It looks as though we are facing a government shutdown and the possibility of even a default on the debt. These are totally unnecessary. There is nothing that is forcing this, other than the political will of some people, and both are disastrous.

Shutting down the government, of course, runs the risk of disrupting Social Security payments, veterans' checks. It, of course, is damaging to our economy. At a time when we are recovering, but slowly, and we need to create jobs, it does not make any sense.

We are facing a deadline, obviously, of October 1 for a new fiscal year. We passed a budget in the Senate back at the end of March, if I remember correctly. Senator PATTY MURRAY of Washington, the chairman of the Senate Budget Committee, worked through a budget that passed. We then asked for the obvious: Let's have a meeting with the House. It is controlled by Republicans. We have a Democratic majority here. Why don't we sit down now and work out our differences? The difference between the two budgets, about $92 billion—substantial for sure but something that is at least worth sitting down and discussing.

We came to the floor of the Senate repeatedly asking for a chance to sit down and work it out. Sadly, three or four Senators on the other side of the aisle continued to object. They would not let us sit down and talk. They would not let us try to find a bipartisan solution to this challenge, and it brings us to this moment.

Not having agreed on a budget resolution, we have been unable to pass appropriations bills—though they are ready in the Senate. I know a little bit about this because my new responsibility in the Appropriations Committee is the largest single bill. The bill I have worked on, with Senator COCHRAN, Republican of Mississippi, is a bill that covers all of the Defense Department and all of the intelligence agencies. I will tell you, it is the largest and a huge portion of our national discretionary budget—almost 60 percent.

We are ready. We prepared the bill. We want to bring this bill before the committee on the floor and have the debate that it deserves so our men and women in uniform are well served, our intelligence operations continue, and we acquire the necessities for the protection of America. Unfortunately, the same group that opposed sitting down with the House Republicans and finding a compromise has objected to taking up any spending bill on the floor of the Senate.

Where does that leave us? We have no budget, and we cannot take up a single spending bill because of the objections from the other side of the aisle. They are being guided by a few Members over there who are of a certain political faith that I cannot even describe who believe that chaos is the best. I do not.

I have been here for a little while. I have found good-faith efforts by Members on both sides of the aisle. Many Republican Senators—conservative, yes, but sensible—are willing to sit down and try to find answers to these issues.

That is the right thing. Sadly, what has happened over in the House is hard to explain. I read press reports. There are about 40 of the House Republicans who are so-called tea party Republicans who insist on shutting down the government and insist as well on defaulting on our national debt. They happen to believe that is a good way to push their position opposing health care reform, ObamaCare. They happen to believe that is the way to convince the American people they are right.

I think they are completely wrong. I never thought I would ever come to the floor of the Senate to quote Karl Rove. But in this morning's Wall Street Journal, for goodness' sake, he wrote a long article to his fellow Republicans saying: Wake up to reality. Independent voters, those who do not declare for either political party across America, think the tea party Republican strategy is disastrous.

He warned the Republican Party: If you are not careful, you are going to push those Independents over onto the Democratic side.

Far be it for me to not want to see that happen politically, but I certainly have to tell you that if it takes shutting down the government and shutting down the economy, I do not want it to happen. What Karl Rove has said to his follow Republicans is: Look at the reality of what you are doing to this party. You are destroying this party for the next election—this morning's Wall Street Journal.

I ask unanimous consent that article be printed in the RECORD at the conclusion of my remarks.

Most people do not even understand what a debt ceiling is. It is kind of hard for the average American to understand. Let me try to put it in simple terms. We spend more money than we raise in taxes. When we do that, we have to borrow money. The good news is that the amount each year is coming down dramatically, so our annual deficits are reducing, are coming down.

But when there is a difference, when we spend more than we have, we have to borrow it. In order to borrow it, there needs to be an overall authorization of the government. It is called the debt ceiling. So as we, for example, fund our military and borrow, say, 40 percent or 30 percent of what it takes to fund our military, as we borrow that, we need an authorization to do it.

There comes a point where we have used all our authority to borrow and

we have to increase our authority to borrow, lift the debt ceiling to cover our new debt for money already spent, money spent by Congress. Now we have a position being taken by some tea party Republicans, who may have voted for the spending but now do not want to vote for the borrowing. They cannot have it both ways.

What happens if we do not increase the debt ceiling? What it means is that for the first time in the history of the United States of America, we will default on our national debt—the first time. What does a default mean? Families understand this and businesses understand this. If you do not pay your debts as you are supposed to, bad things can happen: foreclosure, legal proceedings, but at a minimum it destroys your credibility as a borrower.

When your credibility as a borrower goes down, what happens? Interest rates go up for you. Translate that to America. If we default on our debt, if we fail to raise the debt ceiling for the first time in the history of the United States, interest rates go up. The dollars paid by American taxpayers to build roads, educate children, defend the United States are diminished because we have to pay more and more for interest on the money we borrow.

Can we avoid this? Of course, we can. This is a self-imposed problem, a problem that has been imposed by the tea party Republicans on the Congress and on the Nation that is totally unnecessary.

Let me say a word or two about the underlying issue of ObamaCare. It has been a little over 3 years now since we passed ObamaCare. The Supreme Court took up the bill, found it constitutional. It is underway. Certain provisions of this bill are already underway. The goal of it, of course, is to deal with the cost of health care and the availability of health insurance in America. This is important to individuals and families and businesses. It is also important to our government. Sixty percent of our national deficit, 60 percent of our national debt projected for the next 5 or 10 years is associated with the cost of health care.

We buy a lot of health care as a Federal Government: Medicare, for the elderly and disabled; Medicaid for those who are low income; veterans, to make certain we keep our promise to them for good medical care; Indian health care; a variety of others. So as health care costs go up, the costs to the government go up, and they squeeze out all other spending, spending on medical research, education, helping students have the money they need to go to college.

When we talk about the Affordable Care Act and ObamaCare, we are talking about dealing with a health care issue that directly impacts the debt of the United States of America. We passed this bill to try to start to reduce the cost of health insurance and to make health insurance more available.

We changed some critical aspects of health insurance. Does anyone following this debate know of a person with a preexisting condition—somebody in your family who maybe has high blood pressure, high cholesterol, asthma, diabetes, a history of cancer? All of those things can disqualify you—or could before this bill passed—from even having health insurance.

We said: That is the end of it. Health insurance companies have to take everybody—everybody. They cannot exclude a person for a preexisting condition. Take them all. Do not cherry-pick the healthy people. Take them all.

The second thing we said was: Do not put a limit on the amount of money a health insurance policy will pay—for obvious reasons. You go to the doctor tomorrow, some member of your family gets a terrible diagnosis, a need for cancer treatment, and the bills start stacking up. If your health insurance policy has a cap or limit of, say, $50,000 or $100,0000, when you reach that limit, there goes all of your savings. You are finished.

So we eliminate the limits on coverage in health insurance policies. That is ObamaCare. When the Republicans come to the floor and say: We want to abolish ObamaCare, they are abolishing these protections in health insurance. They are abolishing the provision which says you cannot discriminate because of preexisting conditions. They are abolishing the provision that says there cannot be limits on your coverage. They are abolishing the provision which says 80 percent of the premiums you pay have to be used by the health insurance company to pay for medical care, not for profit-taking, not for advertising but for actual medical care.

There is more. Parents who are raising children going to college—I went through that, my wife and I did with our kids. How many times are you going to ask that young person just graduating from college: Jennifer, do you have your health insurance, have you bought any health insurance, and then have them tell you: Dad, I feel fine.

Let me tell you, as a parent, that is not a good answer. But many students graduating from college who cannot find a full-time job do not have health insurance. The Affordable Care Act, ObamaCare, says families can keep those young people on their own health insurance plan until they reach the age of 26. Across America, over 1 million young people now have protection because of this.

Also, in the Affordable Care Act, we start reducing the out-of-pocket costs of prescription drugs for seniors under Medicare. Medicare prescription Part D is the right thing to do. But there was a so-called doughnut hole, this period where seniors had to pay out of their pockets. We started closing that doughnut hole to make sure seniors did not lose their precious savings to buy the medicine they needed to stay healthy and independent and strong.

So when the Republicans say: We want to abolish ObamaCare and health care reform, they want to abolish this provision that will allow families to continue to cover their young people, their kids until the age of 26, and they want to abolish the provisions which say, basically, that those who are receiving Medicare prescription Part D will pay less out of pocket.

Those are just four or five parts of ObamaCare. The central part of it, which starts October 1—I think this is what makes some politicians on the Hill especially nervous. October 1 they will advertise across America the insurance exchanges. What is an insurance exchange? It is an opportunity for people to buy health insurance.

Many of them have never, ever in their lives been able to shop for health insurance. Now they can. If they are low-income families, they may not have to pay a premium or a reduced premium under these insurance exchanges. Are these insurance exchanges reliable, trustworthy? Can we count on them? We better because we put in the law that Members of Congress now have to buy their insurance on these very same health insurance exchanges. What is good for America should be good for Members of Congress.

In my State, there will be at least a half dozen plans to choose from. In a State such as California, when they announced their exchanges, they announced a reduction in premiums that people had to pay under those exchanges. That is what we are looking for: competition, opportunity. People can make their choice if they wish to go into the exchanges. Members of Congress and our staff people do not have that choice. We are in them. That is fine. I think it is going to be good health insurance. I have no question it will be in my State of Illinois.

But to eliminate ObamaCare is to eliminate these health insurance exchanges, which means a lot of people, desperate for health insurance for the first time in their lives, health insurance they can afford, will not be able to do so.

I do not think the bill we passed, ObamaCare, health care reform, is a perfect bill. There is hardly anything we do that is perfect or even close. I think it could be changed for the better. I am open to that. I hope Members on both sides are. But that is not the way it works here. In the House of Representatives, they voted 41 times—41 times—to destroy and eliminate ObamaCare—41 times.

The Republican leader, Mr. CANTOR of Virginia, offered one change in ObamaCare that he thought made it better. His own party turned on him and said: No, we do not want to improve this bill. We want it to go down in flames. We do not want this law to go forward. It is not a positive view.

A positive view is to take this measure, improve it where we can, and work to make it part of America's future,

such as Social Security, such as Medicare, such as Medicaid. These are programs which are critically important to millions of Americans.

I am sorry we are facing this showdown. But I hope what will happen in the Senate is this: I hope the Senate does not go under cruise control following what we have seen from the House Republican caucus, this notion of doomsday scenarios and high noon scenarios and shutting down the government, shutting down the economy. I hope there will be reasonable, conservative Republicans who will stand and say that is unacceptable. We are going to sit down in good faith, bargain with the Democrats in the Senate, to resolve whatever differences we can but not to damage our government or our economy at this important moment in our history. That kind of courage will be rewarded. It may not be popular with some of the talking heads or screaming heads in these shows on television, but the American people are looking for that kind of leadership on both sides of the aisle.

They do not accept the notion that shutting down the government and shutting down the economy is the best way to solve our political problems. The approval rating of Congress now is about 11 percent. I am surprised many days that it is even that high. I did not know we had so many relatives and people on the payroll—11 percent. We can do better if we face our problems and challenges honestly and deal with them in a way that does not hurt innocent people and families across America.

I yield the floor.

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

[From the Wall Street Journal, Sept. 19, 2013]

KARL ROVE: THE GOP'S SELF-DEFEATING 'DEFUNDING' STRATEGY

In 2010, Republicans took the House of Representatives by gaining 63 seats. They also picked up six U.S. senators and 675 state legislators, giving them control of more legislative chambers than any time since 1928. The GOP also won 25 of 40 gubernatorial races in 2009 and 2010.

These epic gains happened primarily because independents voted Republican. In 2010, 56% of independents voted for GOP congressional candidates, up from 43% in 2008 and 39% in 2006.

Today, independents look more like Republicans than Democrats, especially when it comes to health care. In a new Crossroads GPS health-care policy survey conducted in 10 states likely to have competitive Senate races and in House districts that lean Republican or are swing seats, 60% of independents oppose President Obama's Affordable Care Act. If this holds through 2014, then Republicans should receive another big boost in the midterms.

There is, however, one issue on which independents disagree with Republicans: using the threat of a government shutdown to defund ObamaCare. By 58% to 30% in the GPS poll, they oppose defunding ObamaCare if that risks even a temporary shutdown.

This may be because it is (understandably) hard to see the endgame of the defund strategy. House Republicans could pass a bill that funds the government while killing all ObamaCare spending. But the Democratic Senate could just amend the measure to restore funding and send it back to the House. What then? Even the defund strategy's authors say they don't want a government shutdown. But their approach means we'll get one.

After all, avoiding a shutdown would require, first, at least five Senate Democrats voting to defund ObamaCare. But not a single Senate Democrat says he'll do that, and there is no prospect of winning one over.

Second, assuming enough Senate Democrats materialize to defund ObamaCare, the measure faces a presidential veto. Republicans would need 54 House Democrats and 21 Senate Democrats to vote to override the president's veto. No sentient being believes that will happen.

So what would the public reaction be to a shutdown? Some observers point to the 1995 shutdown, saying the GOP didn't suffer much in the 1996 election. They are partially correct: Republicans did pick up two Senate seats in 1996. But the GOP also lost three House seats, seven of the 11 gubernatorial races that year, a net of 53 state legislative seats and the White House.

A shutdown now would have much worse fallout than the one in 1995. Back then, seven of the government's 13 appropriations bills had been signed into law, including the two that funded the military. So most of the government was untouched by the shutdown. Many of the unfunded agencies kept operating at a reduced level for the shutdown's three weeks by using funds from past fiscal years.

But this time, no appropriations bills have been signed into law, so no discretionary spending is in place for any part of the federal government. Washington won't be able to pay military families or any other federal employee. While conscientious FBI and Border Patrol agents, prison guards, air-traffic controllers and other federal employees may keep showing up for work, they won't get paychecks, just IOUs.

The only agencies allowed to operate with unsalaried employees will be those that meet one or more of the following legal tests: They must be responding to ''imminent'' emergencies involving the safety of human life or the protection of property, be funded by mandatory spending (such as Social Security), have funds from prior fiscal years that have already been obligated, or rely on the constitutional power of the president. Figuring out which agencies meet these tests will be tough, but much of the federal government will lack legal authority to function.

But won't voters be swayed by the arguments for defunding? The GPS poll tested the key arguments put forward by advocates of defunding and Mr. Obama's response. Independents went with Mr. Obama's counterpunch 57% to 35%. Voters in Senate battleground states sided with him 59% to 33%. In lean-Republican congressional districts and in swing congressional districts, Mr. Obama won by 56% to 39% and 58% to 33%, respectively. On the other hand, independents support by 51% to 42% delaying ObamaCare's mandate that individuals buy coverage or pay a fine.

The desire to strike at ObamaCare is praiseworthy. But any strategy to repeal, delay or replace the law must have a credible chance of succeeding or affecting broad public opinion positively.

The defunding strategy doesn't. Going down that road would strengthen the president while alienating independents. It is an ill-conceived tactic, and Republicans should reject it.

The PRESIDING OFFICER. The Senator from Georgia.

NATIONAL SUICIDE PREVENTION MONTH

Mr. ISAKSON. Mr. President, September is National Suicide Prevention Month. I think as a member of the Veterans' Committee, as an American, as a Member of the Senate, it is important for us to pause for a minute and recognize some alarming facts about suicide in America among our veterans.

On average, every day, 365 days a year, 22 veterans who have served America take their own life in suicide. That is 8,000 veterans a year, an alarming number that is growing. It is important for us to recognize the need to see to it our veterans have access to those things that can help to prevent suicide and make sure it is minimized and happens as little as possible.

Recent surveys by VSOs—the veterans service organizations—have demonstrated that an alarming number of veterans in America out of our 22 million have actually considered suicide. An even more alarming number actually knows someone who attempted to take their life or, in fact, was successful.

We know there are reasons that reach out and help us, and we know there are reasons that are hurting us. One that is hurting us right now is long lines for veterans in need of mental health. Mental health needs are an emergency. They are time-sensitive. We need to improve our wait times so they are not as long at our VA hospitals.

There is a nationwide shortage, both public and private, of mental health providers. We need to work to improve the number of providers for our entire country. Scarce appointment times for veterans because of their work or family obligations and scarce appointment times because of overworked VA hospitals make it sometimes difficult and protracted for a veteran to receive services.

Most important to me are the gaps in the continuum of service and treatment for a veteran under mental stress and depression. I wish to focus on that for a moment.

Recently I held a VA field hearing in Atlanta, GA, because of the tragedy that took place at the Atlanta VA. We had two suicides of veterans under the care of the hospital and one overdose of drugs while someone was in the hospital and under the care of the hospital.

Those brought about an inspector general's report that made a plethora of recommendations to the Veterans' Administration in Atlanta but also nationwide on things the VA needed to do to address those problems. To the credit of Director Petzel, who is head of all VA medical care, and Eric Shinseki, the Secretary of the Veterans' Administration, the VA has begun taking initiatives to do so. We have to make sure

they accelerate those initiatives and provide the care that is necessary so that wherever possible we eliminate the wait times and the lack of continuum of care.

In a recent survey by the inspector general, they found that 20 percent of veterans—one in five—who were referred to a private mental health provider never received an appointment. That is one in every five veterans who have come in and admitted they have a problem. They may be at risk for taking their own life. They may be depressed. That is unsatisfactory.

One of the focuses we made in our hearing was bringing about better coordination by the VA in terms of accessing community resources in mental health to see to it that we raised the number of providers offering mental health services to our veterans. As I said earlier in my remarks, suicide is preventable. It is not preventable, however, if there is no access to therapy, no access to consultation, and no access for our veterans when they need it the most.

Let me brag a little bit about the VA and some of what they have done in recent years that was helped and give you some amazing statistics.

In 2007 the Veterans Crisis Line was conceived where veterans in trouble could call in and receive counseling. More than 814,000 calls have been received by the Veterans Crisis Line since it opened, and 28,000 interventions have saved the lives of veterans. There are 28,000 veterans who are alive today because of the crisis line.

In 2009 the VA added an anonymous online chat service where a veteran could have a nonthreatening way of communicating and seeking therapy anonymously. There have been 94,000 calls since its inception.

Most impressive to me is that in 2011 the Veterans Crisis Line added texting as a way to expand its accessibility to veterans.

If you are a veteran in crisis, we need to make sure, as Senators and members of the Veterans' Committee, that you have the access you need to therapy and counseling when you need it. We all know that the tragedy of suicide is terrible for a family and a horrible loss of a life that was sacrificed on behalf of the United States of America. We owe it to ourselves to see that the Veterans' Administration continues to improve access to mental health services, continues to reduce their wait times and long lines, and continues to cooperate and reach out to the community to bring in private providers on a referral basis so that veterans in need of care receive a referral and an appointment quickly.

My last point is that it is important that the VA follow that veteran to see to it they keep that appointment. In the cases of the suicides in the Atlanta VA, the failure to keep an appointment or the failure to have a continuum of care in the following of that veteran substantially created and contributed to the loss of life.

While we have had tragedies at the Atlanta VA, things are improving. While we have had tragedies and suicides across the country, we are finally focusing on veteran suicide.

Lastly, we need to focus on the fact that there are many contributing factors to suicide. Many people will think it is someone returning from Operation Iraqi Freedom or Operation Enduring Freedom. In some cases, that is true, but more often than not veterans over 50 are the victims of suicide. In fact, of the ones in Atlanta, they were Vietnam-era veterans.

It is important we understand that it is every veteran who is at risk, that it is every veteran who needs access to treatment. We need to understand that we owe our veterans a big debt. It is most important to see to it that they don't lose their lives out of despair and depression, that their lives are saved because our VA cares enough to see to it that they have the continuum of care and the access to help they so vitally need.

To the VA Administration, thanks for the improvements you are making. To every Member of the Senate, let's continue to support the Veterans' Administration with the funding necessary to deal with the more than 1 million new veterans returning home from the wars in the Middle East over the last decade.

I yield back the remainder of my time, and I suggest the absence of a quorum.

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

Mr. CORNYN. 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.

FISCAL DISCIPLINE

Mr. CORNYN. Mr. President, earlier this week the Congressional Budget Office released its latest long-term outlook. Of course, the CBO, as it is known around here, is the authoritative guide to all things involving the finances and the fiscal picture for the Federal Government. That long-term outlook offered us a sobering reminder the Federal Government cannot defy the laws of fiscal gravity forever. In other words, as every American knows—every working family knows—your output can't exceed your input forever. In other words, you can't spend more money than you have coming in. Unless you are the Federal Government, of course. But sooner or later we will have to reverse the trend of debt accumulation before it destroys our economy, because our current path is simply unsustainable.

The crazy thing about it is that everybody in Washington, particularly the Congress, knows that. Yet it seems as though they are in a state of denial about what could very well happen to our country and to our future if we don't act. As I said, it is a very sobering message, and it is also very different from the message President Obama has been delivering lately. He likes to talk about America's short-term budget deficit falling. To remind everybody, there is the debt and there is the deficit. The deficit we measure on an annual basis. Debt is the cumulative shortfall between what comes in the front door and what goes out the back door. That debt is now about $17 trillion.

For these young people down here, that means they each owe about $52,000 because my generation and other adults have not been responsible, and we have shoved off onto the next generation the responsibilities we ought to be meeting ourselves. So here is the reality. Any short-term deficit reduction will be meaningless unless we adopt longer term reforms. That means where the Federal Government spends most of its money, which is in mandatory spending—the spending that keeps Social Security and Medicare, among other programs, going. We need to also bend the spending curve down so that we are spending less money as well.

The Congressional Budget Office estimates, when we factor in the likely impact of rising debt levels, the publicly held debt is on course to reach 108 percent of our gross domestic product in 2038. The gross domestic product is basically another way of saying the size of our entire economy. So 108 percent of the size of our entire economy is their projection, and that is before we include money the Federal Government effectively owes itself.

I realize 2038 sounds like a long time from now. I remember as a kid I thought the year 2000 was going to be a long way away, but we now see that only in our rearview mirror. But by 2038, under current law, our net interest payments, as a share of our economy, will be 2½ times greater than the 40-year average.

Let me boil that down a little bit. When we borrow money—because we are spending money we don't actually have—that adds to our annual deficit. But it also, over time, adds to our national debt. We have to get somebody to buy that debt so we can continue to spend money we don't have, so that we can continue to spend borrowed money. We have to pay interest to our creditors. In other words, they are going to expect a rate of return, as anybody would, when they loan somebody money. When China loans us money, it is not cost free. When they buy a huge portion of our national debt, it is not cost free.

Over time we will see interest rates—which are really at historic lows now because of the aggressive action of the Federal Reserve keeping those interest rates low—go back up to historic norms, and then we are going to see that a larger and larger share of what the Federal Government spends is merely to pay China and our other creditors who buy our debt, unless we

take aggressive measures to begin to bring our debt load down.

The President and the Democrats frequently demand more spending on things such as research and development—that is a good thing—or infrastructure—that is a good thing—yet they refuse to embrace the serious reforms necessary that enable us to do so. Here again, when the interest payments on the debt invariably go up, they will crowd out spending on other priorities, such as research and development, such as infrastructure, such as education, and others that should be among our national priorities.

The Congressional Budget Office projects that by 2038 total spending on everything other than major health care programs, Social Security, and net interest payments would decline to 7 percent of gross domestic product, and that is down from 11 percent, which is the average over the last 40 years. That is the crowding-out effect I was mentioning a moment ago. When we spend more and more money on these other programs, it crowds out spending on other things necessary to keep our economy growing and to keep people employed.

If we don't start reforming our biggest mandatory spending programs—again, that is Social Security and Medicare—in a responsible way, it will become much harder for the Federal Government to perform its most basic obligations and it will leave these young people and others—such as my daughters, who are in their early thirties—holding the bag, not only with the debt I mentioned a moment ago, but also with broken programs that are unsustainable, that will not be there for them when they turn 65 or when they get older.

It is a law of nature that you cannot keep spending money you don't have, and you can't keep racking up debt forever without any consequences. The only question is whether the reforms I am talking about will be gradual—will be phased in over time—or whether they will be sudden and abrupt and disruptive. If we start now in a responsible way, these reforms can be gradual.

Thank goodness, when Social Security was passed people didn't live to be 80 years old, on average, and they weren't as productive as they are today. That is a good thing. Modern medicine and nutrition have made it possible for us to live longer, on average, and to be much more productive. But we need to make sure we take into account, through Medicare and Social Security, the fact that people are living longer and are more productive. We need to make certain our programs are modernized to keep up with those facts and make sure they are available in the future, particularly among our most vulnerable citizens. If we wait until America is on the verge of a debt crisis, the reforms will have to be abrupt. In other words, when the bottom drops out, a lot of people are going to be hurt, and it will be far more difficult to protect the most vulnerable among us from the harshest sort of cuts.

What I am suggesting makes sense. Wouldn't we prefer to be in control of a gradual reform of our mandatory spending programs that are phased in over years, in ways most Americans will not actually feel because it can be done gradually? To me, it makes sense to do that as opposed to watching the bottom drop out or just simply kicking the can down the road. You know, they say: If you kick the can down the road long enough, pretty soon you are going to run out of road.

Let me again quote from the Congressional Budget Office. They said:

> At some point, investors will begin to doubt the government's willingness or ability to pay U.S. debt obligations, making it more difficult or more expensive for the government to borrow money. Moreover, even before that point is reached, the high and rising amount of debt that CBO projects under the extended baseline would have significant negative consequences for both the economy and the Federal budget.

Mr. President, I ask unanimous consent for 2 additional minutes.

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

Mr. CORNYN. Those negative consequences would include less private investment; more Federal spending on interest, which I have talked about briefly; less flexibility to address unexpected events, which you know always seems to occur—such as 9/11 or a natural disaster—and more risk of a full-blown debt crisis.

To the extent President Obama and our friends across the aisle acknowledge our long-term debt problem, their main solution seems to be always the same: Let's raise taxes some more. In fact, they are now trying to use tax reform, which we thought should be revenue neutral, as a vehicle for another $1 trillion tax increase. We are told that is a condition of even talking about reforming our Tax Code, to make it flatter, simpler, and more growth oriented. That is after the President and his allies have already raised taxes by $1.7 trillion. So there is never enough to feed the beast of the Federal Government here in Washington. It is insatiable.

Meanwhile, to the extent the President acknowledges the need for Medicare reform, his proposals always involve more price controls, primarily on the providers. Yet price controls have not solved Medicare's fundamental cost problems, and they won't solve it in the future. They say: We can save money on Medicare. We will just whack the payments we make to doctors and hospitals. I can tell you from talking to the hospitals and doctors in Texas—who would like to see Medicare patients but they can no longer afford to do so—that it is limiting access to health care by just dealing with Medicare on this basis of price controls and whacking payments to providers.

Amid the weakest economic recovery and the longest periods of high unemployment since the Great Depression, the last thing we need is another massive tax increase that would discourage work, savings, and investment. We all know we cannot simply tax our way back into fiscal stability, and we cannot spend our way back into economic prosperity. If the President would merely accept those two realities, we might finally get the kind of long-term reforms and the real long-term spending cuts that might finally produce the economic recovery America is desperately waiting for and desperately needs.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

ENERGY EFFICIENCY

Mr. TOOMEY. Mr. President, I rise this morning to address the energy efficiency bill we have been attempting to take up in this Chamber, and in particular an amendment I would like to offer to this bill.

I want to strongly urge my colleagues to please get on this bill. I really wish we would do some business here in the Senate. I think we are on our way to our second consecutive week where we have not had a single vote on a single legislative matter—at least not that I can remember—and we have important legislative issues to deal with. I happen to think this is one of them. There are many others. This is just not acceptable, that we go on and on without addressing the challenges we need to address for the sake of the people we represent—the American people.

I want to talk about one small particular but important aspect. I have an amendment I have filed—and I thank my cosponsors, Senators COBURN, FLAKE, RISCH, and AYOTTE for joining me in this effort—which is an effort to repeal the renewable fuel standard. I want to talk about why it is so important we do this.

First of all, the renewable fuel standard is an old law that is on the books. It is a Federal Government mandate that we burn a certain amount, a certain volume of ethanol in our gasoline.

We have gotten to the point where this year this mandate will require that over 40 percent of all the corn we grow in America be turned into ethanol and burned in the gasoline tanks of our automobiles. We are literally burning our food. That is what we are doing on a very large scale.

The way this law works is it requires increases every year in the amount of ethanol we are forced to burn through our gasoline tanks. This policy is harmful to our environment, it is unambiguously raising food prices, it makes it more expensive to fill up at the gas pump, and it is threatening good-paying jobs in Pennsylvania and other States. It is time for this to go.

What my amendment would do is completely repeal this renewable fuel standard, which is overdue. I know

there is broad support for peeling this back, and I hope there is a majority in this body who would support this amendment if we could only get onto it. So I do very much hope we will.

Let me explain how problematic this is. First of all, let's remember the history. The whole idea behind creating this renewable fuel standard—behind forcing people to take corn, convert it to ethanol, and burn it in their car engine—was that this was somehow going to be good for the environment. That was the idea at the time it passed. In fact, it is clear that this is bad for the environment. This is counterproductive from purely an environmental point of view.

The Environmental Working Group put out this statement:

> The rapid expansion of corn ethanol production has increased greenhouse gas emissions, worsened air and water pollution, and driven up the price of food and feed.

This is the Environmental Working Group that came to that conclusion.

It is widely acknowledged that using corn ethanol instead of gasoline actually creates more carbon dioxide emissions—the greenhouse gas emissions about which many people are concerned. You have more of that when you burn ethanol than when you burn gasoline. In fact, the Clean Air Task Force estimates that carbon emissions from corn ethanol between 2015 and 2044, on the path we are on now, would exceed 1.4 billion tons. That is 300 million tons more than if the energy were supplied by gasoline instead. So it is counterproductive from a carbon emission point of view.

We have a chart here that quotes a conclusion from a study at Stanford University that indicates the harm that ethanol does directly to human health.

> Vehicles running on ethanol will generate higher concentrations of ozone than those using gasoline, especially in the winter . . .

Finally, in 2011 the National Academy of Sciences stated:

> Projected air quality effects from ethanol fuel would be more damaging to human health than those from gasoline use.

I understand there was a time when we didn't know this, when we had a different impression about the health and the air quality implications of using ethanol, but we don't have that excuse anymore. It is now clear that using ethanol instead of gasoline is net harmful to the environment and harmful to human health. That all by itself is a pretty good reason to reconsider this, but there are more reasons.

One is the fact that it is more expensive to produce ethanol than it is to produce gasoline. So not only is this harmful to our health, but it costs more to do it. The Wall Street Journal estimated that in 2014 the renewable fuel standard will increase the per-gallon cost of gasoline by anywhere from 10 to 25 cents. That adds up. That could be over $300 a year on average for the average family. It is billions of dollars across our economy. That is a deadweight loss. No good comes out of that extra cost. It just reduces the standard of living of everybody who is forced to bear that cost.

In addition to increasing fuel prices, it increases food prices—which stands to reason. If you take 40 percent of all the corn produced in America and you burn it, there is that much less corn available for food. And corn is an incredibly basic and important source of food both directly and indirectly. This phenomenon alone—the diversion of corn for ethanol production—is deemed by many scholars who have looked at this as costing maybe as much as a full percentage point a year for the average family. That is on the order of over $150 per year that we force people to pay in the form of higher food prices alone.

Another example is the indirect way in which higher corn prices filter into the rest of the economy. The fact is that feed grain is typically half the cost of raising livestock, and corn is the dominant feed grain in America. The USDA's Chief Economist stated that the renewable fuel standard increases corn prices between 30 and 40 percent. And it got so bad, it got so absurd that in 2012 there were farmers feeding their cattle candy because it was cheaper to buy candy than to buy corn. How absurd is it that the Federal Government policy is driving this kind of behavior? It makes no sense at all.

Another fact about ethanol is that it is harmful to motors. It is harmful to engines. The reciprocating piston engines we use in our vehicles—motorcycles, boat engines, and others—are designed to burn gasoline, they are not designed to burn ethanol. And the EPA has acknowledged that ethanol is harmful to these engines because ethanol is corrosive. The EPA acknowledged that ''unlike other fuel components, ethanol is corrosive.'' It is that water mixture that does damage to engines. AAA has warned that raising the ethanol content in fuel further—which is what current law has in store for us—will damage 95 percent of the cars on the road today.

The last thing I would point out is that this policy threatens good-paying jobs. I visited a refinery in southeastern Pennsylvania, a refinery that employs hundreds of workers in good-paying jobs providing the gasoline we need to move our economy, to move our families, to get to and from work, and to do all the things we need to do in life. Their ability to be a viable, ongoing refinery is jeopardized, it is threatened by the renewable fuel standard.

I wish to read a letter from the AFL–CIO business manager, a gentleman named Pat Gillespie whose concern is the job security of the workers he represents. And this is a refinery that was shuttered and in danger of never reopening. It took an amazing effort by the stakeholders in this community to make this viable, and it is viable right now and it is employing hundreds of workers in Delaware County. The point that he makes is this:

> Our resurrected refinery in Trainer, Pennsylvania once again needs your intercession. The impact of the dramatic spike in the cost of the RIN credits from four cents to one dollar per gallon will cause a tremendous depression in our refinery's bottom line in 2013. Of course in the building trades we need them to have economic vitality to bring about the construction and maintenance projects that our members depend on, and the steel workers of course need the economic vitality so they can maintain and expand their jobs with the refinery. We need your assistance, your help with this matter.

I want to provide the help that they need, that Pennsylvanians need, that we all need from this ill-conceived policy that clearly has no place in the United States anymore. The help is in the form of this amendment. This amendment solves the problem. It repeals this ill-conceived standard completely. It would go away. I know there is bipartisan support for this amendment. I have several colleagues who cosponsored this amendment. This is our opportunity to pass this amendment.

To recap, this is bad policy on every possible front. The renewable fuel standard—forcing us to burn so much of our corn in the form of ethanol—is harmful to our environment. It is harmful to human health. It increases food prices. It increases fuel prices at the pump. It damages the engines on which we rely. It jeopardizes jobs. What more arguments do we need to bring an end to this misguided program? We know this. We have known this for some time. Now is the time to act.

So I urge my colleagues, let's get on the bill. Let's have amendments. Let's have lots of amendments. If we had spent the last week mowing down amendments instead of arguing about them, we would be done by now. We could have processed many dozens of amendments easily, and one of them could have been this one.

I don't think it is too late. We could still get on this bill. We could still do something that would be very sensible for our environment, for our economy, for consumers, for our health, and for the sake of our jobs. Let's repeal the renewable fuel standard. Let's do it by adopting my amendment, and let's do that by getting on this bill.

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

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

The 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.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise again to talk about the urgent need, as October 1 approaches, to vote on a ''no Washington exemption from ObamaCare'' amendment or bill. Again, this need isn't of my creating. I wish it weren't here, but it is because of an illegal rule issued by the Obama administration to completely reverse the clear language on the subject in ObamaCare.

I will back up and give a brief history.

During the ObamaCare debate, a proposal was made by many of us, led by Senator CHUCK GRASSLEY of Iowa. The proposal was simple: Every Member of Congress and all congressional staff should live under the most onerous provisions of ObamaCare. Specifically, we should have to get our health care from the exchanges where millions of Americans are going against their will, having lost in many cases the previous health care coverage from employers that they enjoyed.

So Senator GRASSLEY said that is what Washington should have to live with, and there was explicit, specific language put in ObamaCare to that point for Congress—that every Member of Congress and all congressional staff have to go to the exchange. The intent behind this was crystal clear. As the Senator said, ''The more that Congress experiences the laws that pass, the better.'' I agree with that. I agreed with it then, and I agree with it now.

Amazingly, that provision got in the final version of ObamaCare. Then I guess it was a classic example, if you will, of what NANCY PELOSI said: ''We have to pass the law to figure out what is in it.''

It did pass. Folks around Capitol Hill did figure out what is in it with regard to that section and they said: Oh, you know what. We have to go to the exchanges. We don't like that. That is going to create out-of-pocket expense. We don't like that.

Immediately, furious lobbying started, continued for some time, and sure enough, as a result President Obama personally intervened. He was personally involved, and his administration issued a rule on the subject right as Congress safely had left town for the August recess. That rule said two things, basically. No. 1, it said this official congressional staff—we don't know who that is, so every Member of Congress will get to decide what staff, if any, under their employment, will have to go to the exchange.

That is ridiculous. I think that is ludicrous on its face. That is not what the statute says at all. It says ''all official congressional staff'' and every Member of Congress should not be able to decide differently, Member by Member, whether anyone at all on their staff has to go to the exchange.

But the second part of this illegal rule is even more interesting. It said whoever does go to the exchange, in terms of Members and staff, gets to take their very generous taxpayer-funded subsidy from the Federal employee health benefits plan with them.

The ObamaCare statute doesn't say that at all and, in fact, a different part of the ObamaCare statute says exactly the opposite. It is about employees in general who go to the exchange. It says when an employee goes to the exchange he or she loses any previous employer-provided subsidy. That is section 1512. That is explicit in the ObamaCare statute.

This special rule for Washington is illegal, flatout illegal and contrary to the statute in my opinion. But it goes into effect October 1 and that is why my colleagues and I who support the ''no Washington exemption'' language had to take action, had to fight for a vote now. We need this debate and vote now, before October 1. That is what it is all about.

As I said, my distinguished colleague from Iowa who authored this language could not have been more clear: ''The more that Congress experiences the laws it passes, the better.''

Also, employment lawyers who have looked at the statute agree with me that there is no big subsidy we should be able to take with us to the exchange. For instance, David Ermer, a lawyer who has represented insurers in the Federal employee program for 30 years, said, ''I do not think Members of Congress and their staff can get funds for coverage in the exchanges under the existing law.'' That was in the New York Times.

Many other employment lawyers have said the same because it is crystal clear from the statute. As National Review Online reported:

Most employment lawyers interpreted that to mean that the taxpayer-funded Federal health insurance subsidies dispensed to those on Congress's payroll—which now range from $5,000 to $11,000 a year—would have to end.

Yes. That is the clear language and the clear legislative history of the statute. Yet we have all this hocus-pocus to do exactly the opposite, contrary to the law. As the Heritage Foundation said:

Obama's action to benefit the political class is the latest example of this administration doing whatever it wants, regardless of whether it has the authority to do so.

The Office of Personnel Management overstepped its authority when it carried out the President's request to exempt Congress from the requirements of the health care law. Changing law is the responsibility of the legislative branch, not the executive branch.

Also, the Heritage Foundation said:

Washington's political class and allied big special interest lobbyists are responsible. And until this bad law is fully repealed, the President's team and Congress should submit fully to its multiple and costly requirements, just like everyone else.

The National Review Online has echoed the same, and they are right:

Under behind-the-scenes pressure from members of Congress in both parties, President Obama used the quiet of the August recess to personally order the Office of Personnel Management, which supervises federal employment issues, to interpret the law so as to retain the generous congressional benefits.

The Wall Street Journal opined:

. . . If Republicans want to show that they ''stand for something,'' this is it. If they really are willing to do ''whatever it takes'' to oppose this law, there would be no more meaningful way to prove it.

This is why we are here at this moment and this is why it is so important and necessary to have this debate and this vote now. I am very happy that at least some of my colleagues have properly recognized that, and that includes the distinguished majority floor manager of this bill, and have agreed in principle to this vote. The distinguished majority leader Senator REID has agreed in principle to this vote. But it is interesting that at least in his case, although we have some agreement in principle, we have no vote and, frankly, I am not surprised. The proof of the pudding is in the eating. If you agree to a vote, then you have to have a vote. We need to have a vote. We need to have a vote by October 1 and I am going to keep fighting for a vote. That is basic fairness, to deal with this illegal rule. Again, the timing is here and now and that is not of my doing. I did not favor the illegal rule that makes the issue come before us. I did not favor the October 1 deadline. That should never have happened at all. But it is before us and that deadline is before us because of the illegal rule from the Obama administration. That is why we need a vote. We need a vote before October 1.

As I said, the distinguished majority leader says he will permit a vote. He says that in theory but it does not happen in practice. Again we wait and wait and wait and demand a vote. It does not have to be on this bill. I will continue to come back. I will file this amendment with regard to the CR. That is a perfect place to have this debate and vote or we can do it as a stand-alone bill. We can do that easily next week, before October 1. We can do it without disrupting any other floor

business, without delaying any other action with regard to the CR or anything else.

In that spirit, let me ask a unanimous consent in that regard. I ask unanimous consent that on Wednesday, September 25, 2013, at 10 a.m., the Senate discharge the Senate Committee on Finance from consideration of my bill, the No Exemption For Washington from ObamaCare Act, proceed immediately to consideration of that bill, S. 1497; 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, points of order or motions to commit; and that after debate has expired the bill be engrossed for a third reading, read a third time, and the Senate immediately vote on passage, subject to a 60-affirmative-vote threshold; and that the motion to reconsider be made and laid upon the table following that vote.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WYDEN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. VITTER. I understand the floor leader is doing that for the majority leader and I think that is very unfortunate. If the distinguished majority leader agrees to a vote in principle, we need a vote in reality. I said at the time when he agreed to it in principle that is interesting but I did not think it would happen in reality, and sure enough, this week that is correct, it has not happened.

I think the majority leader, frankly, is very concerned about this vote. That is why he and others actually relied on threats and intimidation to try to avoid this vote. That did not work. It is not going to work. I am coming back with this amendment. I am coming back with this bill. He has agreed to a vote in principle, so let's have a vote. Clearly, not from my doing, but because of the illegal Obama administration rule, that vote is timely now. That vote has to reasonably happen before October 1, which is why I proposed that unanimous consent. That is a way to have the vote which the majority leader agreed to in principle without disrupting any other business on the Senate floor. It would literally take 60 minutes of debate and a 15-minute vote.

I am sorry that was not accepted by the majority leader, but needless to say I will be back with my bill, with my amendment. The American people deserve a vote because, however it comes out, the American people should be able to know what Senators will stand through that vote with Washington and what Senators will stand with America.

I yield the floor.

Mr. WYDEN. Mr. President, before he leaves the floor let me say to the Senator from Louisiana, I want to talk a little bit about exactly this question of reality and how we can address the Senate's business and address the issue of the Senator from Louisiana as well—not in principle but with an actual vote, because the reality is there could have been already a vote on the amendment offered by the Senator from Louisiana. I will describe exactly why that has not taken place, but it could have and in my view should have already taken place. It should not have been about principles, it should have been about the reality of the vote the Senator from Louisiana is talking about.

Here we are. Of course it is hard for the public to figure out exactly how the Senate works. The new Senator from Hawaii is a student of this. We have a bipartisan energy efficiency bill on the floor of the Senate now.

As far as I am concerned, I describe it this way. This is a platonic ideal of what bipartisan consensus legislation ought to be all about. It is an extraordinary coalition built in favor of this—the Business Roundtable, the National Association of Manufacturers, the Chamber of Commerce—with some of the country's leading business organizations that favor energy efficiency, and they are doing it for a reason. This is going to increase American productivity. We are going to save money because we are not going to waste so much energy and this is going to create good-paying jobs in a variety of new fields and technologies that are going to be good for people in our country.

My view is we should have already finished this debate with relevant amendments—relevant amendments offered by both sides. In fact, when we started the debate, for the first 4 or 5 hours there was a good bipartisan amendment offered almost hourly. We have them all stacked up like planes hovering over an airport.

At that point conservatives indicated there were two areas they felt strongly about getting a vote on. Again, I am not talking about principles here. We are talking about the reality of a vote, a vote that could have already taken place. One of them was on the amendment offered by the Senator from Louisiana. I happen to disagree with the amendment strongly, but in all of the discussions I said it seems appropriate that there be a vote on that amendment and on another amendment which I disagree with, involving the Keystone Pipeline. At that point a very clear statement was made by the leadership that if we are talking about the energy efficiency bill and these two votes—not principles, but realities of having those two votes, a vote on the Vitter amendment and a vote on the Keystone Pipeline—and then have relevant amendments that relate to energy efficiency, we would be able to complete this bill. Since we started it last week, I am of the view that we would already have been done by now.

After that message was communicated by the leadership on this side of the aisle, we saw the response to that. It was in response to a vote on the amendment offered by the Senator from Louisiana, a vote on the proposal offered by Senator HOEVEN from North Dakota, and a procedural agreement to vote on other relevant amendments. We had scores and scores of other amendments offered to this bill that were clearly not related to energy efficiency. So I say to the Senator from Louisiana: That is the reality—not the rhetoric from the Senator or principles—of why there has not been a recorded up-or-down vote.

By the way, this is a vote that would have met the Senator's principles, that he wanted the vote before October 1. We would have already had that up-or-down vote on the amendment offered by the Senator from Louisiana. It would have been done in accordance with the wishes of the Senator from Louisiana before October 1. The sole hurdle in terms of securing that has been the scores of amendments that have been offered primarily—really exclusively—from colleagues on the other side of the aisle who want to deal with other energy issues.

I want to make one other comment with respect to this. Senator MURKOWSKI and I—because we have worked in a bipartisan way since we were given the opportunity to lead the Energy and Natural Resources Committee at the beginning of this year, and we are honored to have the Senator from Hawaii on the committee—have said our sole focus is to try to find common ground on a host of energy issues that have been backed up, many of which colleagues on the other side of the aisle feel very strongly about.

I would highlight, for example, nuclear waste legislation, where there has been no progress for years and years. Senator MURKOWSKI and I, with Senator FEINSTEIN and Senator ALEXANDER, have a bipartisan bill we think would allow us to finally get on top of a critical issue. I feel very strongly—and I know the Senator from Louisiana cares a great deal about this—that we need to look at ways to cap the potential of natural gas, which is 50 percent cleaner than the other fossil fuels. I have been working with industry and environmental leaders on what I call a win-win solution where we could build more pipelines—the Senator from Louisiana knows it is important for the infrastructure of the natural gas business—and in the future we are going to make them better pipelines. We would have pipelines that don't leak so much methane, which would be good for consumers, good for the planet, and it would be good for the industry.

We are interested in dealing with nuclear waste issues, natural gas issues, and offshore energy issues which, again, are important to the Senator from Louisiana. It is pretty hard to get Senators to focus on those kinds of issues if we cannot move a piece of legislation such as this energy efficiency bill which has an unprecedented coalition behind it. It has so many obvious benefits, without the mandates and

without a one-size-fits-all strategy from Washington.

I wanted to set the record straight in particular on that point.

The Senator from Louisiana and I are going to continue our discussions, as we have been doing, but I especially want to emphasize—since my colleague from Louisiana has been talking about whether people say you can vote in principle but you don't vote in reality—that the reality is: We could have already had a vote on the amendment offered by the Senator from Louisiana before the October 1 date, that he said he felt strongly about, if colleagues on his side had not insisted on all of these other amendments not related to energy efficiency.

By the way, I made it clear to them—coming from a State that doesn't produce fossil fuels—that I was willing to work with them, particularly in areas I have just described, such as tapping into the potential of natural gas.

So the reality is there could have already been a recorded up-or-down vote on the amendment offered by the Senator from Louisiana before October 1, and I hope he and others will continue to work with the bipartisan leadership so we can quickly get a finite list of additional relevant amendments that would be offered after the Senator from Louisiana gets his vote and after there is a vote on the amendment offered by the Senator from North Dakota. Those are the realities of what has happened over the last week.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I appreciate the comments of the distinguished majority floor leader, and I accept them. I know they are sincere in terms of his actions and in terms of his involvement.

My point, of course, was not about him. My point is I don't think it was an accident that we never got to yes in practice. I don't think that was an accident at all. I don't think it was an accident from the point of view of the majority leader. I don't think it was an accident from others' point of view.

If we want a clear glimpse into their true approach, we have to look at the amendments they floated last week, which were literally about threats, intimidation, and bribery. So that is a pretty clear window on where they are coming from. It is certainly not where the distinguished floor leader is coming from.

Let me close by saying there is one more point of reality I would underscore, and that is this: In the Senate there is one Member who can virtually guarantee that a vote happens, and that is the majority leader. He has promised an up-or-down vote on this before October 1 in theory. He has the power to clearly make that happen one way or the other in practice, so we will see if he does. It is as simple as that.

I thank the Presiding Officer, and I yield the floor.

Mr. WYDEN. Mr. President, I note 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. HOEVEN. 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.

Mr. HOEVEN. Mr. President, I come to the Senate floor to mark the fifth anniversary—the fifth birthday, if you will—the fifth anniversary of the application of the Keystone XL Pipeline. TransCanada applied for approval of the Keystone XL Pipeline in September of 2008, and here we are, 5 years later to the date, without a decision.

Normally, when we celebrate an anniversary or birthday, if you will, it is a good thing. It is positive. Obviously, in this case, that is not the case. Five years have gone by with no decision from this administration on the Keystone XL Pipeline. It is mind-boggling.

How can we be following the laws, the rules, and regulations of this country when a company applies for approval of something and there is a decision the administration has to make—is it in the national interest or is it not? That is the decision before the administration. We have to make a decision. We elect Presidents to make decisions. So here we are 5 years later with no decision, not a yes, not a no—five years of study of the project and still no decision.

This project will help generate more energy for our country, more jobs, economic growth, and tax revenue without raising taxes. It is a project that will help us become energy secure, energy independent, with Canada. Working with Canada, our closest friend and ally, will enhance national security so we don't have to get oil from the Middle East, something Americans very much want.

As a matter of fact, there was a recent poll put out by Harris done this summer. In that poll—and I have it right here—in a Harris poll released this summer, 82 percent of voting Americans voiced support for the Keystone XL project—82 percent. Think about that: 82 percent of Americans want the project approved, but for 5 years the administration hasn't been able to make a decision, and they are still not making a decision. The indication now is this could go into next year. So now we are working on year 6.

Think about our economy. Our economy is stagnant. Businesses aren't investing in new capital and equipment and creating jobs. One of the reasons is because of burdensome regulation. This is a clear example: 5 years with no decision.

This poll I referred to, some of the other results of it: 82 percent of voting Americans support the Keystone XL Pipeline project. That is not an old poll; that was done this summer. Some of the other information from that poll: 85 percent of people agree Keystone XL would help strengthen America's economic security—85 percent. Eighty-one percent of people agree Keystone XL would strengthen America's energy security.

Seventy-seven percent of the American people—voting Americans—agree that Keystone XL will help strengthen America's national security—as I just mentioned, not getting oil from the Middle East. That is a no-brainer. Seventy-five percent agree that Keystone XL would benefit the U.S. military by increasing access to oil from Canada, our closest friend and ally.

One of the issues this has brought up is concern about the environmental impact. Let's look at the facts: In the 5 years since TransCanada applied for approval—in that 5-year span—the State Department has done multiple environmental impact statements, I think on the order of four draft or supplemental environmental impact statements. The finding on the environment has been: ''No significant environmental impact.'' That is the Obama administration's own State Department: ''No significant environmental impact'' after 5 years of study. How many more years of study do we need? How is our economy going to work when businesses that want to invest billions in building vital infrastructure for our economy and create jobs have to wait 5 years before they get a go-ahead? And we are wondering why we have a sluggish economy. We are wondering why we are still importing oil from the Middle East.

This isn't just about working with Canada to produce energy for this country. My home State will put 100,000 barrels of oil a day into this pipeline—the lightest, sweetest crude produced anywhere in the country—and take it to our refineries in this country to be used by American consumers and businesses.

Another criticism the opponents will sometimes bring up is that the oil is going to be exported.

They say: Oh, no, the oil is going to be exported; we shouldn't approve the Keystone XL Pipeline; we shouldn't work with Canada; we shouldn't move our own long-term refineries because it is going to be exported.

Again, let's take a look at the facts. In June 2011, the Obama administration's Department of Energy put out a study which said specifically that the oil will be used in the United States. The oil will be used in the United States and it will help reduce gasoline prices for Americans.

That wasn't some proponent who put that out; that was the Obama administration's own Department of Energy after doing their study.

Again, let's take a look at the facts. In my State, this kind of pipeline, as I said, will move 100,000 barrels a day on this pipeline which we are now moving by truck and by train. This pipeline will help take 500 trucks a day off our

highways, saving incredible wear and tear but also providing greater safety because we will not have all of those trucks transporting this oil and gas.

Another argument is, if we don't build the Keystone XL Pipeline, then the oil in the oil sands in Canada will not be produced. Those who are against using fossil fuels—folks who just say, no, we are not going to use fossil fuels anymore, we don't want to use them—they say we don't want to use the pipeline because then the oil sands in Canada will not be produced. Again, look at the facts. The facts are very straightforward. The oil is already being produced and it is moving by truck and train, not by pipeline. If we don't utilize it in the United States, then instead of coming to the United States, it will go to China, where now we are moving it by tanker across the ocean, and it is going to refineries that have much higher emissions. So we have worse environmental standards, and instead of us working with Canada to get our oil rather than getting it from the Middle East, which we are doing now, all of that oil goes to China.

Think about it. Is this what Americans want? Go out and ask them. That is why I cited the poll just a minute ago, saying 80 percent-plus support this project. I think some of them who don't, aren't aware of the project. But if we ask any American, they are going to say they don't want to rely on the Middle East for oil. They would much rather work with Canada. They would much rather produce it here, such as in my home State, and work with Canada so we are energy independent, we are energy secure, we don't have to rely on the Middle East. Let China and the other countries work with the Middle East to get their oil. Ask any American what they think about that proposition and we know what answer we will get. But the President, for whatever reason—here we are 5 years later and he is still not making a decision.

Today is the fifth anniversary. We are starting on year 6, and the question is, How much longer does this go on?

I have spoken about this in terms of energy and energy security for this country: low-cost, dependable energy, so when American families and businesses need energy to fuel their vehicles, they know it is reliable, dependable, it is produced in this country and in a country such as Canada, our closest ally, not in the Middle East, and that we are not going to have to send our men and women in uniform into a very difficult situation. We will not have to send them, at a minimum, into the middle of a situation where—look at what is going on in Syria. Look at the volatility. We want to depend on that area for our oil? Of course not.

It is about energy. It is about energy security. It is a national security interest. It is about jobs.

There have been many studies on the number of jobs; the proponents argue for one and the opponents argue for another. But let's go back to the State Department's own numbers after 5 years of study. They say more than 42,000 jobs will be created by the project. Don't take a study from the opponents of the project. Don't take a study from the proponents of the project. Take the State Department's own study: more than 42,000 jobs, at a time when our economy badly needs quality construction jobs, and it doesn't cost one penny of taxpayer money. As a matter of fact, the project produces hundreds of millions to help reduce debt and deficit without higher taxes.

For all of these reasons, this project should be approved. For all of these reasons, this project is very much in the national interest.

I have worked in this body, and I have worked with our friends and colleagues in the House, to see if we can't approve this congressionally. This is a Presidential decision. The decision before the administration is to decide is this project in the national interest or is it not in the national interest. The American people have already decided. In poll after poll, 70, 80 percent of the American people have decided—it doesn't take them 5 years—but the administration can't decide. So Congress should. Congress should step up and decide. I believe it is very clearly in the national interest for all of the reasons I have clearly laid out. I think we need to work with our colleagues in the House and find a way to make a decision that the President seems to be unable to make.

I believe that this project is in the national interest; that we do need to be energy secure; that we do want the jobs and the economic activity for our people in this country. And I believe this decision needs to be made not on the basis of what special interest groups want but on the basis of what the American people want, and that verdict is in, and it is overwhelming.

Thank you.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

HELIUM STEWARDSHIP ACT

Mr. WYDEN. Mr. President, there are four Senators on the floor who are each going to take about 5 minutes or so as we try—the leadership is now working to make it possible for us to have a unanimous consent request so that we can have a vote on the helium legislation after the respective caucus lunches.

So as of now we all will take, the four of us involved—Senator MURKOWSKI, Senator BARRASSO, Senator CRUZ—about 5 minutes. We hope to be able to propound the unanimous consent request as we all talk. We want all Senators to know that we hope to be able to vote on the legislation shortly after lunch.

We know that in Washington, DC, it is almost as if there is an inexhaustible capacity to manufacture false crises. I am here to say that if Congress does not act immediately to pass the legislation we are discussing, scores of American manufacturing and technology companies employing millions of American workers are going to find it impossible to continue their current operations. That is because without this legislation, those workers and companies would no longer be able to get access to helium, which is a critical industrial gas without which these companies cannot operate.

Every week in our country there are 700,000 MRI scans performed. Without liquid helium, which is used to cool these superconducting magnets, without which you cannot run MRIs—if you did not have that capacity, millions of Americans would lose access to a critical diagnostic test. Helium is also used for welding in the aerospace industry, and it is essential for manufacturing optical fiber for the telecommunications industry and for chip manufacturing in the semiconductor sector.

Without going into all of the history, our government got involved with helium after World War I because the defense sector needed it.

Ever since that time—I have been discussing this with colleagues—President after President, Congress after Congress, has tried to come up with a policy that finally gets government out of the helium business while still ensuring the needs of the military business and our taxpayers were protected in the process.

Senator MURKOWSKI and I have worked for many months on this legislation in the Energy and Natural Resources Committee, and we believe our bipartisan bill accomplishes this. That is because the bill requires the Federal Government to shift from selling helium at a government-set price to selling helium at a market-based price. The bill does this over a 5-year period, so there is no panic, no sudden changes in supply, and American businesses can stop worrying about whether the helium supply truck is going to actually show up in the next month.

The bill phases out commercial sales over the next 7 or 8 years and then gets the Federal Government out of the helium business entirely. With prices for helium now reflecting their real value in the marketplace, the private sector would have the incentives it needs to invest in new helium supplies to replace what is now a Federal reserve. I will wrap up by saying there have been loads of bad puns over the years about Congress floating various ideas for new helium legislation, but this is no joke. If Congress does not pass legislation to extend operation of the Federal Helium Reserve, 40 percent of the U.S. supply of this absolutely necessary industrial

commodity will disappear at the end of the month.

We have been informed the Federal agency that handles this, the Bureau of Land Management, would actually start closing the valves on October 1 if Congress has not acted.

I note Senator MURKOWSKI is here. I would ask my colleagues if Senator MURKOWSKI could go next.

Senator CRUZ has been very gracious in terms of how we are trying to handle this. Both Senator MURKOWSKI and Senator CRUZ could speak and Senator BARRASSO is here. I think we would all be done by the 12:30 window.

Let me say to my partner, once again, this is the kind of bipartisan approach we have tried to show in the Energy and Natural Resources Committee. I am very appreciative of all she does to make our partnership to work.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. If I may, I would at this time defer to Senator BARRASSO and Senator CRUZ before my comments. I know both of them need to dash off the floor.

If Senator CRUZ wishes to speak at this point in time, then I will wrap up after he and Senator BARRASSO have spoken.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. I thank my friend from Oregon and my friend from Alaska for their leadership.

As do they, I support extending the Helium Program. This is a good and important program that is critical to industry, it is critical to jobs, and it is critical to our high-tech community. I salute both the Senate and the House for a positive bill that generates revenue for the Federal Treasury and that gets the Government, in time, out of the helium business. I think that is a good and positive step.

I would note the House of Representatives passed a bill that continued this program but that devoted the revenue that came from this to deficit reduction. At a time when our national debt is approaching $17 trillion, I think devoting that revenue to deficit reduction is a good and appropriate place to direct that revenue.

When the bill came to the Senate—this bill is projected to generate approximately $500 million in new revenue for the Federal Government over 10 years. When it came to the Senate, roughly $400 million in new spending was added to the bill that came out of that $500 million that was generated.

In my view, given the fiscal and economic challenges in this country, that revenue would be better spent paying down our deficit, reducing our national debt, than it would be on new spending. Indeed, over the course of this week, I have had numerous conversations with my colleagues where I have urged them that if new spending were to be added, for them to endeavor to find other areas of Federal spending that could be reduced, that could be cut to make up for that, so we could devote the full $500 million to reducing the deficit. I think that would be the most fiscally responsible approach to be taken.

For that reason, I have had concerns about proceeding on this bill with unanimous consent, proceeding on this bill authorizing an additional $500 million in new spending without debate, without a vote. Earlier this week, I had lodged internally an objection to do so.

I am pleased to note that in conversations with Senator MURKOWSKI and Senator WYDEN, we have reached an agreement where this matter will not proceed by unanimous consent but, rather, will proceed with a rollcall vote to be scheduled this afternoon, where each Senator will cast his or her vote.

With that agreement, I am happy to withdraw any objection and allow us to go forward.

I would note it is important for economic growth and for the high-tech industry to maintain this program, but at the same time I hope going forward, when new spending is authorized, all of us will work to cut spending to compensate so we can devote the maximum resources possible to paying down our deficit and paying down our debt.

Mr. SESSIONS. Would the Senator yield for a question?

Do I understand the Senator does not oppose the bill as passed in the House that would have authorized this program to go forward, but the concern is new revenue has been generated that is being spent for other programs?

Mr. CRUZ. That is correct. In terms of a technical offset, the spending is offset by the revenue. I am not arguing that it fails to offset in the typical language of the Senate; rather, my concern is that is $500 million in new revenue that could be directed to deficit reduction. Given the magnitude of our national debt, if we have $500 million in new revenue from selling helium, sending it to the private sector, I would far rather see that $500 million used to pay down our deficit.

What I have urged my colleagues to do is, if there are new spending programs that are of particular concern to the citizens of their States, to find other aspects of the Federal budget that could be cut to offset it so that entire $500 million could go to deficit reduction rather than to funding the new spending.

Mr. WYDEN. Would the Senator yield for a question—I am going to ask a question and respond to Senator SESSIONS' point in one second.

There are differences between the House bill and the Senate bill. The House bill does not get the government out of the helium business permanently. The Senate bill gets the government out of the helium business permanently; A, it does it in a way that is fully offset and, B, not only is it offset under our proposal, passed unanimously in the Energy and Natural Resources Committee, $51 million would actually be used to lower the deficit. There is a full offset, A; get the government out of the helium business permanently, and $51 million would be returned to be used for deficit reduction.

What I wish to do, by way of moving things along—and Senator CRUZ has been very gracious in terms of the handling of this and saw me on short notice. I am very appreciative.

I wish to propound the unanimous consent request at this time. I am asking the Senator from Texas, Mr. CRUZ, a question, if this is acceptable, and then we will go right back to my colleagues.

I wish to ask the Senator from Texas if we would now move to ask unanimous consent that at 2 p.m. the energy committee be discharged from further consideration of the House bill and the Senate proceed to its consideration; that the substitute amendment at the desk, which I have been discussing and I have talked about, be agreed to.

We would then have 15 minutes of debate equally divided between yourself and myself or our designees; that upon the use or yielding back of time, the bill would be amended and be read a third time and the Senate would proceed to vote on passage of the bill, as amended; that motions to reconsider would be considered made and laid upon the table, with all of the above occurring with no intervening action or debate.

I ask the Senator from Texas would this unanimous consent request be acceptable?

Mr. CRUZ. I am pleased to tell my friend it would be acceptable. I have no objection to that. I appreciate the willingness of the Chairman, along with Senator MURKOWSKI, to allow this to come to a rollcall vote so each Senator may be on the record with their views.

Mr. WYDEN. When the Senator—who was good enough to yield me time—has completed with Senator SESSIONS and colleagues to whom he may wish to yield, I will then propound that unanimous consent request.

I don't anticipate any objection. Colleagues will know that we would then have a vote shortly after 2 p.m.

I thank Senator CRUZ.

Mr. SESSIONS. I would just say this. We need to get in our heads in this body that just because you raise revenue and pay for a new spending program, that doesn't have implications for the Federal Treasury and the budget. In fact, we have rules that guard against it.

I thank Senator CRUZ for raising and highlighting that. We need to consider it. Because the idea that you can just do that is dangerous and it creates more taxing and more spending, more revenue and more spending.

The Senator from Texas raised the point, just because you raised revenue doesn't mean the people who raise the revenue get to spend it on what they want. He is perfectly correct to say I think it should be used for deficit reduction. I thank the Senator for raising the issue.

I yield the floor.

Mr. CRUZ. I thank the Senator from Alabama, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I appreciate the fine work done by all of our colleagues.

I wish to support this bipartisan helium bill, S. 783. This is a bill which is critical to maintaining a stable supply of helium now and into the future. This bill accomplishes that.

As a physician, I know how important it is that helium is available for the newest technologies, specifically for use to cool MRI scanners and manufacture products such as semiconductors and fiber optic cables.

Helium also has important applications for the Department of Defense, for NASA, and the scientific research community. This bill extends the authority of the Secretary of the Interior to sell helium from the Federal Helium Reserve in Texas, including important reforms such as provisions already outlined by the chairman of the Energy Committee: The Secretary sells helium at market prices and the Federal Government gets out of the helium business once and for all. This, to me, is one of the key components of this legislation.

In June, the Energy Committee, on which I serve, voted to report the helium bill by voice vote—22 members of the committee. There were no objections stated. This was bipartisan.

The House has already passed its own helium bill, which is different than this. I think the Senate should pass its helium bill as soon as possible today so we can have an opportunity to negotiate with the House, get something passed, and then to the President for signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am pleased we are at this point. We will be able to move forward with this important legislation relating to our Nation's Helium Program. I would certainly encourage my colleagues to support passage of this bill that we have spent several years now developing in the energy committee to reform it.

The bill, as has been mentioned by my colleagues, is a bipartisan bill. It was an important piece of legislation that was reported to the Senate floor in June by a voice vote. It is yet again another good product coming out of the energy committee.

We need to move to pass this bill but also to reconcile the remaining issues we have with the House and we have to do this before October 1. October 1 is coming at us like a freight train on a lot of different issues. But if we want to prevent a shortage of helium gas in this country, we are going to need to do it and do it now.

Again, the chairman referenced some jokes about helium. Unfortunately, a lot of folks associate helium with helium balloons, party balloons, and not the things we are talking about. It is such an essential component to everything from medical imaging equipment, semiconductor manufacturing, rocket engines, and precision welding. I think folks would be amazed at how helium plays such a significant part in our high-tech world and our manufacturing world.

We have to act. What we need to do is prevent a massive disruption in the supply chains for all of these important economic sectors. We need to pass this bill.

As has been mentioned, what we are doing is we are reforming and reauthorizing the Federal Helium Program. This program provides 40 percent of our domestic and 30 percent of our global helium supplies from the Cliffside field near Amarillo, TX.

The energy committee, as I noted, developed this bill before us. What we focused on was bringing market-based price discovery to the sale of this taxpayer-owned resource.

The approach we have taken in committee will ensure a better return to the taxpayer, which is what we are all looking for. It prevents a small number of corporations from effectively being able to pocket value that which belongs to the American public. It will also improve the management of the Helium Program to account for diminishing production and provide greater transparency for a program that clearly needs it.

So there are a lot of good reasons why we need to do this legislation. And as the chairman has mentioned, we are getting government out of the program. That ought to be something certainly all of us on this side of the aisle would agree on—getting the government out of the business altogether.

This bill completes a privatization process Congress set in motion back in 1996. It sets a hard-and-fast deadline for getting the Federal Government out of the helium business once and for all.

As has been mentioned, we do have a bill on the other side, in the other body, that doesn't take it all the way; it doesn't fully get the government out of the business. In our legislation, not later than 2022, all of the assets that are associated with the helium reserve will be sold off and the Federal Government's involvement in what should be a private market will end.

Of all the options before us for preventing an imminent helium shortage, this Senate bill is the only one that also addresses the long-term goal of exiting the sector and leaving the development of future supplies to private industry. As has been mentioned, when we do this—when we get out of the business, when we conduct these auction sales—we will generate revenue of approximately $500 million. That is both a good and important thing around here. So what the energy committee did, in a very bipartisan and very open process within our committee, we chose to devote some of this revenue to other programs within our committee's jurisdiction—not creating new programs but basically providing funding for obligations that have already been made.

One way or another, we are going to be providing for these payments—whether it is to the abandoned mine land fund, to the Secure Rural Schools Program, adjusting the royalty rates for the soda ash operators, or addressing the National Park Service backlog or the mess left by the Federal Government when it comes to drilling exploratory wells and then abandoning them. So what we have done is we have looked critically at these areas where we have had funding shortfalls within the energy committee's jurisdiction, and a portion of these revenues has been dedicated to that. But we also heard from our colleagues—members on the committee and others—who said we need to make an effort to take some of these revenues and direct them to deficit reduction. So we have reduced the Federal debt by at least $56 million. This was a priority of Senator FLAKE and Senator RISCH on the committee, and we have directed that.

Again, all of these are priorities among programs within the jurisdiction of the Energy and Natural Resources Committee, and given the $56 million that is devoted to deficit reduction, the resources we have devoted to addressing them are more than offset. I think our success in striking this balance has been confirmed by both the Congressional Budget Office and the bipartisan staff of our Senate Budget Committee.

We have an opportunity before us today, and I think we have a responsibility to act now, as this October 1 deadline is looming. First and foremost, we have to act to prevent a massive disruption to the helium supply chain that could harm so many sectors of our economy. This bill prevents that from happening. We also need to finish what the Congress started back in 1996 and fully and finally privatize the helium business so that the Federal Government can get out of the industry. And we should address these other priorities—including deficit reduction and other obligations the Federal Government has already taken on—by making responsible, thoughtful decisions about the use of the revenues associated with the reauthorization and the eventual closure of the Federal Helium Reserve.

For these reasons I would certainly encourage my colleagues to support the bill when we go to a vote in just about an hour and a half.

With that, I yield for my friend and colleague.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, let me thank the Senator from Alaska for an excellent statement. It very much reflects our desire to make this bipartisan.

I particularly appreciate her noting the contributions of two of the members of our committee, Senators RISCH

and FLAKE, who also made the point that, yes, we are getting the government out of the helium business; yes, we are making sure we are not putting at risk millions of high-skilled, high-wage jobs; but we have to be serious, as my friend from Alabama likes to say, about this budget deficit. And so I will be. He and I have talked often about Medicare and other areas. We will be serious about that deficit reduction, as Senator MURKOWSKI has talked about. And particularly in light of the comments of Senator RISCH and Senator FLAKE, we were able to meet the needs of people, working families across this country who depend on these high-skilled, high-wage jobs. So we are meeting those needs, and we are contributing to deficit reduction. So I thought the Senator's points were well taken.

UNANIMOUS CONSENT REQUEST—H.R. 527

At this point, Mr. President, I ask unanimous consent that at 2 p.m. today, the energy committee be discharged from further consideration of H.R. 527 and the Senate proceed to its consideration; that a Wyden substitute amendment, which is at the desk, be agreed to; that there be 15 minutes of debate equally divided between Senators WYDEN and CRUZ or their designees; that upon the use or yielding back of the time, the bill, as amended, be read a third time and the Senate proceed to vote on passage of the bill, as amended; that the motions to reconsider be considered made and laid upon the table, with all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, let me say to the Senators who have worked on ending the Federal Government's involvement in this program that this is a great accomplishment, and I thank them for that. I do think there is technically not a budget point of order for the process they have used in funding this bill, although I think Senator CRUZ is raising a valid concern. I guess if we could do $50 million on deficit reduction, we could do more. But I did want to say that I am proud of the thrust of the legislation. I think it is good legislation. I thank them for it. And it does not, I am informed, violate the Budget Act.

Mr. President, I have directed my staff on the Budget Committee to conduct a detailed analysis of the economic conditions facing working Americans—their wages, their employment conditions, and their household finances. I will give a series of talks over the coming weeks looking at that financial situation and the state of our Nation as a whole economically. I will also attempt to look at the causes leading to our current financial difficulties and suggest some steps to restore America's financial future.

This topic is very important. The sad fact is that the state of middle and lower-income Americans is worsening on virtually every front. The slow growth of the economy (and this has been the slowest recovery from a recession since World War II or the Great Depression) is restraining the normal upward movement of income that previous generations have experienced. It has accelerated in the last several years, but it has been going on—we have to be honest with ourselves—for a much longer period of time. If you don't have a job now, you are twice as likely to only find a part-time job as full-time work, if you can find one at all.

According to the U.S. Census Bureau, middle-class incomes have declined for 18 years. That has happened with different parties, different Presidents, and different majorities in the House and Senate. That decline means that savings for college and retirement are growing at alltime lows. Young people are not marrying as early as they want, sometimes due to bad economic prospects. That means families are launching later in life, which gives couples less years to pay down a mortgage or raise children.

Perhaps the greatest single source of our economic anxiety, however, is the fear of losing a job or that our children won't be able to get a job or our grandchildren won't be able to get a good job.

It is not just the unemployment rates that remain too high—at 7.3 percent as of August 2013—it is the number of people we all know who are working well below their potential because nothing is available that uses their job skills. It is the number of people we know who have given up looking for work or who are working part time because nothing full time is available to them.

Fewer people are working today than in 2007. Almost 4 million fewer people are working today than in 2007, but during that time our population has increased and the number of workers of working age has increased. Just before the recession hit in December 2007, about 62.7 percent of the working-age population was working—62.7. If that same percentage was working today, we would have 154 million jobs. But we don't have 154 million, we have 144 million. And only 58.6 percent of the population is working, which is a marked decline. In short, we are missing 9.9 million jobs when we compare this economy to the one in 2007.

Here is another way to look at the job problem. In 2007 we had 363,000 discouraged workers—people who had given up looking for work because they couldn't find a job but still had not disappeared from the rolls of employment security offices. Today we have 866,000. That is an increase of 140 percent in discouraged workers.

Here is another barometer of the middle-class difficulties. We have 1,988,000 fewer full-time jobs today than in December 2007; however, we have 3,627,000 more part-time jobs. How we calculate this is important. People with part-time jobs, according to the jobs people at the Department of Labor, are not counted as unemployed, they are counted as employed, although they may want a full-time job, and most do. So our economy is producing part-time jobs rather than full-time jobs. That has been going on for a long time, and it is not acceptable. These jobs often have no health care program or retirement plan.

A very high percentage of all jobs created this year are not full-time jobs, and workforce participation—the percentage of people who are actually working today—is the lowest since 1975. That is not acceptable. And these trends have been going on for some time.

Let's take a look at median family income. The Census Bureau published new estimates of household income on Tuesday, August 17. They report that the median income of American households is lower than last year, lower than the year before, and, in fact, is lower than at any time since 1995, adjusted for inflation.

This is a very serious trend. While we have done a lot of things to make this economy better, few benefits are going to main-line, hard-working American people. They are struggling out there. You have to go back to 1995 to find median household income that is lower than today's household income.

Even if we take broad measures of income, we get similar results. If we divide all of the income by the population to come up with a per-capita income concept, per-person income is lower today than at any time since 1997. This is an unacceptable trend. It is clear it is not a short-term phenomenon. It is now a negative trend for almost 18 years, and it cannot continue.

While the stock market has rebounded and corporate profits have remained strong, that should not and cannot be used to obscure these trends, trends that have accelerated after we emerged from the recession of 2008 and 2009.

Many are concerned that the Federal Reserve is furthering the Nation's economic problems with a growing wealth gap. Their quantitative easing has boosted the wealth of the investor class but has not benefited the working class. This is not the way our policies should work. People who know what to do with low-interest money seem to be coming out ahead. But the people who don't have money, don't have jobs, who are working part time instead of full time, are slipping.

Our civil society, the great foundation of the our economy, today has certain weaknesses that we have to talk about. I will address more in a separate speech, but let me give a few thoughts.

Few social institutions are more important in helping us through difficult economic times than marriage. However, marriage is disappearing in the

bottom 50 percent of the income distribution. Many people stay too long in low-income unemployment situations, and it is not healthy. And too often, the fathers are not in those households. If you are in the bottom 50 percent of the income distribution and give birth, there is a greater than 50-percent chance that the father will not be living with you when the child comes home from the hospital. Perhaps, as many suggest, our welfare policies are exacerbating these trends. We need to look at that.

Also worrying is the decline of charitable giving since 2007. Like the overall economy, this vital part of our social and economic system has not recovered effectively. Total charitable giving fell in 2008 to $303 billion from $326 billion. As of the end of 2012, total giving was only $316 billion—still 3 percent below what it was 6 years ago.

I would conclude and note that the road we are on is leading to the continued erosion of the middle-class civil society, the quality of life for hard-working Americans is not improving financially, and the continued expansion of the welfare state and the permanent entrenchment of a political class that profits from the growth of government. It is time we recognize both the disastrous conditions facing working Americans and the moral obligation we have to replace dependency on government with the freedom and dignity that comes from work and independence. That has got to be our goal.

There are things that can be done to improve these conditions. It is time for us to defend working Americans and their undeniably legitimate concerns about current trends. I will talk about that as we go forward. It is something we need to seriously consider.

Relevant here is this question, can we bring into our country more people than we have jobs for? Won't that pull down wages and make it harder for people to get work? And this question, shouldn't we defend more effectively our workers against unfair trade and competition from around the world? Both of those policies are ones I hope we could have bipartisan support on, although I am worried. The Senate's immigration bill would increase permanent immigration by 50 percent, would increase guest workers—people who come and take jobs—by double, all in addition to the 11 million who would be given legal status here.

I do think our colleagues are correct to say we should do more about trade and have fair competition on the world stage for our workers. I think we have got to convert more of this welfare spending, the 80-some-odd programs that are fundamentally geared to lower income Americans, that spend $750 billion a year—which is larger than Social Security, larger than defense, and larger than Medicare—we need to convert some of that to better use.

For example, for every $100 spent on these programs, only $1 goes to job training. Shouldn't we focus more on getting our unemployed, our people who need more training, trained, ready to move into the workforce, to take jobs? Can we afford to bring in millions of people to take jobs and to leave our people on welfare and the unemployment rolls?

Those are some of the fundamental questions we as Americans need to be asking. But first and foremost, colleagues, we are not able to deny the unassailable fact that we have had a slide in the financial well-being of millions of Americans, and that this has been going on for well over a decade.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

MORNING BUSINESS

Mr. WYDEN. Mr. Chairman, I ask unanimous consent that we be in a period of morning business until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Pennsylvania.

CYBER BULLYING

Mr. CASEY. Mr. President, I rise today to speak about an issue we don't talk about here, and I am joined by my colleague, the senior Senator from Florida, Senator NELSON.

We appear on the floor today to talk about an issue which I would argue is a clear and present danger to young Americans. What is that? We could probably make a long list of things we are concerned about as it relates to young people, but we are here today to talk about bullying and harassment.

According to the Department of Education, nearly one in three students ages 12 to 18 is affected by bullying and harassment. Another study estimates that 60,000 students in the United States of America do not attend school each day because they fear being bullied.

With the advent of text messaging and social media, many children find they cannot escape the harassment when they go home at night. It follows them from the moment they wake until the moment they go to sleep. This problem was brought once again into the national consciousness in the last couple of days.

I am reading a headline from the Tampa Bay Times, dated September 12, 2013: ''Lakeland Girl Commits Suicide After Being Bullied Online.''

Senator NELSON will be talking about that, as will I.

Here is the other headline from the Washington Post about the same incident: ''Police: Florida Girl Who Committed Suicide Had Been Bullied for Months by as Many as 15 Girls.''

I am the father of four daughters and I remember times when my daughters were going through high school. We have one in high school, one in college, and two out of college. I remember when our daughter was going through high school and instant messaging was one way to communicate, kind of a back and forth between some of the girls in her high school class. She was about 15 or 16 at the time. It never rose to the level of any kind of serious harassment. It was something that a lot of families I am sure have experienced. But my wife and I were blessed that our daughters never were exposed to what this young girl was exposed to. I won't show her picture, but I am looking at a picture of her right now. Her name is Rebecca Ann Sedwick, 12 years old, of Lakewood, FL, a beautiful girl subjected to the most horrific kind of harassment and abuse. It is almost unimaginable that a group of human beings could do this to another person. Unfortunately, it happens all too often.

Because my colleague from Florida knows the case and the news articles better than I, I ask him to highlight this. But I think we all have the same reaction, one of horror, and we are summoned by our conscience to do something about this. We can't just say, as some say, Well, every generation has faced some kind of harassment, some kind of bullying, so it is part of growing up. I have heard this argument. The argument is without validity, because no generation prior to this generation has had the technological burden. When I was growing up and someone was bullied at school, that was bad enough, but it ended when the schoolday ended. But today that is not possible if you have determined and vicious people who want to bully another student, because technology allows that person to be bullied when they leave school, all throughout the night, and then throughout the next day and day after day.

I turn with respect to my colleague to talk a little bit more about this particular case.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, many States such as mine, Florida, have strict bullying policies in place. But we need to go beyond that, and Federal legislation is needed because, as the Secretary of Education has said, these laws in the States ''lack consistency and enforcement mechanisms'' across the country.

So you get to the tragic case in Florida of Rebecca Ann Sedwick. It is a tragic reminder that bullying in the social media is increasing in both method and mercilessness.

Here is a girl with a single mom. She gets subjected to this bullying in class, so her mom takes her out of the school and puts her into another school. This is a 12-year-old little girl. She then is bullied online.

This occurs for 2 years. This is what she gets: Why are you alive? You should die. You are ugly. Can you die, please? She gets a constant dose of this not only at school, but then in the social media. Her mom tried to take

away the cell phone that would have these applications. But when she gets her phone back, she gets a new application, and this cyber bullying keeps coming through.

We have before us legislation that would get educators and parents more involved in trying to prevent this kind of bullying. Unfortunately, Congress is crippled by gridlock and for the last 6 years has been unable to pass any major education bill that contains this anti-cyber-bullying language. That is why I suggest my colleagues consider this provision on its own—separate from the broader bill—to expedite our response to what has become an increasing problem. The measure would require elementary and secondary schools to better address bullying and harassment. This calls on schools to report incidents of bullying to parents and others so we can try to prevent such conduct in theture.

I have asked the leadership, the leadership of the committee, as has my colleague, that they consider expediting this passage because of the national attention to this tragic incident in Florida. I can tell you, it is all over Florida.

I want to thank Senator CASEY for his sponsorship and continuing leadership on this issue over the last two Congresses, along with Senator KIRK. He and Senator KIRK have introduced the Safe Schools Improvement Act, which is included in the broader reauthorization of No Child Left Behind legislation—if we could then focus on this specific issue, if the broader bill is not going to pass, and get this out in the midst of this enormous personal tragedy.

I cannot understand. For 2 years this has happened to a young child. Her mom is doing everything possible, even pulling her out of one school and putting her in another. Yet it continues and it drives this young lady to go into an abandoned cement plant and take her life because she doesn't think her life is worth living as a result of all of these taunts.

I thank Senator CASEY for his leadership. Let's see if we can move it.

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

Mr. CASEY. Mr. President, I commend Senator NELSON for his leadership and for bringing this horrific example to the attention of the Senate, at least on the floor, even though many had seen the news coverage. I thank him for his leadership in trying to focus on this, even if a larger education bill does not pass.

I will conclude by saying anyone who doubts this is a problem should read one or more of these articles about this case, but I am sure we could cite many others. I will make part of the RECORD both of these articles I referred to, the Tampa Bay Times of September 12 article and the Washington Post story of the next day, September 13, that I referred to.

I want to read two lines from both stories. From the Tampa Bay story, the sheriff of Polk County, FL, Sheriff Brady Judd, says about Rebecca Ann Sedwick, she was ''absolutely terrorized on social media.'' That is the sheriff, a law enforcement official who made a determination about what happened to this girl.

Then in the Washington Post story—this is actually the Washington Post but it is the Associated Press; I should correct that—but right in the middle of the story by the Associated Press:

> The case has illustrated once more the way that youngsters are using the Internet to torment others.

In one they refer to being ''terrorized,'' in the other they refer to someone being ''tormented.''

This is a big problem. The legislation I have introduced may not have prevented this, but for sure we need legislation where schools at a minimum are required to have a code of conduct which includes bullying and harassment.

By the way, they do not need to wait for a bill to be passed. There is no excuse for a school in the United States of America not to have a code of conduct that specifically prohibits bullying right now. Any school district that does not have that in place should be ashamed of themselves and they should get to work and get that done. They don't need to wait for a bill from Washington.

That is No. 1, prohibit the conduct very specifically. No. 2, the States need to collect information and make that information available and report this information to the Department of Education. But one of the most important features of this, to get it right, is you have to specifically prohibit bullying that is done by way of electronic communication.

Whether or not this bill is passed in the near term, there are things schools can do right now. They have no excuse to wait for a bill. That is the school's responsibility, and the community's, and the school district's.

What about other areas of responsibility? Parents have a responsibility. So parents either of the tormenters, the perpetrators of this crime, but even parents who do not have children involved on either end—every parent has a responsibility. I know people do not like to hear that. They do not like public officials telling parents what they should do. Frankly, I am not too concerned about that today. Every parent has a responsibility to tell their children not to engage in this kind of conduct. If they do not do that, they are not doing their job. If their child is involved in this kind of bullying, they need to figure out a way to stop their children from doing that. If they do not do that, they are not doing their job. Parents who hear about another child who is being bullied have a responsibility to tell someone, and the students have a responsibility as well.

We are all responsible here. We cannot say it is just the school district's problem or just the Federal Government's problem or just the State's problem or just the parents' problem. We are all responsible when this happens and we all have a responsibility to do something about it because this is unacceptable. This is a crime we should never ever tolerate.

Unfortunately, we keep reading the stories, we keep hearing about this, and some people are willing to walk away. We need to do more than just talk about legislation. I have a very good bill. I thank Senator KIRK for making it a bipartisan priority. But we have to do more than just talk about legislation and pass bills. That is important, but we need to take ownership of this issue as parents, as citizens, and as Americans. We all have a responsibility.

May it be said years from now, decades from now, that because of horrific and disturbing stories such as the story from Florida where Rebecca Ann Sedwick was pushed and tormented to the point where, according to the news article, she committed suicide—let it be said of us that we took the right steps to substantially reduce the likelihood that this kind of story ever plays out again.

I ask unanimous consent the articles be printed in the RECORD.

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

[From the Washington Post, Sept. 13, 2013]

POLICE: FLORIDA GIRL WHO COMMITTED SUICIDE HAD BEEN BULLIED FOR MONTHS BY AS MANY AS 15 GIRLS

(By Associated Press)

TAMPA, FL.—For nearly a year, as many as 15 girls ganged up on 12-year-old Rebecca Ann Sedwick and picked on her, authorities say, bombarding her with online messages such as ''You should die'' and ''Why don't you go kill yourself.''

Rebecca couldn't take it anymore.

She changed one of her online screen names to ''That Dead Girl.'' She messaged a boy in North Carolina: ''I'm jumping.'' And then, on Monday, the Lakeland girl went to an abandoned concrete plant, climbed a tower and hurled herself to her death.

Authorities have seized computers and cellphones from some of the girls as they decide whether to bring charges in what appeared to be the nation's latest deadly cyberbullying case.

The bullying started over a ''boyfriend issue'' last year at Crystal Lake Middle School, Sheriff Grady Judd said. But he gave no details. Police said Rebecca was suspended at one point for fighting with a girl who used to be her friend.

Rebecca had been ''absolutely terrorized'' by the other girls, Judd said. He said detectives found some of her diaries at her home, and she talked of how depressed she was about the situation.

''Her writings would break your heart,'' he said.

The case has illustrated, once more, the ways in which youngsters are using the Internet to torment others.

''There is a lot of digital drama. Middle-school kids are horrible to each other, especially girls,'' said Perry Aftab, a New Jersey-based lawyer and expert on cyberbullying.

Last December, Rebecca was hospitalized for three days after cutting her wrists because of what she said was bullying, according to the sheriff. Later, after Rebecca complained that she had been pushed in the hallway and that another girl wanted to fight her, Rebecca's mother began home-schooling her in Lakeland, a city of about 100,000 midway between Tampa and Orlando, Judd said.

This fall, Rebecca started at a new school, Lawton Chiles Middle Academy, and loved it, Judd said. But the bullying continued online.

''She put on a perfect, happy face. She never told me,'' Rebecca's mother, Tricia Norman, told the Lakeland Ledger. ''I never had a clue. I mean, she told me last year when she was being bullied, but not this year, and I have no idea why.''

After Rebecca's suicide, police looked at her computer and found search queries such as ''what is overweight for a 13-year-old girl,'' ''how to get blades out of razors,'' and ''how many over-the-counter drugs do you take to die.'' One of her screensavers also showed Rebecca with her head resting on a railroad track.

Police said that she had met the North Carolina boy at an airport and that they had remained friends online. The 12-year-old boy didn't tell anyone about the ''I'm jumping, I can't take it anymore'' message he received from her on Monday morning, shortly before her suicide, authorities said.

Detectives said the other girls' parents have been cooperative.

Florida has a bullying law, but it leaves punishment to schools, not police. Legal experts said it is difficult to bring charges against someone accused of driving a person to suicide.

''We've had so many suicides that are related to digital harassment. But we also have free-speech laws in this country,'' Aftab said.

In a review of news articles, The Associated Press found about a dozen suicides in the U.S. since October 2010 that were attributed at least in part to cyberbullying. Aftab said she believes the real number is at least twice that.

In 2006, 13-year-old Megan Meier hanged herself in Missouri after she was dumped online by a fictitious teenage boy created in part by an adult neighbor, Lori Drew, authorities said. A jury found Drew guilty of three federal misdemeanors, but a judge threw out the verdicts and acquitted her.

Florida's law, the Jeffrey Johnston Stand Up for All Students Act, was named after a teenager who killed himself after being harassed by classmates. The law was amended July 1 to cover cyberbullying.

David Tirella, a Florida attorney who lobbied for the law and has handled dozens of cyberbullying cases, said law enforcement can also seek more traditional charges.

''The truth is, even without these school bullying laws, there's battery, there's stalking,'' he said.

[From the Tampa Bay Times, Sept. 12, 2013]

LAKELAND GIRL COMMITS SUICIDE AFTER BEING BULLIED ONLINE

(The Ledger)

LAKELAND.—Investigators have identified at least 15 girls who were involved in the social media circle of a 12-year-old Lakeland girl who took her own life after more than a year of constant bullying.

At a news conference Thursday, Polk County Sheriff Grady Judd said it appears Rebecca Ann Sedwick jumped to her death at an old cement business after being beat down with hate messages online. Her body was found Tuesday.

During their investigation, detectives found multiple social media applications where Sedwick was cyberbullied with messages, including ''Go kill yourself,'' and ''Why are you still alive?''

Sedwick was ''absolutely terrorized on social media,'' Judd said.

The Sheriff's Office is investigating the cyberbullying, Judd said.

Judd said parents of all 15 girls have cooperated with detectives and several cellphones and laptops have been confiscated.

Before her death, Sedwick had searched questions online related to suicide, including ''How many over-the-counter drugs do you take to die?'' and ''How many Advil do you have to take to die?''

The night before her death, Sedwick gave several warning signs about her planned suicide that were never reported for help.

Judd said a 12-year-old boy in North Carolina, whom Sedwick met through social media, knew of her plan. Sedwick messaged him only hours before her death saying she was dead and ''I'm jumping, I can't take it anymore.''

Sedwick also changed her name early Tuesday morning on the free messaging application, Kik Messenger, to ''That Dead Girl.''

Judd said detectives are trying to investigate the social media applications that Sedwick used, including Kik and Ask.fm, but many of the websites are based in other countries.

Florida has an antibullying law that covers cyberbullying. As the investigation continues, Judd said charges, including cyberstalking, could be filed.

He said it appears that the bullying started sometime in 2012 and was physical at her former school, Crystal Lake Middle School, and then moved completely online.

''We're trying to sort out a bunch of girl talk that goes further than girl talk,'' he said.

The investigation is still in its early stages, but Judd said there were warning signs that nobody noticed. If detectives can find evidence, the girls could be charged with felony cyberstalking because Sedwick was under 16 years old.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONFRONTING REALITIES

Mr. SANDERS. Mr. President, there is a lot of concern all over this country about what is going on in Washington in terms of the possibility that the United States, for the first time in its history, may not pay its debts and what that means to the American economy, what it means to the world economy, and what it means to the international financial system. There is a great deal of concern about the possibility that on October 1, the U.S. Government may shut down because we have some rightwing extremists in the House who want to, among other things, abolish legislation passed 4 years ago—the Affordable Care Act—and throw something else in there.

Before I get to those issues, I wish to speak about the reality of what is going on in the economy today. What I want to do is something that is not done often enough, and that is to ask where some of our rightwing colleagues are really coming from. What are their goals?

Fine, they want to shut down the government on October 1. OK, so they don't want to, for the first time in the history of America, pay our bills. But what else do they want? What is this rightwing ideology which has taken over the House? That is an issue that we do not talk about as much as we should.

I wish to begin my discussion by looking at the reality of what is going on in the American economy and why people are so angry and frustrated that the government is not responding to their needs—and they have every reason to be angry.

The Census Bureau reported the other day a rather extraordinary fact, a very depressing fact; that is, in terms of median family income—what the typical American family right in the middle of our economy is experiencing—that family made less money last year than it did 24 years ago. Twenty-four years have come and gone, people have worked so hard, and after 24 years they are now earning less money as a family than they did back in 1989.

Further, what the Census Bureau told us is the typical middle-class family has seen its income go down by more than $5,000 since 1999, after adjusting for inflation. So if people are angry in New Mexico and if they are angry in California, that is why. They are working hard and their income is going down.

The average male worker made $283 less last year than he did 44 years ago. How is that for progress? Less money last year, male worker, than 44 years ago. The average female worker earned $1,700 less last year than she did in 2007—going down. A record-breaking 46.5 million Americans are now living in poverty. We have the highest rate of childhood poverty in the industrialized world, at almost 22 percent. A higher percentage of American kids live in poverty now than was the case in 1965. In other words, we are moving but we are moving in the wrong direction.

Meanwhile, the people on top, the wealthiest people in this country, are doing phenomenally well. That is the major point that has to be made over and over. This is not an earthquake or a tsunami that has hit everybody, we are all in this together and everybody is struggling. Not the case. The wealthiest people are doing phenomenally well.

Last week we learned that 95 percent of the new income generated in this country from 2009 to 2012 went to the top 1 percent. That is a phenomenal statistic. All of the new income generated—95 percent of it—went to the wealthiest 1 percent. Earlier this week

Forbes Magazine reported that the wealthiest 400 Americans in this country are now worth a record-breaking $2 trillion. My colleagues can do the arithmetic. That is an extraordinary concentration of wealth in this country that we have not seen since before the Great Depression.

The richest 400 Americans now own more wealth than the bottom half of America—over 150 million Americans. One family—and this is not what I learned in the history books when I was growing up about what America was supposed to be like—but one family, the Walton family, owner of Walmart, owns more wealth than the bottom 40 percent of the American people. Corporate profits are at an all-time high while wages as a share of the economy are at a record low.

Wall Street, whose greed, recklessness, and illegal behavior caused this massive economic downturn—their CEOs, their executives, are doing phenomenally well. In fact, CEOs on Wall Street are on track to make more money this year than they did in 2009. Believe me, they have recovered, they are doing great, while the middle class of this country is disappearing.

That is an overview of the reality facing our country: The middle class is disappearing, poverty is at an all-time high, and the people on top are doing phenomenally well.

Now I wish to go from that reality to speak about what rightwing extremism is really about, and it is much more than shutting down the government; it is much more than not paying the debts we owe and causing a major financial crisis.

Let me suggest to my colleagues—and I think they already know—that if we delve into what some of our colleagues here in the Senate but mostly in the House believe, we will find what they believe is—forget the Affordable Care Act which they want to repeal; that is nickels and dimes—what they are really all about is repealing every significant piece of legislation passed in the last 80 years which protects the needs of the middle class, working families, the elderly, the kids, and lower income people. You name the piece of legislation, they either want to repeal it entirely or they want to make massive cuts in those programs.

Let me name what those programs are. Social Security. Some of them believe Social Security is unconstitutional. It is not just that they want to cut Social Security; they don't believe in the concept of Social Security.

The same thing with health care on the part of the Federal Government; Medicare, Medicaid. Why should the Federal Government be involved in those programs? That is not the role of the Federal Government. Let's abolish Medicare, abolish Medicaid. If a person is 70 years of age and they don't have a lot of money and no health insurance, which Medicare provides, what happens to them? My colleagues can tell me. What happens if you are 70 and you are diagnosed with cancer and you don't have health insurance? Everybody knows the end of the story. You die. Well, that is the way life goes because we are all in it for ourselves. We don't believe the government should provide health insurance to all people.

If I am a multimillionaire and I get sick, my kids get sick, I have the best health care in the world. But if I am a struggling, middle-class person, working-class person, lower income person, hey, the government should not be involved in those areas.

Minimum wage. Many of us believe, and the overwhelming majority of the American people believe, that the minimum wage today, at about $7.25 an hour, the Federal minimum wage, is too low. I wish to applaud the Governor and the legislature in California for raising their minimum wage to $10. But right now we are at about $7.25 for the Federal Government. Do people know what most of our colleagues here believe? It is not just that they are opposed to raising the minimum wage; they want to abolish the concept of the minimum wage. That is the fact. The American people don't know that.

What does that mean? It means if a person is living in a high unemployment area where a lot of people are struggling for a few jobs and an employer says, The best I can pay is $3.50 an hour—that is what I can pay—I have to take that. People think I am kidding. I am not kidding. A majority of the Republicans, to the best of my knowledge, now believe in abolishing the concept of the minimum wage.

Environmental protection. We have made some real progress in recent years—not enough, but we have made some progress. When we go to New York City, California, Los Angeles, the air is cleaner. We have cleaned up a lot of rivers. We have told companies they can't put their crap and their toxins into rivers and waterways; they can't put it up in the air so the kids breathe it. We have made some progress on that. Some of our Republican friends say, It is not that we are just opposed to this or that piece of legislation, let's abolish the EPA. Let's abolish the ability of the American people to protect their health.

Let me quote something, and I can quote a lot of sources. I can quote many of the statements made by some of our colleagues, but I want to go to the platform of the 2012 Texas Republican Party. Why do I want to go there? Because, in fact, Texas is a large State. The Republican Party in Texas is very powerful. But, also, the ideas that come from Texas, to be fair to the State of Texas, end up spreading all over this country, especially in Republican circles.

I wish to read some of the proposals in the 2012 Texas Republican Party platform. Texas, one of our largest States, controlled by Republicans right now: ''We support an immediate and orderly transition to a system of private pensions based on the concept of individual retirement accounts and gradually phasing out the Social Security tax.''

In English, what that means is they believe in the privatization of Social Security, and people, if they have the money, can invest on Wall Street and do what they want. That is the Texas Republican Party platform.

What else do they say? I want veterans—and I speak as chairman of the Veterans' Affairs Committee—to listen to this one: ''We support the privatization of veterans health care.'' In other words, they would abolish the Veterans' Administration. We have some 6 million veterans today getting pretty good health care at the VA. Yet at the mainstream of rightwing extremism in this country is the Texas Republican Party that believes we should abolish the VA health care system.

Furthermore, what they are saying is: ''We support abolishing all federal agencies whose activities are not specifically enumerated in the Constitution; including the Department of Education and the Department of Energy.''

Goodbye, Department of Education, goodbye, Federal aid to education, title I, and many other important programs that are supporting public education in America: Goodbye.

''We . . . oppose . . . mandatory kindergarten.'' Right now it is widely regarded that the United States has the worst early childhood education system of any major country on Earth. People can't find affordable early childhood education. Their proposal is to abolish mandatory kindergarten.

I spoke about this earlier: ''We believe the Environmental Protection Agency should be abolished.'' No problem. If a company wants to put toxins into the rivers and the lakes and the air, go for it because we have no agency that is going to stop them.

''We recommend repeal of the Sixteenth Amendment of the U.S. Constitution, with the goal of abolishing the I.R.S. and replacing it with a national sales tax collected by the States.''

In English, what that means is, what they want to do is move to regressive taxes, ending all forms of progressive taxation. So they want working people, middle-class people, to pay more in taxes, while the wealthy pay less.

''We favor abolishing the capital gains tax [and the estate tax],'' which, of course, falls most heavily on wealthy people.

Here is what they say—and I have to give these guys credit, they are up front, they put this on paper—''We believe the Minimum Wage Law should be repealed.''

So there we go. People in America will now work for $3 or $4 an hour if that is what the circumstances require.

I point out, as I said earlier, this is coming from the Texas Republican Party Platform, and I could have gone elsewhere. But the ideas that come from them end up filtering among rightwing circles all over America.

Now, interestingly enough, at a time when the middle class is disappearing and the wealthy and large corporations are doing phenomenally well, it is important to hear what the CEOs of the largest Wall Street banks and corporations in this country—the Business Roundtable—have to say on the economy. Wall Street—bailed out by the middle class of this country—corporate America enjoying record-breaking profits.

Earlier this year, the Business Roundtable—again, these are the CEOs of the major corporations in America. Without exception, these guys are making millions of dollars a year in income. They have wonderful retirement packages, health care benefits for them and their families. This is what they have to say. They came to Washington, and they called on Congress to raise the eligibility age of Social Security and Medicare to the age of 70—70.

Wall Street billionaires, CEOs making huge amounts of money, with wonderful retirement packages—they now want Congress to raise the retirement age of Social Security and Medicare to age 70; they want to cut Social Security and veterans benefits, their COLAS; they want to raise taxes on working families and, obviously, it goes without saying, cut taxes for the largest corporations in America, at a time when one out of four of these corporations does not pay a nickel in taxes.

That is the background: the middle class collapsing; the rich getting richer. Then we have a right wing in this country, fueled by people like the Koch brothers, and others, who are pushing a totally reactionary agenda.

Let's talk about what that immediate agenda looks like in terms of the CR, the continuing resolution, that, in fact—and this is what is going to pass in the House, as I understand it—would lock in place sequestration for domestic programs, while providing a $20 billion boost to defense spending for the next 3 months. That is annualized, looking from the year's perspective.

If we do that for a year, that sequestration level, according to the Congressional Budget Office, sequestration will lead to the loss of 900,000 jobs and cause a seven-tenths of 1 percent drop in the GDP. Real unemployment today is close to 14 percent. With sequestration for a year, it would result in the loss of some 900,000 jobs—at exactly a time that we do not need it. Many of the jobs lost will be government jobs, but that should come as no surprise because the extreme right wing really does not believe in the concept of government.

So when we lose jobs in the teaching profession, when we lose police officers and firefighters and construction workers and VA nurses and VA doctors and scientists and engineers, that is no problem for some of these fellows.

Sequestration—we should be clear—has already caused enormous pain for millions of Americans. As I mentioned earlier, this country is way behind our global competitors in terms of childcare, early childhood education.

As a result of sequestration, more than 57,000 kids are losing access to Head Start and Early Head Start Programs.

At a time when food insecurity is skyrocketing, and when millions and millions of parents are wondering how they are going to be able to feed their kids, what the sequestration does is it literally goes after some of the most vulnerable people in this country, who are elderly people, low income, living on minimal Social Security benefits, who cannot even leave their homes. They are served right now by the Meals on Wheels Program, and I want to thank all of the Meals on Wheels volunteers out there for doing a great job trying to help these seniors. Sequestration will continue major cuts, throwing thousands and thousands of seniors off the Meals on Wheels Program.

We have a serious housing crisis in America. Sequestration will make it harder for over 100,000 families to get a variety of affordable housing programs.

Everybody knows the cost of a college education is soaring. Working-class families cannot afford college today. Yet sequestration would result in 70,000 college students losing Federal work-study grants. That is the means by which they earn some money to help stay in college.

Sequestration will result in cutting back on chemotherapy treatments to thousands of cancer patients because of a 2-percent cut to Medicare providers.

The Low-Income Home Energy Assistance Program—very important in the State of Vermont where it gets cold—massive cuts.

Long-term unemployment checks—unemployment remains high—a 10-percent cut. That will be continued.

So that is where we are right now.

And it gets worse. It gets worse. If the Boehner CR is approved, programs that millions of Americans rely on will be cut even further. So everything I told you will get even worse.

I think what we are looking at right now is not just the immediate pain of the continuing resolution or the threat not to pay our debts and destroy the credit rating of the United States of America. Those are enormous realities. But what we are looking at is a real effort to dismember the U.S. Government and wreak havoc on the lives of tens and tens and tens of millions of people.

To my mind, what we have to do is exactly the opposite of what our right-wing friends are suggesting. They are suggesting that we should raise unemployment. They are suggesting that we should cut back on Federal funding for infrastructure. I believe we should be investing billions and billions of dollars in addressing our crumbling infrastructure—roads, bridges, water systems, wastewater plants, our rail system. When we do that, we make this country more productive and we create millions of jobs. I believe we have to invest significantly in energy efficiency and sustainable energy. When we do that, we not only protect the environment and combat global warming, but we also create jobs. I believe we have to rewrite our disastrous trade policies so that American jobs are not our No. 1 export. I believe, instead of further deregulation of Wall Street, Wall Street has to be effectively regulated so their greed and recklessness can no longer cause enormous problems for our economy. Instead of lowering taxes for the wealthiest people, I think it is high time they started paying their fair share of taxes.

So what we are involved in here is a great debate, which goes beyond the continuing resolution. It goes beyond the shutdown of the government. It goes beyond whether the United States fails to pay its bills for the first time in history. I believe what we have is an ideology, a rightwing ideology which reflects, at most, the views of 15 percent of the American people. I think that is probably a generous perspective. I think the vast majority of the American people do not believe what rightwing extremism is doing, and it is high time we begin to stand and say to these people: If you are going to continue those efforts, you may not be back here in the U.S. Congress.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to be able to speak for up to 10 minutes in morning business.

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

Mr. BROWN. Thank you, Mr. President.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

Mr. BROWN. Mr. President, today, the House of Representatives is voting on legislation dealing with the farm bill and food stamps. Recently—this week—the House of Representatives broke with 40 years of tradition, precedent, common sense, and perhaps human decency when it bowed to partisan politics and passed a farm bill without a nutrition title. They pulled apart what traditionally urban and rural interests have done in this country: coming together to pass a farm bill, connecting it with a nutrition title, where it served rural America, it served urban America, it was good for hungry kids, it was good for economic development, it was good for conservation and the environment.

The House leadership has announced that later today—sometime this afternoon—the House will vote on a bill that would cut the Supplemental Nutrition Assistance Program, SNAP, by nearly $40 billion. They are taking up this bill because the $20 billion in punitive SNAP cuts they failed to pass earlier this year was not enough for the

majority. They do not only cut $20 billion—$20 billion, $20,000 million—$20 billion in cuts, when the average family gets $4.45 per day. Cutting $20 billion was bad enough. That was not good enough for those Members of the House of Representatives who want to see cuts twice as big. Many of those Members of the House of Representatives—or at least some of them—are farmers themselves who get huge farm subsidies. It begs the issue a little bit.

For some of my colleagues who have seen the movie ''Lincoln,'' at one point, President Lincoln—listening, but perhaps not entirely hearing his staff, who exhorted him to spend more time in the White House, winning the war, freeing the slaves, preserving the Union—President Lincoln said: I need to go out and get my public opinion baths.

Well, I suggest that maybe more of us—those particularly who are voting to cut SNAP, to cut food stamps $40 billion—they may want to go out and listen to what people—not dressed like this, not working around here who get good benefits and decent salaries, not highly paid Congressmen and Senators, not the lobbyists who they may brunch with on Sunday when those Members do not go back home—but go out and talk to somebody at a labor union hall, go out and talk to somebody in a shopping mall, go out and talk to somebody at a school, where children—I heard a story today at my weekly coffee, where a woman told us that her daughter, who teaches in Columbus, has seen during the school lunch program children take some of the food and put it in their pockets so they can take it home for their brothers and sisters or for the weekend or for their moms or dads.

In this still difficult economy—when people receive $4.45 per day, on the average, for SNAP, for food stamps—people in the House of Representatives want to cut it nearly $40 billion.

It was not enough that 2 million Americans could lose SNAP benefits. It was not enough to them in the first bill that more than 200,000 children could lose access to the free and reduced-price lunch program. They want to make it harder, and they can say whatever they want. They can say: Well, people—I don't know. Do they get addicted to food stamps? Do they dig food stamps because they don't want to work?

The fact is, as Chairwoman STABENOW points out, the chair of the Agriculture Committee, in the next 10 years, 14 million Americans will leave SNAP. Why is that? If we do not do this, why will 14 million people leave SNAP? Because they will get better-paying jobs because they do not want to be in SNAP. Most people who get stamps would rather not. They would rather have enough food on the table. They would rather have enough purchasing power to go to the grocery store and buy food with their own money that they have earned so they can bring that food home and serve their children. That is what most people want to do.

I spoke to a woman in Hamilton, OH, some time ago who told me that early in the month she would occasionally take her 9-year-old son to McDonald's or to another fast food restaurant—maybe once in the first week of the month.

The second week, she could maybe serve him a hamburger, she could serve him meat. The third week of the month, she began to scrape. This is a woman who had a full-time job, volunteered, taught Sunday School, volunteered with the Cub Scouts for her son, was a very devoted single mother. The fourth week of the month, what typically happened was—she looked at me with her blues and she said: You know, I say to my son—I was sitting there with my son that last week of the month.

He said: Mom, how come you are not eating?

She said: Well, I am just not hungry.

Well, she was hungry; she just had to choose at the end of the month, does the money go for my son or does it go for me? Like most mothers and fathers, she chose to do it for her child. That is the backdrop.

If more of my colleagues would follow the admonition of Abraham Lincoln and go out and get a public opinion bath and listen to what real people are saying—not people who dress like this, not people who sit in Congress, not lobbyists who may buy them lunch and come to their fundraisers, but really listen to what people have to say about what this means and understand, as Presiding Officer knows from the work he has done in his State of Connecticut, that most of the people getting benefits are children. Eighty-five percent of people receiving food assistance are children or their parents or people with disabilities or seniors. Many of them have jobs, but their jobs pay $9 an hour. Again, this is not something they do by choice in a great majority of cases; it is something they feel they have to do. They are mothers and fathers who get up in the morning and try to give their children a better future. These are millions of Americans who head out every day looking for work so they can pay their bills and put food on the table.

As I said, almost 90 percent—80-some percent of SNAP households are made up of seniors and the disabled and families with children. One out of six Americans worries about where their next meal is coming from—one out of six Americans. How many people in this body have ever really thought that way, have talked to people that way, have tried to put themselves in the place of the—that is 50, 60, 70 percent of Americans—one out of six who worries about where their next meal will come from.

Then we have the body down the hall, the House of Representatives, who voted—$20 billion in cuts is not enough; let's do $40 billion. Maybe we will do more than that.

My colleagues in the Congress suggest that SNAP participation has grown too big. They bemoan the state of our economy, the still-too-high unemployment rate. We all do. I share that concern. But we must do more to help jump-start our economy. I will work with anyone who seeks to do so. We know how important these benefits are to our brothers and sisters from Cleveland to Cincinnati, from rural Appalachia to farmlands in western Ohio, all across this country. It is important that we stand strong. We need a farm bill. We need a farm bill that serves agriculture. We need a farm bill that serves rural development. We need a farm bill that serves conservation and the environment. We need a farm bill that helps us provide energy. We need a farm bill that provides nutrition assistance.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 59

Mr. REID. Mr. President, I ask unanimous consent that when the Senate receives H.J. Res. 59 from the House, the measure be placed on the calendar with a motion to proceed not in order until Monday, September 23.

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

RESPONSIBLE HELIUM ADMINISTRATION AND STORAGE ACT

The PRESIDING OFFICER. Under the previous order, the energy committee is discharged from further consideration of H.R. 527 and the Senate will proceed to the immediate consideration of the bill, which the clerk will report by title.

The bill clerk read as follows:

A bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

AMENDMENT NO. 1960

(Purpose: In the nature of a substitute)

The PRESIDING OFFICER. Under the previous order, the substitute amendment, No. 1960, is agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes of debate equally divided between the Senator from Oregon, Mr. WYDEN, and the Senator from Texas, Mr. CRUZ, or their designees.

The Senator from Oregon.

Mr. WYDEN. Mr. President, as I said this morning, Washington, DC, seems to have an inexhaustible capacity to manufacture false crises. I am here to say that this is not one of them. If the Congress does not act immediately to pass the legislation Senator MURKOWSKI and I advance today, scores of

American manufacturing and technology companies employing millions of American workers are going to find it impossible to continue their current operations.

Our government got involved with helium after World War I because the defense sector needed it. Ever since, President after President and Congress after Congress has tried to come up with a policy that gets government out of the helium business while still meeting the needs of our middle-class workers, our businesses, and our taxpayers.

Senator MURKOWSKI and I are here to say that our bipartisan bill does that. The reality also is that it raises some revenue. With that revenue, we will be able to meet—we talked about it in the committee—ongoing needs, particularly for folks hurting in rural communities where the Federal Government owns most of the land. They are concerned about their schools and their police and their roads. And because of the good work by colleagues on the other side of the aisle—particularly Senators RISCH and FLAKE—we were able to secure an additional $51 million to pay down the deficit.

We have 7 minutes on each side. I know colleagues are anxious to vote. I yield time to Senator MURKOWSKI. I thank Senator CRUZ for his courtesy in this matter. I would yield to Senator MURKOWSKI. I would urge all colleagues on both sides of the aisle to support this legislation that came out of our committee unanimously.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, thanks to the chairman of our energy committee, we have been working on this legislation for some time now—a couple of years. As the chairman has noted, what we are doing with the reauthorization of this Helium Program is we are getting the government out of the business of helium. We are on our way to completing a process that has been underway effectively in Congress since 1996.

We have an opportunity today to do the right thing, but we also have a very clear opportunity to make sure that we do not have a helium crisis, that we do not see a disruption in supply. That is effectively what could happen if we here in the Senate do not act quickly and work with the House to get this resolved before an October 1 deadline. So that is the imperative to take this vote this afternoon and move it across the line so we can conclude our business as it relates to the Helium Program. This is significant. It is important. We have a chance to make a difference. We can prevent a massive disruption to the helium supply chain.

We recognize that when we are talking about helium, it is not just party balloons; we are truly talking about an impact on our high-tech sector, our manufacturing sector, so many sectors of our economy that are reliant and dependent on helium. We should also finish the business we started back in 1996—fully privatize the helium business so that the government is out of the way. Truly, what we are doing is making sure helium supplies are determined by market forces.

As the chairman has noted, we need to address other priorities here in the Congress. We have done that with the revenues and the distribution that the chairman has outlined and that I have outlined previously here on the floor, and at the same time we have seen fit to direct a good portion of revenues toward deficit reduction. These are good, responsible decisions.

Our legislation here in the Senate differs from what our counterparts in the House have done. We end the government's intervention or activities within the helium business. We have a thoughtful glidepath out.

It is legislation that is not only thoughtful, it is bipartisan. It moved through the energy committee unanimously. I am pleased to be able to stand here today with the chairman of the energy committee urging colleagues to support this critically important legislation.

Mr. ENZI. Mr. President. I rise today in support of H.R. 527, the Helium Stewardship Act, as amended by the Wyden substitute. This bill is very important to protecting the U.S. supply of helium. Helium is used in MRI scanners, superconductors, and has many other very important uses. For example, helium is even used to test mechanical heart valves to make sure they don't leak.

Helium also has important security implications. It is used by DoD, NASA, and other agencies. The bill helps those efforts by extending the authority of the Secretary of the Interior to sell helium from the Federal Helium Reserve.

The bill also includes important reforms such as provisions ensuring that the Secretary sells helium at market prices, and most importantly, it gets the Federal Government out of the helium business once and for all.

The bill would also reduce the Federal debt and deficit by $51 million. The bill has bipartisan support. In June, the Energy Committee voted to report the helium bill by voice vote. The Senate should pass this bill as soon as possible so we have an opportunity to negotiate with the House.

I understand that some of my colleagues had some concerns with the bill. I appreciate them giving me the opportunity to speak with them before the vote about those concerns. I also thank my colleagues for agreeing to allow this bill to come to a vote. While I do not support every item in the bill, I believe it is a critical piece of legislation that needs to be passed.

Mr. SCHUMER. Mr. President, I rise in support of the substitute amendment to H.R. 527, the Responsible Helium Administration and Stewardship Act, which would reauthorize the Federal Helium Reserve and extend its operation for commercial sales. This bill prevents a severe disruption to the Nation's helium supply which threatens critical industries, hospitals, national security, and scientific research.

I would like to thank Chairman WYDEN, Ranking Member MURKOWSKI, and their staffs for excellent work on this bill, which would ensure continued access to helium so that New York hospitals, our successful chip industry, and other high-tech companies will not go over the helium cliff, while making critical reforms to the sale process and reducing the deficit. Passage of this bill will prevent shortages for businesses and hospitals as well as skyrocketing prices that would have resulted from closure of the Federal Helium Reserve on October 7.

Helium's unique physical and chemical properties have made it critical to the manufacturing of a broad range of technologies from aerospace to semiconductors, medical devices, and fiber optics. It is also widely used in medical research, cutting-edge science, and hospital care. Helium is also essential to our national security, as the Department of Defense relies on it for a range of weapons systems and intelligence applications.

Here is just a sampling of how critical helium is.

MRI scanners at hospitals use helium to cool powerful magnets. Without helium, $2 million machines couldn't be operated without risk of damage.

Semiconductors cannot be made without helium, which serves as an essential coolant during the manufacturing process. Semiconductors are the core of all electronics embedded in cars, computers, health devices, weapons systems, nuclear reactors, et cetera. A robust supply of helium allows American semiconductor manufacturers, like GlobalFoundries and IBM, to create good-paying, high-tech jobs in upstate New York.

The production of optical fiber—the backbone of all telecom infrastructure—uses helium to prevent impurities.

The Department of Defense uses significant quantities of helium as part of the guidance correction systems for air-to-air missiles used by our military. It also relies on it for surveillance of combat terrain, helping protect our troops.

Our DOE National Laboratories, such as Brookhaven National Laboratory in my State, relies on helium for cutting—edge science.

Failure to act would hurt our economic competitiveness, cause job losses, and harm our national security when we can least afford it.

If we don't reauthorize the Reserve, we would have to get helium from one of two places: Russia or the Middle East, the only other regions in the world producing it.

I strongly urge my colleagues in the Senate to support this important legislation and I look forward to its swift passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank my colleague from Alaska for all of her work. We await our colleague from Texas who would like to speak.

How much time remains on our side?

The PRESIDING OFFICER. There is 2½ minutes.

Mr. WYDEN. Let me yield 1 minute at this time to our friend who in the House had begun working on this literally years ago. I thank the Senator from Massachusetts for all of his efforts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senator from Oregon. This bill is something that shows we can work across the lines of politics in this institution.

I began this bill with DOC HASTINGS, a Republican from Washington State, in the House of Representatives a year ago. It passed over there. Now it is over here in the Senate, and the same kind of bipartisanship is working to pass this critical bill which is central for companies like Siemens, Philips, and GE just in Massachusetts that support thousands of jobs in the high-tech sector.

There was a shutdown that was looming, but it was a shutdown in the helium industry. This is one shutdown that we are going to make sure does not happen. I thank the chairman for making this possible because it took a lot of leadership to make sure that House bill, the Hastings-Markey bill, is now over here, and it has been solved in a way that every Member should feel very comfortable voting yes for because it really is going to solve a big problem that was going to hit our high-tech industry in the United States.

Mr. WYDEN. Mr. President, I believe we have 1½ minutes left. Let's go to Senator CRUZ, and then hopefully we can vote.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I am going to be brief and not take my entire time. I think the underlying extension and reform of the Helium Program in this bill is a good provision. It maintains the program. Helium is critical for our businesses, for our industry, for our high-tech community. So I salute the Senator from Oregon and the Senator from Alaska for working together.

As written, the Senate bill raises $500 million over 10 years in new revenue. The House bill took the revenue raised by this program and put it to deficit reduction and reducing our debt. The Senate bill—I think unfortunately—instead of using the revenue for deficit reduction, uses $400 of the $500 million for new spending.

I raised internally an objection and asked my colleagues if they would consider reducing spending in other parts of the budget to balance it given that we have nearly a $17 trillion national debt. I think the more fiscally responsible thing to do, if we have $500 million in new revenue, is to use it to pay down the deficit and the debt.

We have worked together in a bipartisan way to allow this to come to a vote. I thank the Senator from Oregon for agreeing to do that. I intend to vote no, but I am hopeful that in conference committee perhaps the House and Senate can work together to take care of the important concerns with the Helium Program but at the same time demonstrate some additional fiscal responsibility, which I think would be a win-win for everyone.

Mr. WYDEN. Mr. President, we have a minute and a half. I will be very brief. I thank the Senator from Texas for his courtesy.

The bottom line is that the House bill, which the Senator is calling for, does not get the government out of the helium business. That is the single most important distinction. We are reaching out to all those hard-hit middle-class workers in aerospace and tech and a whole host of industries. We are doing it in a way that protects taxpayers. It gets the government out of the helium business.

This legislation passed the Energy and Natural Resources Committee unanimously. I urge my colleagues to vote yes.

I ask unanimous consent that all time be yielded back and the Senate now proceed to vote on the passage of the bill, as amended.

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

The question is on the engrossment of the amendment and third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. WYDEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 203 Leg.]

YEAS—97

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

NAYS—2

Cruz
Sessions

NOT VOTING—1

Rubio

The bill (H.R. 527), as amended, was passed.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Madam President, I ask unanimous consent that the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

EMISSION STANDARDS

Mr. DONNELLY. Madam President, I am here today with my colleague from Missouri, Senator BLUNT, to talk about our efforts to bring some common sense to the EPA's emission standards.

It is my firm belief that we can establish emission standards that protect our environment without hurting our economy and without hurting the pocketbooks of families in Indiana and across the country.

When the EPA released draft standards in 2012 that would regulate greenhouse gas emissions from powerplants, it was clear that the administration's standards far exceeded the level of carbon reductions that would be available using existing technology. They also failed to acknowledge that different fuel types pose different challenges when trying to reduce emissions.

If we don't address these standards in a commonsense way, the affordable, reliable energy that Hoosier families and businesses depend on will be in doubt. It is absolutely critical that the EPA understand the impact of these standards and the price their proposed regulation would ask Hoosiers to pay.

Our amendment urges the EPA to use common sense when putting together emission regulations by ensuring that efforts to regulate carbon dioxide emissions are realistic about existing technology and do not negatively impact our economy.

Our amendment states that if the EPA puts together regulations to control carbon dioxide emissions from an industrial source, the EPA must develop the regulations using emission

rates based on the efficiencies achievable using existing technology that is commercially available. ''Commercially available'' is defined as any technology with proven test results in an industrial setting. It also must be subcategorized by fuel type. Different fuel types must have different emission rates to be reflective of what is realistic for fuel producers using all available technologies.

Our amendment develops an NSPS for carbon dioxide emissions to protect our environment while also ensuring that the regulations do not excessively burden Hoosier families and businesses that rely on affordable power. The EPA is scheduled to release its updated standards tomorrow. I urge them to make sure that any NSPS regulation is something that reflects existing technology. We must prevent anything that would jeopardize the affordable, reliable energy that allows many Hoosier families—and families and businesses across our country—to make ends meet.

Again, I thank my friend Senator BLUNT for working with me on this issue.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I am pleased to work on this with Senator DONNELLY. This is an amendment which, as he said, requires that we categorize fuel types and that we say what works for various types of fuel as opposed to setting some standard that makes it impossible for other resources we have to be used. It says that the technology has to be commercially available.

We had the Acting EPA Director before the Appropriations Committee earlier this year. I asked the Acting Director: The rule that you are talking about, is this technology available? Can somebody go out and buy this? And the response was something like: Well, parts of it are out there, but nobody has ever quite put it together yet—which, of course, meant that the rule, for the first time ever, set a standard that couldn't possibly be reached.

In States such as ours, Missouri and Indiana, where Senator DONNELLY and I are from, we are more than 80 percent dependent on coal. Some of our constituents are 100 percent dependent on coal. If you do things that raise their utility bills, families know it and their community knows it.

This amendment simply would force the EPA to use common sense when setting standards for any facility. The new source performance standards, based upon emission limits for powerplants, for refineries, for manufacturing facilities, for whatever else they can cover, simply don't meet that commonsense standard. In fact, last March when the proposed rule went out, there were more than 2 million comments. You have to work pretty hard to find this rule, and you have to really be dedicated to read it, and 2 million comments said this won't work. It is so obvious that it won't work.

The rule said that if someone wants to build a coal plant, they have to install carbon capture technology, which according to the rule would add 80 percent to the cost of electricity. It would overstate it a little bit initially, but not very far in the future—if you get your utility bill and multiply it by two, you will be pretty close to what your utility bill would be if the proponents of this rule—if what they say will happen is what happens. What happens if you double the utility bill? How many jobs go away? How many families find themselves in stress?

When cap and trade failed, the President—who had said earlier that under his cap-and-trade plan electricity rates would necessarily skyrocket—when it failed, the President said that was only one way of skinning the cat. Obviously, the EPA is looking for the second way to skin this cat and to impact families. It would make it expensive to do what can be otherwise done in the country. Businesses and households would need to make a decision about that.

What we need to be doing is looking to use all of our resources in the best possible way. More American energy is critical, and we ought to be doing everything we can to see how we produce more American energy, a more certain supply, easier to transition from one fuel to another, not harder, not putting one electric plant out of business and requiring that you build an entire new electric plant. Do you know how you pay for an electric plant? Somebody gives you the authority to pass all that cost along to the people who are served by it. There is no free electricity out there. It makes a real difference.

The most vulnerable families among us are the ones who are most impacted by the higher utility bill. The Bureau of Labor Statistics said that nearly 40 million American households earn less than $30,000 a year, and those households spend almost 20 percent of their income on energy. Do you want to make that 30 percent or 40 percent? Surely that is not the answer for vulnerable families.

If you read the press reports today, the EPA will come out with a rule tomorrow. I hope this amendment becomes part of the law that would make that rule, frankly, make common sense.

The American people want the administration to stop picking winners and losers through regulatory policies. If the Congress wants to have that debate and change the law and do that in the open, that is one way to do it, but I think we all know that American consumers have figured out where this road takes their family, and they don't want to go there.

So I urge support for the amendment Senator DONNELLY and I are working on—common sense and real cost-benefit analysis. New standards that work are essential, not new standards that you know won't work. I am glad to be a cosponsor of this amendment and urge my colleagues to join Senator DONNELLY and me if we get a chance to vote on it as part of this bill.

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

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Chair.

(The remarks of Mr. LEVIN pertaining to the introduction of S. 1533 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. LEAHY. Madam President, are we in morning business?

The PRESIDING OFFICER. Yes, the Senate is in morning business.

TRIBUTE TO WILL GOODMAN

Mr. LEAHY. Madam President, as many of my current and even former staff can tell you, I am fond of saying that I, like other Senators, am merely a constitutional impediment to my staff. But I don't mind being just a constitutional impediment. Mine is one of the finest staffs on Capitol Hill.

Tomorrow my office will say goodbye to Will Goodman, one of the finest. He is going to be leaving for a challenging new opportunity. Will joined my staff in January of 2010 as a legislative fellow from the Office of the Secretary of Defense. We barely got him to his desk and he had to jump right in with both feet and hit the ground running. He was a valuable member of my legislative team, working on that year's debate over the repeal of ''Don't Ask, Don't Tell,'' and the ratification of the New START treaty. Importantly, Will was a trusted staffer, a willing ear, and a source of support as the Vermont National Guard prepared to deploy for Afghanistan.

When his fellowship ended, I was pleased when Will accepted my offer to become my senior defense adviser. In that role, he was instrumental in helping to pass the National Guard Empowerment Act, one of my longtime legislative priorities. Will has been a go-to aid for many Members and their staffs, particularly for the more than 80 Members of both parties of the Senate National Guard Caucus, which I am proud to cochair.

I know that Vermonters appreciate Will's steadfast commitment to the State, to the many veterans who live there, to the Vermont National Guard, and to our State's economic development. He has always been eager to help and has always been a fierce advocate for Vermonters.

After nearly four decades in the Senate, I have had dozens of staffers come

and go, but we like to think they always remain part of what we call the Leahy Family.

Will's own family is growing. He and his wife Marisha and their wonderful son Mark await the arrival of their newest member early next year, though Marcus—as we call him—will be the Big Brother. As his family grows, he is always going to be part of ours.

Marcelle and I wish Will the best.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

HEALTH CARE

Mr. MURPHY. Mr. President, I read the papers down here and across the country. It makes it look as if the issue of whether we are going to move forward with the implementation of the health care bill passed a few years ago is just about politics. It is just a political football that is being tossed back and forth between the two sides.

While the threats are empty, there is no way we are going to pass a continuing resolution that is not going to include funding of this vital health care law, it still gets an enormous amount of play out there. I think it is important for us to come down to the floor and explain to the American people that this issue is not political, that the health care law is not just a piece of paper.

The health care law is a lifeline to millions of families out there across America who have been absolutely drowning in health care costs and an inability to access the system over the past several decades. We did not pass this law to score political points. We did not do it to make ourselves feel good. We did it because we saw almost immeasurable human suffering out on the streets of America to which this place needed to respond.

It is not OK that in the most affluent, most powerful country in the world, about 15 percent of our society has the potential to go to bed sick every night simply because they cannot afford to see a doctor. It is certainly not OK that 50 percent of the bankruptcies in this country historically have been caused by the misfortune of an individual or a family member to get sick.

So I think it is time that when we talk about the implementation of the health care law, ObamaCare, whatever you want to call it, we are talking about consequences that are not political. They are consequences related to life or death.

That is not hyperbole. There are people out there every week dying because they do not have access to our Nation's health care system which, if you can find it, is and can be the best health care system in the world.

The problem is there are far too many people who have no insurance and no way to access it or who are vastly underinsured and cannot get the right access to it. So I just want to talk for a minute about what this is going to mean to our constituents, to your neighbors, and what it would mean if, by some miracle of politics, the tea party gets its way and this bill was no longer the law of the land come next month.

Let me tell you what it already means for a senior citizen who is living on $20,000 a year in New Britain, CT. Today, that senior citizen gets to walk in to their doctor to get a wellness visit. They do not have to pay anything out of pocket any longer. Previously they did. You would think that is not a lot of money. But for someone in Connecticut who is living on a fixed income or somebody in Delaware who is taking home a pretty meager Social Security check every month, the costs escalate when you are just trying to pay your rent or your mortgage, put food on the table, be able to put gas in your car to get back and forth to see your grandkids.

That extra expense of having to pay for preventive costs can actually make a difference.

For those seniors who have pretty high drug costs, one of the worst things this Congress did over the last 10 years was pass a prescription drug bill that had this doughnut hole sitting in the middle of it. If you paid for a bunch of drugs through the Medicare benefit, eventually you would have to start paying out of your own pocket. That could be thousands of dollars that senior citizens don't have.

This health care bill closes the doughnut hole, eliminates half of it almost overnight and then essentially eliminates it over time. That is thousands of dollars in savings for seniors. That is medication that, frankly, a lot of seniors would never have been able to buy but they will now be able to access because of this law.

Those things go away if Republicans get their way and ObamaCare is defunded. All of a sudden, if that happens, tomorrow senior citizens have to pay out of pocket for preventive costs. Seniors who have high drug costs all of a sudden have to go back to paying 100 percent of the cost of generics versus 50 percent, which is what they are paying now.

What about the average family of four who today in Connecticut is paying about $605 a month for health care? Probably the health care plan is not that good to begin with. It probably has some significant holes in it in terms of what it will cover.

If this health care bill is implemented, which it will be, that number goes down from $605 a month to $286 a month for the average family of four in Connecticut.

Let me tell you, the average family of four in Connecticut living in Stamford, Bridgeport, Norwalk, or Norwich, could use that extra $300 in savings to help save for college, to help put a bit more nutritious meal on the table, maybe to pay some back credit card bills. Three hundred dollars is a big deal. That is the big difference this health care bill will make, $605 a month down to $286 in Connecticut. It is a big difference. It is an even bigger difference because the health care plan they are going to get for $286 a month is going to be a good one.

We are going to finally have some standardization when it comes to the benefits you are getting. When you buy the health care plan in Connecticut or wherever you are, you are going to know what you are getting. There is going to be a minimum set of benefits that is going to be covered. You are going to be able to know that when you buy insurance you are getting ambulatory patient services, coverage for hospitalization, coverage for maternity and newborn care, your prescription drugs are covered, lab services, and rehab benefits. Every plan is going to be able to cover these things, but not if the health care law were magically repealed.

All of a sudden people who were counting on that number going from $600 to $300 in Connecticut will be paying $600, probably $700, $800, and they will continue to have to deal with a dizzying array of benefit packages, many of which simply don't measure up to what families need.

What about for Betty Berger? What does this mean for her? She is a constituent of mine in Meriden. She doesn't want anyone to ever have to go through what she went through. She and her husband had health care coverage for themselves and their kids through her husband's plan. Her husband switched jobs. In the week of time between when he was at his first job and his second job, their son was diagnosed with cancer. Her husband's second job identified it as a preexisting condition and effectively refused to cover the son.

The Bergers lost everything. They lost their house, they lost their car, they lost their savings simply because their son was diagnosed with cancer during the 1 week in which the husband wasn't employed. That will never, ever happen again after this bill is implemented. No insurance plan regulated under this bill can deny a family access for health care simply because one of their family members is sick. It is unconscionable that ever happened in this country, and it will not happen again if this bill is implemented. But if the Republicans get what they want and this bill is defunded, if this bill is repealed in that magical fantasy world, the example of the Bergers happens hundreds of thousands of times over across the country.

Lastly, what about the McCullough family, another family in Connecticut?

Little Kyle McCullough, when I first met him, was 8. He is probably now 10 or 11 years old. He has a very complicated disease for which he has to take $3,000 injections. He will hit his lifetime limit in a matter of years and his family will be on the hook for every expense thereafter. The health care bill says no more annual, no more lifetime limits for health care coverage. You could have health care insurance that is going to take care of little Kyle McCullough for as long as he needs those injections, at whatever cost it is going to be.

It is insurance. Because for people who have a bad lot in life and have a big, complicated, expensive, illness they are going to be covered. If the health care bill is repealed, defunded, or whatever Republicans want to do, Kyle McCullough's family has to pay for that out of pocket for the rest of their life, as will thousands of other families like them.

That is what the stakes are. It is not a piece of paper. It is not a political football. It is life and death. It is hundreds, if not thousands, of dollars that hard-working families throughout this country desperately need and a health care system they need to be much more fair and much more compassionate.

It is not going to happen. It is political fantasy that Republicans are going to be able to defund or repeal the health care law as a consequence of the budget debates we are going to have over the next few weeks.

Let's be honest about what they are asking. They are asking for higher costs for seniors; they are asking for higher costs for middle-class families; they are asking for more bankruptcies; and they are asking for more misery for the thousands of families who are struggling to keep their heads above water when they deal with a complicated illness. That is the true reality of what is happening out there today in our health care system that is getting better by the day and will get even better if we move forward with the implementation of the health care law.

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

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

IMMIGRATION

Mr. SESSIONS. Mr. President, we continue to see that special interest groups remain undaunted in their efforts to ram through an immigration bill that will do real damage to the wages and job prospects of working Americans. That is just a plain fact. Consider the economic situation we find ourselves in now. Inflation-adjusted wages—that is the way to compare wages correctly over time—are lower today than they were in 1999. This is a steady decline. Actually, new numbers indicate they are lower than they have been since 1995. Working Americans are not having their wages go up. Their wages are going down. Median household income is lower today—median income, which is the best way to account for how families are doing—than it has been every single year since 1989. The size of the workforce today has shrunk to a 35-year low. We have the lowest workplace participation since 1975, and a record number of Americans are on welfare, including almost one in six on food stamps.

But we still have this determination, it seems, by our masters of the universe—people who know so much better—that what we really need in America is more workers. I would contend it is quite plain—with high unemployment and low job prospects, declining workplace participation, and declining wages—that what we have a shortage of is not workers, but we have a shortage of jobs, and we need to put our people in those jobs. That is a very simple concept, and I think it is undisputable.

That is why I care about this issue, and I think we have to talk about it. What we are talking about, remember now, is not the end of immigration. We are not talking about anything like that. We are talking about maintaining the greatest immigration flow of any nation in the world—maybe in the history of the world—with 1.1 million a year, plus a very generous guest worker program, where people come in just to work. And we can support that, but this bill that passed the Senate would have doubled the number of guest workers and increased by at least 50 percent—over 1.5 million a year—those coming permanently, in addition to legalizing 11 million who entered unlawfully. I truly believe that cannot be sustained and that this is good for the vast majority of the American people.

What we are seeing routinely is the one interest that is being omitted in all of the debate is the interest of the average working American—the average citizen of this country who goes to work every day. Everybody else has their interest represented. Everybody else is raising money, putting ads on the television, spinning this and spinning that, but the average guy is getting hammered by this. It just is so.

Let me cite some of the things that are going on, and I will run through this because I think it is important for us to know. Here in Politico, September 17, it starts off saying:

> Nancy Pelosi is huddling with Facebook's Mark Zuckerberg, top labor leaders and former AOL leader Steve Case in separate meetings this week as supporters of immigration reform try to revive the issue.

After they got so badly hammered by the American people when it passed through the Senate, it is now dead on arrival in the House and they are trying to revive it.

The article goes on to state:

> House Republicans bristled when a group of Senators met with outside groups supporting immigration reform and formulated a campaign-style strategy to target more than 100 House Republicans over the August recess.

To try to pound them into submission, I guess.

> Despite the blowback, Schumer, the so-called leader of the Gang of Eight—

The leader of the Gang of 8, to be frank

> continued to work the phones over the August recess with a clear message: Please get active on immigration and back reform in the Republican-led House.

The article says he reached out to all his allies to tell them to go forward. He said:

> We had a very good August. But I don't think it's dead by any stretch of the imagination.

Well, I think he does not want it dead and I think he is working hard to keep it alive, but somebody needs to make it clear to the American people that it is not dead and it could be revived. There are special interests out there, traditional Republican allies as well as strong Democratic and liberal activists who are pushing for this legislation.

Our friends say they want comprehensive immigration reform, but what does this phrase really mean? What does it really mean? Isn't that what we should ask? They want a large increase in future low-skilled immigration combined with immediate amnesty for those here illegally and a promise of enforcement in the future. And that promise was proven to be worthless.

The first legislation, which stayed on the floor for weeks and went through the committee, would only have reduced the illegal flow by about 25 percent. They promised it was the toughest bill in history, but the Congressional Budget Office—our independent analysis—proved it would have only minor impact on the illegality while doubling the number of guest workers, increasing substantially the number in terms of annual flow of immigrants who want to be here permanently, plus amnesty for the 11 million. Instead of what we would normally expect to legalize over 10 years—10 million—we would legalize 30 million under this bill. That is what they proposed here in the Senate. Well, I don't think this is good for America, and I don't think the American people want that to happen.

Notice that the one group not represented in all of this is U.S. citizens—the American people. In a recent interview, the President of the U.S. Chamber of Congress, Mr. Tom Donohue—a great American, and I know him and respect him—said this about what is going on, and people who are concerned about this issue need to pay attention because he is one of the driving forces. He is meeting with La Raza and meeting with the Democrats and Senator SCHUMER and meeting with others. He wants more workers, apparently.

Reading from BusinessReport.com:

An agreement between the national business lobby and the AFL–CIO was crucial to passing immigration reform in the Senate, says U.S. Chamber of Commerce President Thomas Donohue, who spoke today at a breakfast by BRAC. Unions are looking for new members, Donahue says, while businesses need both laborers and highly skilled workers.

This is a frank statement. I give Mr. Donahue credit. He lays it right out there. If you want to know the forces at work here, unions believe that if we legalize and bring in more people, they will have a better chance of adding union members.

Unions are looking for new members, Donahue says—

That is their interest. They have forgotten the interests of their workers, the ones who were working and whose average wages have declined and who are being laid off—

while businesses need both laborers and highly skilled workers.

We can bring in new workers under the current guest worker immigration program, and we can deal compassionately with people who have been here a long time. We can do that but not with the legislation that came out of the Senate.

Listen to this:

Donahue says the House doesn't need to pass a ''comprehensive reform,'' suggesting problems could be fixed with smaller bills. ''Take the whole thing, go to conference with the Senate, and we'll build a bill.''

Those of us who care about how legislation is crafted can feel the hair rise on the back of our necks when we hear this because this is exactly what they are trying to accomplish. They want the House to pass a bill or two to look like it is tough on enforcement, then go to conference and take the Senate bill, which is a total disaster, and build a bill that he likes, bring it back to the floor of both Chambers where no amendments can be offered, and ram it through, to some degree like the massive health care bill was rammed through. That is what they want to do.

I think the House needs to be careful about this. Once you go to conference, once you start meeting with these special groups—the Democrats want votes, union members want members, businesses want cheap labor, immigrant groups want to bring more and more. Where are the American people in this? Who is paying for these ads they run on television? Not the average guy. I don't know any average guy sending them money to run these ads. It is people who have a special interest in it.

Just a few days ago, a remarkable event happened. The human resource managers for some of the Nation's largest businesses groups—that is, the people in charge of hiring—sent a letter to House leaders claiming:

Many of our companies continue to have difficulty finding sufficient American workers to fill certain lesser-skilled positions. Thus, in addition to addressing the need for more highly skilled immigrants, we strongly support efforts to bolster the availability of a workforce at all skill levels. . . .

They originally tried to say this bill was designed to bring in more high-skilled workers and reduce the numbers of low-skilled workers because of our unemployment problems and other reasons, but they openly say they want all skills.

The question is, Are these businesses really suffering from a labor shortage? Byron York, an excellent writer—writing, I believe, in the Washington Examiner—looked at that question. This is what he found:

. . . at the same time the corporate officers seek higher numbers of immigrants, both low-skill and high-skill, many of their companies are laying off thousands of workers.

Isn't that something? Could that be true? Well, let's look at his article. Pretty damning, it seems to me. Remember, this letter I just read saying that they have to have more low-skilled workers from the human resource officials was analyzed by Mr. Byron York. He finds this:

The officials represent companies with a vast array of business interests: General Electric, The Walt Disney Company, Marriott International, Hilton Worldwide, Hyatt Hotels Corporation, McDonald's Corporation, The Wendy's Company, Coca-Cola, The Cheesecake Factory, Johnson & Johnson, Verizon Communications, Hewlett-Packard, General Mills, and many more. All want to see increases in immigration levels for low-skill as well as high-skill workers, in addition to a path to citizenship for the millions of immigrants currently in the U.S. illegally.

Well, what did Mr. York discover?

Of course, the U.S. unemployment rate is at 7.3 percent, with millions of American workers at all skill levels out of work, and millions more so discouraged that they have left the work force altogether. In addition, at the same time the corporate officers seek higher numbers of immigrants, both low-skill and high-skill, many of their companies are laying off thousands of workers.

They say they need more workers. How can it be they are laying off workers?

For example, Hewlett-Packard, whose Executive Vice President for Human Resources Tracy Keogh signed the letter, laid off 29,000 employees in 2012.

So they want more foreign workers and they just laid off 29,000 Americans? Oh, boy. That is a stunning number.

It goes on.

In August of this year, Cisco Systems, whose Senior Vice President and Chief Human Resources Officer Kathleen Weslock signed the letter, announced plans to lay off 4,000—in addition to the 8,000 cut in the last two years.

So they have laid off 12,000 people, and now they can't find people willing to work.

United Technologies, whose Senior Vice President of Human Resources and Organization Elizabeth B. Amato signed the letter, announced layoffs of 3,000 this year. American Express, whose Chief Human Resources Officer L. Kevin Cox signed the letter, cut 5,400 jobs this year.

Maybe they ought to try to give some of those jobs to people they laid off, many of whom probably worked for them for 20 years or more.

Proctor & Gamble, whose Chief Human Resources Officer Mark F. Biegger signed the letter, announced plans to cut 5,700 jobs in 2012.

This is really offensive to me, as I think it should be to all Americans. This is the kind of leadership we have in corporate America. They come in here and say they have to have workers, totally ignoring the fact that they are laying them off by the thousands. Maybe they find some who work cheaper. Maybe that is what the interest is.

Those are just a few of the layoffs at companies whose officials signed the letter. A few more: T-Mobile announced 2,250 layoffs in 2012. Archer-Daniels-Midland laid off 1,200. Texas Instruments, [laid off] nearly 2,000. Cigna, 1,300. Verizon sought to cut 1,700 jobs by buyouts and layoffs. Marriott announced ''hundreds'' of layoffs this year. International Paper has closed plants and laid off dozens.

I will note parenthetically that last week it was announced in Alabama that International Paper was closing a plant, and 1,100 people who had worked there 25 and 30 years will be out of work. The plant shuttered. But they signed the bill saying they need more workers.

And General Mills, in what the Minneapolis Star-Tribune called a ''rare mass layoff,'' laid off 850 people last year.

There are more still. . . . According to a recent Reuters report, U.S. employers announced 50,462 layoffs in August, up 34 percent from the previous month and up 57 percent from August 2012.

''It is difficult to understand how these companies can feel justified in demanding'' that we ram through an immigration bill doubling the number of workers, increasing dramatically the number of people who would be permanent residents of the United States, claiming they need workers, while these very same companies all signed letters. We are laying off thousands of workers. We have to be realistic.

Senator SCHUMER is meeting with business groups to pressure Republicans to join him in conference. But what do conservative thinkers have to say about Senator SCHUMER's plan? I will share a few comments—and there are many more—from intellectuals and writers, some conservative, some maybe not conservative.

The National Review wrote this:

By more than doubling the number of so-called guest workers admitted each year, the bill would help create a permanent underclass of foreign workers. . . . The creation of a large population of second-class workers is undesirable from the point of view of the American national interest, which should be our guiding force in this matter. . . . The United States is a nation with an economy, not an economy with a nation.

Bill Kristol of Fox News, the editor of the Weekly Standard, joined with Rich Lowry, the editor of the National Review, in an unusual joint editorial and went on to lay out deep concerns about the passage of this.

Passing any version of the Gang of Eight's bill would be worse public policy than passing nothing. House Republicans can do the country a service by putting a stake through its heart.

Victor Davis Hanson, who has written a book on immigration, is an excellent columnist in California.

The United States may be suffering the most persistent unemployment since the Great Depression. There may be an unemployment rate of over 15 percent in many small towns in the American Southwest.

American businesses may be flush with record amounts of cash, and farm prices may be at record levels. But we are still lectured that without cheap labor from south of the border, businesses simply cannot profit.

Peter Kirsanow, a member of the U.S. Commission on Civil Rights who has dealt with these issues for years and has had hearings on and tried to analyze the meaning and impact of these immigration flows, wrote this:

Recent history shows that a grant of legal status to illegal immigrants results in a further influx of illegal immigrants who will crowd out low-skilled workers from the workforce. . . . Before the federal government grants legal status to illegal immigrants, serious deliberations must be given to the effect such grant will have on the employment and earnings prospects of low-skilled Americans. History shows that granting such legal status is not without profound and substantial costs to American workers. Does Congress care?

Thomas Sowell, the great African-American writer, says this:

''Jobs that Americans will not do'' are in fact jobs at which not enough Americans will work at the current wage rate that some employers are offering. This is not an uncommon situation. That is why labor ''shortages'' lead to higher wage rates. . . . Virtually every kind of work Americans will not do is, in fact, work that Americans have done for generations.

Look, salaries do make a difference.

David Frum:

The United States is entering its sixth year of extraordinarily high unemployment. Twelve million Americans who want work cannot find it. Millions more have quit searching. Slack labor markets have depressed wages throughout the economy. . . . Yet however little workers earn, there is always somebody who wishes they earned less. And for those somebodies, the solution is: Import more cheap labor. But not just any cheap labor—cheap labor that cannot quit, that cannot accept a better offer, that cannot complain.

There is too much truth in that. I am concerned about it and I think Americans should be concerned about it. This is a bill that is antiworker.

President Obama has said recently that Republicans want to accelerate the gap, the wealth gap between the rich and the poor. That is not so. But his own White House has been the central entity driving—behind the scenes as much as they possibly can be because they do not want their fingerprints on it or they do not want it to be identified with the White House—but they have been the central entity pushing the bill. It will have a direct impact on the wages and employment status of millions of Americans, particularly low-income Americans who are the ones who had their wages decline the most.

Professor Borjas, at Harvard, himself a refugee, is the leading expert on wages. It has been documented. We have had a significant decline in wages over the last 30 years and a significant portion of that decline is directly related to the large flow of immigrant labor into America.

Of course, it has been accelerated by the illegality that is occurring in our country. I think we could sustain something like the current legal flow, but we need to end the present illegality, and we should not pass legislation that doubles the number that will be coming in.

Polls show overwhelmingly that the American people do not support a large increase in guest workers or low-skilled immigration. For instance, by a 3-to-1 margin, Americans earning under $30,000 support a decrease in legal immigration, not an increase, not a doubling of it. I am sure most do not have any idea that Congress is about to pass a law that would double the amount.

But the one group that has not been represented in this conversation has been the hard-working people of this country. All Americans, immigrants, millions who have come to our country, and the native-born alike will be hurt by an immigration plan that is guaranteed to reduce wages and permits even more lawlessness in the future.

What makes America unique is the special reverence we place in the rule of law and the special faith we place in the everyday citizen. Let's stay fast to those principles. Let's stand firm for those principles.

Let me say one more time: The heart of the American people on the question of immigration is good and decent. They have been misportrayed as opposing all immigration and that is not so. But they are concerned about the lawlessness. They believe a great nation, their nation, should have a lawful system of immigration and people ought not, by the millions, violate those laws. Congress and the Presidents have failed to respond to their legitimate requests, year after year, decade after decade.

It is time for that to end. We need a lawful system of immigration that serves our national interests that we can be proud of, that allows a number of people to come to this country, as many as we can. But we have to know they have a chance to get a good job, their children will have a chance to get a good job, and we are not displacing American workers who need jobs and a bit higher wage instead of a falling wage.

That is what this country ought to be about. It was not part of the bill that passed this Senate that is now waiting to go to the House. The House needs to be very careful when they move forward, if they move forward, with any legislation, that they do not go to a secret conference committee and include all kinds of provisions driven by the AFL–CIO and by the chamber of commerce and by La Raza and by Democratic politicians who wanted votes. They have to be sure that is not who is writing this bill because that is who has been writing it so far. It ought not to happen.

The openness with which the advocates of this bill have discussed what they are trying to do is rather remarkable. I hope it is a signal to our House Members to be alert, to do the right thing as they go forward in trying to move a bill that ends the illegality, that identifies what the right flow of immigrants into America is and creates a system that will actually work in a practical way in the future and will deal compassionately with people who have been here a long time and who have tried to otherwise be good citizens and do the right thing.

I yield the floor.

EASTSIDE FORESTRY

Mr. WYDEN. Mr. President, I rise today to acknowledge a success story that is unfolding in Oregon just this week. It is a success story about forestry, economic development, and collaboration. It is a success story about real jobs guaranteed today and into the future at a time when many rural communities are struggling.

In December 2009, I brought together representatives of the timber industry and conservationists, two groups that had been at odds with each other for years over Federal timber policy. These two factions reached an historic agreement that was referred to as ''the end of the timber wars.'' While this agreement never became law, the Forest Service embraced portions of it and helped pave the way for the 10-year stewardship contract on the Malheur National Forest, valued at $69 million, that was just awarded to a consortium of local companies.

This contract will be a major step in creating a healthier, more fire-resistant forest while providing millions of board feet of timber to a local mill; in other words, jobs in the woods and jobs in the mills. After that contract was announced, Ochoco Lumber, owners of the last remaining mill in Grant County, immediately announced that it will invest $2 million to $4 million in its plant. Ochoco Lumber's forward-thinking owner, John Shelk, has consistently sought to innovate and use technology to keep up with the changing timber landscape.

In partnership with Iron Triangle, another local timber company, Ochoco is poised to stay in the timber business, and keep those paychecks coming, for years to come.

These investments in healthy forests and innovative mills are having impacts throughout Grant County. Another partner in the consortium has announced that they have purchased an historic hotel in order to make sure that there is housing for the influx of workers that everyone knows are going to be coming.

This is economic development and job creation at the speed of light when

you consider the disproportionate suffering the rural communities felt during this recession.

It is because of stories like this that I introduced the Eastside bill this Congress, which just had a hearing at the end of July. The new bill includes some modifications from a previous bill to reflect the progress on the ground.

A healthy forest means a healthy economy and my legislation will provide the certainty to advance the vision laid out in the agreement. Advancing this legislation will mean more jobs, more harvested trees, and healthier forests.

So I stand today to congratulate Ochoco Lumber and Iron Triangle and to thank the U.S. Forest Service. They are the partners that contributed to this this success. My hope is that we can make this kind of success the norm for all rural communities.

TRIBUTE TO MARY DIETRICH

Ms COLLINS. Mr. President, I rise today to commemorate the distinguished public service of my chief of staff, Mary Dietrich, who will be retiring from the Senate after more than 26 years of public service. Mary's departure is not only a great loss to my office but also a loss to this Chamber and the many Senators and Congressional staff with whom she has worked throughout her years of dedicated service.

Mary is not someone who seeks the spotlight, but there is no question that she truly has made a difference. Day in and day out she has demonstrated her commitment to public service. Mary is always willing to accept a challenge head on: The greater the challenge that confronts her, the greater her tenacity and resolve become. In addition, her unparalleled understanding of the Senate is indicative of the deep appreciation and respect she has for this Chamber.

Her skills and talents have benefitted many Mainers as well. Mary worked with me on my successful effort to allow the heaviest trucks to drive on Federal highways in Maine. Previously, the heaviest trucks in Maine were diverted onto secondary roadways that ran through our crowded downtowns, past schools and homes, and over busy narrow streets. Because of this change in the law, both drivers and pedestrians in Maine are safer.

Mary also led my team to success in my efforts to require that all fresh fruits and vegetables, including fresh white potatoes, be allowed as part of the healthy lunches that are fed to our Nation's children in school cafeterias.

Prior to joining my staff, Mary already had an exceptional career in public service. Upon graduation from Miami University in Oxford, OH, Mary went to work for the U.S. General Accounting Office. At GAO, Mary managed numerous and extensive reviews, investigations, and audits of a wide range of government programs. It was at GAO that Mary developed a fierce reputation for rooting out waste, fraud, and abuse. In fact, this is what brought her to the U.S. Senate. After 10 years at GAO, Mary was detailed to work for former Senator Richard Lugar on the Senate Agriculture Committee. Mary was so well respected in this position that by the end of her detail, she had two full committee chairmen asking her to join their staffs.

In the end, Mary joined the staff of former Senator Ted Stevens on the Senate Appropriations Committee. While on the Appropriations Committee staff, Mary was known for her superior work and ability to handle complex and challenging matters. These talents enabled her to advance to very senior positions. In this role, she served as a liaison to a number of Senators past and present including Senators Arlen Specter, Mike DeWine, Sam Brownback, THAD COCHRAN, and myself. I was fortunate to have Mary serve as the minority clerk on the Financial Services and General Government Appropriations Subcommittee when I previously served as ranking member.

Similar to her accomplishments while serving as my chief of staff, Mary's accomplishments on the Appropriations Committee are too numerous to list in their entirety. Among them, however, include her work to increase funding to improve education for District of Columbia public school students, and a doubling of funding over a 5-year period for the National Institutes of Health.

Those who know Mary well know that one of her favorite actresses is Julie Andrews. Julie Andrews once said, ''Sometimes opportunities float right past your nose. Work hard, apply yourself and be ready. When an opportunity comes, you can grab it.'' When the chief of staff position became available in my office, asking Mary to lead my office was an obvious decision. There was no need for Mary to grab this opportunity. I could not think of a better person for the job. That was nearly 4 years ago, and I could not have asked for a more-trusted advisor.

Mary Dietrich has been the engine that keeps my staff moving. She has guided my staff with the same tact, wicked sense of humor, and sharp mind that defined all her years of public service. Her retirement from the Senate is a true loss, and she will be deeply missed.

NATIONAL POW/MIA RECOGNITION DAY

MAJOR LOUIS FULDA GUILLERMIN

Mr. CASEY. Mr. President, I rise to acknowledge the military service of a Pennsylvania constituent who paid the ultimate sacrifice for our Nation during the Vietnam War. Tomorrow, September 20, is National POW/MIA Recognition Day, so it is only fitting that I tell his story. After a 45-year absence, Maj. Louis Fulda Guillermin, U.S. Air Force, is finally returning home to Pennsylvania.

Louis Guillermin, the only child of the late Wister and Myrtle Booker Guillermin, was born on January 6, 1943, in West Chester, PA. Louis joined the Air Force after college and completed his pilot training at Lackland Air Force Base in San Antonio, TX. In addition, he received further training in radar and celestial navigation instruction at Connelly Air Force Base. Louis was commissioned as a second lieutenant and awarded his silver wings in April 1964.

During his second tour in South East Asia, Major Guillermin flew counterinsurgency missions as a navigator in an A–26A Invader aircraft for the 609th Air Commando Squadron. On April 28, 1968, at the age of 25, Major Guillermin's aircraft went down over Savannakhet Province, Laos. Louis would remain missing for many years and would achieve the rank of major while on missing-in-action status. Many years later, his aircraft was located, and on May 28, 2013, the Department of Defense positively identified his remains thanks to the efforts of the Joint Prisoners of War, Missing in Action Accounting Command.

Despite having been missing for all these years, Maj. Louis F. Guillermin was never forgotten. The Vietnam Veterans of America, Chapter 436, of Chester County, PA, adopted his name for their chapter. Now, Louis will be laid to rest on October 5, and on behalf of the Commonwealth of Pennsylvania and the Nation, I would like to welcome him home.

I share the story of Major Guillermin not only because the formal recognition of his sacrifice is long overdue, but also as a reminder that there are many others that remain missing. An estimated 1,644 members of the Armed Forces remain unaccounted for from the Vietnam War. A total of 91 of those are from Pennsylvania. I would also like to mention that there are an estimated 83,000 total unaccounted for members of the Armed Forces since World War II. We as a nation have a responsibility to make every effort in accounting for the missing and providing this information to the loved ones and the communities who have experienced such a profound loss. May Major Guillermin, and all missing-in-action servicemembers who have passed on from this world, rest in eternal peace. You have more than earned your dignity and honor, as well as our reverence. You are not forgotten.

DONATOS PIZZERIA

Mr. PORTMAN. Mr. President, today I wish to recognize the 50th anniversary of Donatos Pizzeria, LLC, headquartered in Columbus, OH. In 1963, Jim Grote, then a college sophomore at The Ohio State University, opened the first Donatos Pizzeria on the south side of Columbus. Since then, Donatos Pizzeria has expanded to 200

restaurants in multiple States, and has employed generations of Ohioans.

Mr. Grote founded his business on three fundamentals: creating a superior product, hiring great people, and adhering to strong principles that promote goodwill in business and the community. These principles have made Donatos Pizzeria one of the most well respected pizza chains in the industry, and in the community. As part of its service to its communities, Donatos Pizzeria provides the opportunity for schools, churches, sports teams, and other social organizations to fundraise by purchasing its discounted pizza card, which can be sold to receive a 70% return toward their organization.

I extend my sincere congratulations to Donatos Pizzeria on 50 years of quality service throughout Ohio.

ADDITIONAL STATEMENTS

TRIBUTE TO JAMES E. WILLIAMS, LILLIAN CROOM WILLIAMS, AND MILTON WHARTON

• Mr. KIRK. Mr. President, I wish to support three Illinois citizens from East St. Louis who have made a lasting impact on their community. These leaders are the late James E. Williams, Sr., the first African-American mayor of the City of East St. Louis, his wife Lillian Croom Williams and Milton Wharton, a retired circuit court judge of the 20th Judicial Circuit of Illinois. It is my pleasure to honor their service and highlight their commitment to the city.

Besides his service as mayor, Mr. Williams also served as the school board president of District 189. He was well known for his accessibility and commitment to public service.

Mrs. Williams joined her husband in public service as both an educator and civic leader. Her advocacy for higher education and support for local police, firefighters and teachers are among her lasting contributions to the area.

Judge Wharton earned his law degree from DePaul University in 1975, and was appointed an associate judge for the St. Clair County Circuit Court in 1976. Twelve years later, he was elected as a full circuit judge for the 20th Judicial Circuit. He has received numerous awards and accolades and is an active Southern Illinois University Edwardsville alumni member.

These individuals will be honored this month by the Emma L. Wilson-King Foundation, which provides scholarships and other resources to local students. I join with the foundation in honoring Mr. and Mrs. Williams, Judge Wharton and their families for their important public service contributions.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

At 1:11 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 301. An act to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

H.R. 761. An act to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the United States economic and national security and manufacturing competitiveness.

MEASURES REFERRED

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

H.R. 301. An act to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia; to the Committee on Foreign Relations.

H.R. 761. An act to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–2959. A communication from the Chief of Staff, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund'' ((RIN3060–AF85) (DA 13–97)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2960. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Assessment and Collection of Regulatory Fees for Fiscal Year 2013; Procedures for Assessment and Collection of Regulatory Fees; Assessment and Collection of Regulatory Fees for Fiscal Year 2008'' (FCC 13–110) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2961. A communication from the Chief of the Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 1.80(b) of the Commission's Rules; Adjustment of Civil Monetary Penalties to Reflect Inflation'' (DA 13–1615) 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–2962. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fishery'' (RIN0648–BC21) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science , and Transportation.

EC–2963. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BD47) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2964. 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; Snapper-Grouper Fishery Off the South Atlantic States; Amendment 22; Correction'' (RIN0648–BA53) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2965. 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 Off West Coast States; Coastal Pelagic Species Fisheries; Closure'' (RIN0648–XC783) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2966. 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 Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions No. 6 through No. 11'' (RIN0648–XC738) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2967. 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; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XC789) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2968. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Highly Migratory Species; 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan; Amendment 8'' (RIN0648–BC31) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2969. 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–XC769) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2970. 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 Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC757) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2971. 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; Thornyhead Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC818) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2972. 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; Tilefish Fishery Management Plan; Regulatory Amendment, Corrections, and Clarifications'' (RIN0648–BC05) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science , and Transportation.

EC–2973. 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 Caribbean, Gulf of Mexico, and South Atlantic; Sapper-Grouper Fishery Off the Southern Atlantic States; Regulatory Amendment 15'' (RIN0648–BC60) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2974. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''List of Fisheries for 2013'' (RIN0648–BC71) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2975. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Fisheries; 2013 Annual Catch Limits and Accountability Measures; Correcting Amendment'' (RIN0648–XC351) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2976. 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 Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 28'' (RIN0648–BC63) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2977. 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 Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Regulatory Amendment 18'' (RIN0648–BD04) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2978. 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 Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands; Parrotfish Management Measures in St. Croix'' (RIN0648–BC20) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2979. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class B Airspace, Las Vegas, NV'' ((RIN2120–AA66) (Docket No. FAA–2012–0966)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2980. 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, Waco, TX, and Establishment of Class D Airspace; Waco, TSTC-Waco Airport, TX'' ((RIN2120–AA66) (Docket No. FAA–2013–0136)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2981. 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; Columbus, Rickenbacker International Airport, OH'' ((RIN2120–AA66) (Docket No. FAA–2013–0270)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2982. 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, Grand Forks AFB, ND'' ((RIN2120–AA66) (Docket No. FAA–2013–0261)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2983. 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, Bryant AAF, Anchorage, AK'' ((RIN2120–AA66) (Docket No. FAA–2012–0433)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2984. 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; Sparta, WI'' ((RIN2120–AA66) (Docket No. FAA–2013–0165)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2985. 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 and E Airspace, and Establishment of Class E Airspace; Oceana NAS, VA'' ((RIN2120–AA66) (Docket No. FAA–2013–0038)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2986. 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 and Class E Airspace; San Marcos, TX'' ((RIN2120–AA66) (Docket No. FAA–2013–0273)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2987. 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; Salt Lake City, UT'' ((RIN2120–AA66) (Docket No. FAA–2012–1303)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2988. 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; Gustavus, AK'' ((RIN2120–AA66) (Docket No. FAA–2013–0282)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2989. 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; Tri-Cities, TN'' ((RIN2120–AA66) (Docket No. FAA–2013–0609)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2990. 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; Mahnomen, MN'' ((RIN2120–AA66) (Docket No. FAA–2012–1283)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2991. 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; Tuba City, AZ'' ((RIN2120–AA66) (Docket No. FAA–2013–0147)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2992. 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; Wagner, SD'' ((RIN2120–AA66) (Docket No. FAA–2013–0004)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2993. 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; Walker, MN'' ((RIN2120–AA66)

(Docket No. FAA–2013–0266)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2994. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Brigham City, UT'' ((RIN2120–AA66) (Docket No. FAA–2013–0414)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2995. 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; Commerce, TX'' ((RIN2120–AA66) (Docket No. FAA–2013–0269)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2996. 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; Mason, TX'' ((RIN2120–AA66) (Docket No. FAA–2012–1141)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2997. 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; Gruver, TX'' ((RIN2120–AA66) (Docket No. FAA–2011–1111)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2998. 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; Factoryville, PA'' ((RIN2120–AA66) (Docket No. FAA–2013–0345)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2999. 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; Bedford, PA'' ((RIN2120–AA66) (Docket No. FAA–2013–0359)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3000. 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 (134); Amdt. No. 3546'' (RIN2120–AA65) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3001. 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 (109); Amdt. No. 3547'' (RIN2120–AA65) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3002. 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 (11); Amdt. No. 3545'' (RIN2120–AA65) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3003. 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 (6); Amdt. No. 3544'' (RIN2120–AA65) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3004. 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–2013–0297)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3005. 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 in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3006. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0669)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3007. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace LP'' ((RIN2120–AA64) (Docket No. FAA–2013–0093)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3008. 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–2012–1156)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3009. 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 Restricted Category Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2010–0564)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3010. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0671)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3011. 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–2011–1158)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3012. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BRP-Powertrain GmbH and Co KG Rotax Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0263)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3013. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corp. Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0197)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3014. 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 Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–1285)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3015. 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–2013–0209)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3016. 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–2013–0216)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3017. 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–2012–1297)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3018. 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 Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0566))

received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3019. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. and Bell Helicopter Textron Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0145)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3020. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1033)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3021. 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–2013–0367)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3022. 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–2013–0353)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3023. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Learjet Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0213)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3024. 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–2013–0206)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3025. 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–2013–0204)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3026. 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–2013–0299)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3027. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Austro Engine GmbH Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0164)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3028. 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 (Eurocopter) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0638)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3029. 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–2013–0623)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3030. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hartzell Propeller, Inc. Propellers'' ((RIN2120–AA64) (Docket No. FAA–2013–0130)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3031. 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–2013–0628)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3032. 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 Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0639)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3033. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; CFM International, S.A. Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1114)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3034. 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–2012–1222)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3035. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules; Miscellaneous Amendments (4); Amdt. No. 508'' (RIN2120–AA63) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3036. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Seagoing Barges'' ((RIN1625–AC03) (Docket No. USCG–2011–0363)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3037. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Anchorage Areas; Port of New York, NY'' ((RIN1625–AA00) (Docket No. USCG–2011–0563)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3038. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Double Hull Tanker Escorts on the Waters of Prince William Sound, Alaska'' ((RIN1625–AB96) (Docket No. USCG–2012–0975)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3039. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Vessel Traffic Service Updates, Including Establishment of Vessel Traffic Service Requirements for Port Arthur, Texas and Expansion of VTS Special Operating Area in Puget Sound'' ((RIN1625–AB81) (Docket No. USCG–2011–1024)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3040. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Taunton River, Fall River and Somerset, MA'' ((RIN1625–AA09) (Docket No. USCG–2013–0291)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3041. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Wolf River, Gills Landing and Winneconne, WI'' ((RIN1625–AA09) (Docket No. USCG–2013–0252)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3042. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Maine Kennebec Bridge Construction Zone, Kennebec River, Richmond, ME'' ((RIN1625–AA11) (Docket No. USCG–2013–0329)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3043. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation, Cumberland River, Mile 157.0 to 159.0; Ashland City, TN'' ((RIN1625–AA08) (Docket No. USCG–2013–0718)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3044. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Areas, Security Zones: Dignitary Arrival/Departure and United Nations Meetings, New York, NY'' ((RIN1625–AA11; 1625–AA87) (Docket No. USCG–2012–0202)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3045. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''2012 Liquid Chemical Categorization Updates'' ((RIN1625–AB94) (Docket No. USCG–2013–0423)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3046. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 13–24 and 03–123, Report and Order and Further Notice of Proposed Rulemaking'' (FCC 13–118) received during adjournment of the Senate in the Office of the President of the Senate on September 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3047. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Approval and Communication Requirements for the Safe Transportation of Air Bag Inflators, Air Bag Modules, and Seat-Belt Pretensioners (RRR)'' (RIN2137–AE62) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3048. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Unified Registration System'' (RIN2126–AA22) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3049. 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 Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Abbreviated Framework'' (RIN0648–BD10) received during adjournment of the Senate in the Office of the President of the Senate on September 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3050. 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; Trimester Closure for the Common Pool Fishery'' (RIN0648–XC782) received during adjournment of the Senate in the Office of the President of the Senate on September 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3051. 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; Scup Fishery; Adjustment to the 2013 Winter II Quota'' (RIN0648–XC749) received during adjournment of the Senate in the Office of the President of the Senate on September 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3052. 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; Reallocation of Pollock in the Bering Sea and Aleutian Islands'' (RIN0648–XC803) received during adjournment of the Senate in the Office of the President of the Senate on September 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3053. 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 West Yakutat District of the Gulf of Alaska'' (RIN0648–XC771) received during adjournment of the Senate in the Office of the President of the Senate on September 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3054. 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 Zones; Recurring Events in Captain of the Port Duluth Zone'' ((RIN1625–AA00) (Docket No. USCG–2013–0214)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3055. 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; D–Day Conneaut, Lake Erie, Conneaut, OH'' ((RIN1625–AA00) (Docket No. USCG–2013–0648)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3056. 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; Thunder on the Niagara, Niagara River, North Tonawanda, NY'' ((RIN1625–AA00) (Docket No. USCG–2013–0701)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3057. 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 Production; Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2013–0676)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3058. 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; Lake Erie Heritage Foundation, Battle of Lake Erie Reenactment; Lake Erie, Put-in-Bay, OH'' ((RIN1625–AA00) (Docket No. USCG–2013–0546)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3059. 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; Battle of Lake Erie Fireworks, Lake Erie, Put-in-Bay, OH'' ((RIN1625–AA00) (Docket No. USCG–2013–0697)) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3060. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report entitled ''National Airspace System Capital Investment Plan Fiscal Years 2014–2018''; to the Committee on Commerce, Science, and Transportation.

EC–3061. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Interstate Movement of Sharwil Avocados From Hawaii'' ((RIN0579–AD70) (Docket No. APHIS–2012–0008)) received in the Office of the President of the Senate on September 16, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3062. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Styrene, Copolymers with Acrylic Acid and/or Methacrylic Acid; Tolerance Exemption'' (FRL No. 9396–9) received in the Office of the President of the Senate on September 10, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3063. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorantraniliprole; Pesticide Tolerances'' (FRL No. 9395–1) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3064. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2,5-Furandione, Polymer with Ethenylbenzene, Hydrolyzed, 3-(Dimethylamino)propyl Imide, Imide with Polyethylene-Polypropylene Glycol 2-Aminopropyl Me Ether, 2,2′-(1, 2-Diazenediyl)bis[2-Methylbutanenitrile]-Initiated; Tolerance Exemption'' (FRL No. 9398–4) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3065. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Quinoxyfen; Pesticide Tolerances'' (FRL No. 9398–9) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3066. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Military Personnel, Army appropriation, account 2152010, and occurred within the Office of the Assistant Secretary of the Army (Financial Management and Comptroller) during fiscal year 2005 and was assigned Army case number 11–07; to the Committee on Appropriations.

EC–3067. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Reasonably Available Control Technology for the 1997 8-Hour Ozone Standard''

(FRL No. 9797–3) received in the Office of the President of the Senate on September 10, 2013; to the Committee on Environment and Public Works.

EC–3068. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Second 10-Year Carbon Monoxide Maintenance Plan for Fort Collins'' (FRL No. 9900–86–Region 8) received in the Office of the President of the Senate on September 10, 2013; to the Committee on Environment and Public Works.

EC–3069. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; West Virginia's Redesignation for the Parkersburg-Marietta, WV–OH 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment and Approval of the Associated Maintenance Plan'' (FRL No. 9900–71–Region 3) received in the Office of the President of the Senate on September 10, 2013; to the Committee on Environment and Public Works.

EC–3070. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Procedures for Stringency Determinations and Minor Permit Revisions for Federal Operating Permits'' (FRL No. 9900–82–Region 6) received in the Office of the President of the Senate on September 10, 2013; to the Committee on Environment and Public Works.

EC–3071. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment for the Chico Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements'' (FRL No. 9900–69–Region 9) received in the Office of the President of the Senate on September 10, 2013; to the Committee on Environment and Public Works.

EC–3072. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rule on Certain Chemical Substances'' (FRL No. 9398–7) received in the Office of the President of the Senate on September 10, 2013; to the Committee on Environment and Public Works.

EC–3073. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Regional Haze'' (FRL No. 9732–4) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Environment and Public Works.

EC–3074. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington: Puget Sound Clean Air Agency Regulatory Updates'' (FRL No. 9901–03–Region 10) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Environment and Public Works.

EC–3075. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri; Conformity of General Federal Actions to State Implementation Plan'' (FRL No. 9901–01–Region 7) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Environment and Public Works.

EC–3076. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Redesignation of the Steubenville-Weirton Area to Attainment of the 1997 Annual Standard and the 2006 24-Hour Standard for Fine Particulate Matter'' (FRL No. 9900–79–Region 5) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Environment and Public Works.

EC–3077. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Amendments to Vehicle Inspection and Maintenance Program for Wisconsin'' (FRL No. 9827–9) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Environment and Public Works.

EC–3078. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Redesignation of the Cleveland-Akron-Lorain Area to Attainment of the 1997 Annual Standard and 2006 24-Hour Standard for Fine Particulate Matter'' (FRL No. 9900–92–Region 5) received in the Office of the President of the Senate on September 17, 2013; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. NELSON, from the Special Committee on Aging, without amendment:

S. Res. 241. An original resolution authorizing expenditures by the Special Committee on Aging.

By Mr. SANDERS, from the Committee on Veterans' Affairs, without amendment:

S. Res. 243. An original resolution authorizing expenditures by the Committee on Veterans' Affairs.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. Res. 244. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN, from the Select Committee on Intelligence, without amendment:

S. Res. 245. An original resolution authorizing expenditures by the Select Committee on Intelligence.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. Res. 249. An original resolution authorizing expenditures by the Committee on Finance.

By Mrs. MURRAY, from the Committee on the Budget, without amendment:

S. Res. 250. An original resolution authorizing expenditures by the Committee on the Budget.

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 357. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

*Gregory Dainard Winfree, of New York, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation.

Christopher A. Hart, of Colorado, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2017.

*Deborah A. P. Hersman, of Virginia, to be Chairman of the National Transportation Safety Board for a term of two years.

*Deborah A. P. Hersman, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2018.

By Mr. LEAHY for the Committee on the Judiciary.

Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Landya B. McCafferty, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Brian Morris, of Montana, to be United States District Judge for the District of Montana.

Susan P. Watters, of Montana, to be United States District Judge for the District of Montana.

Jeffrey Alker Meyer, of Connecticut, to be United States District Judge for the District of Connecticut.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. TOOMEY (for himself and Mr. MANCHIN):

S. 1526. A bill to amend the Sarbanes-Oxley Act of 2002 to prohibit the Public Company Accounting Oversight Board from requiring public companies to use specific auditors or require the use of different auditors on a rotating basis; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself, Mr. BLUNT, and Ms. LANDRIEU):

S. 1527. A bill to enhance pre- and post-adoptive support services; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 1528. A bill to establish a national mercury monitoring program, and for other purposes; to the Committee on Environment and Public Works.

By Ms. BALDWIN (for herself and Ms. COLLINS):

S. 1529. A bill to provide benefits to domestic partners of Federal employees; to the

Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU (for herself, Mr. BLUNT, Mr. BURR, Mr. INHOFE, Mr. KIRK, Ms. KLOBUCHAR, Mrs. SHAHEEN, Ms. WARREN, Mr. WICKER, and Mrs. GILLIBRAND):

S. 1530. A bill to realign structures and reallocate resources in the Federal Government, in keeping with the core American belief that families are the best protection for children and the bedrock of any society, to bolster United States diplomacy and assistance targeted at ensuring that every child can grow up in a permanent, safe, nurturing, and loving family, and to strengthen intercountry adoption to the United States and around the world and ensure that it becomes a viable and fully developed option for providing families for children in need, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Mr. LEAHY):

S. 1531. A bill to amend the Internal Revenue Code of 1986 to modify the types of wines taxed as hard cider; to the Committee on Finance.

By Mrs. MURRAY:

S. 1532. A bill to provide grants to promote financial literacy; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself, Mr. WHITEHOUSE, Mr. BEGICH, and Mrs. SHAHEEN):

S. 1533. A bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes; to the Committee on Finance.

By Mr. HARKIN:

S. 1534. A bill to provide a framework establishing the rights, liabilities, and responsibilities of participants in closing procedures for certain types of consumer deposit accounts, to protect individual consumer rights, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Mr. CORNYN, Mr. COONS, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HATCH, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, and Mr. WHITEHOUSE):

S. 1535. A bill to deter terrorism, provide justice for victims, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON:

S. Res. 241. An original resolution authorizing expenditures by the Special Committee on Aging; from the Special Committee on Aging; to the Committee on Rules and Administration.

By Mr. KIRK:

S. Res. 242. A resolution supporting the goals and ideals of ''Growth Awareness Week''; to the Committee on the Judiciary.

By Mr. SANDERS:

S. Res. 243. An original resolution authorizing expenditures by the Committee on Veterans' Affairs; from the Committee on Veterans' Affairs; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER:

S. Res. 244. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation; from the Committee on Commerce, Science, and Transportation; to the Committee on Rules and Administration.

By Mrs. FEINSTEIN:

S. Res. 245. An original resolution authorizing expenditures by the Select Committee on Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BEGICH, Mr. BENNET, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HAGAN, Mr. HEINRICH, Mr. KAINE, Ms. MIKULSKI, Mr. NELSON, Mr. REED, Mr. RUBIO, Mr. SCHUMER, Ms. STABENOW, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WARNER, Mr. BROWN, Mr. MERKLEY, Mr. HELLER, Mr. CASEY, Ms. WARREN, Mr. ENZI, Mrs. MURRAY, and Mr. CARDIN):

S. Res. 246. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States; considered and agreed to.

By Ms. STABENOW (for herself and Mr. THUNE):

S. Res. 247. A resolution designating the week of September 16 through September 20, 2013, as ''National Health Information Technology Week'' to recognize the value of health information technology in transforming and improving the healthcare system for all people in the United States; considered and agreed to.

By Mr. NELSON (for himself, Ms. COLLINS, Ms. MIKULSKI, Mr. SANDERS, Mr. FRANKEN, Mr. COONS, Mr. MARKEY, Mr. KING, and Mr. CASEY):

S. Res. 248. A resolution designating September 22, 2013, as ''National Falls Prevention Awareness Day'' to raise awareness and encourage the prevention of falls among older adults; considered and agreed to.

By Mr. BAUCUS:

S. Res. 249. An original resolution authorizing expenditures by the Committee on Finance; from the Committee on Finance; to the Committee on Rules and Administration.

By Mrs. MURRAY:

S. Res. 250. An original resolution authorizing expenditures by the Committee on the Budget; from the Committee on the Budget; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 153

At the request of Mr. BEGICH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 177

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

S. 357

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 641

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Hawaii (Mr. SCHATZ) 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. 727

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 727, a bill to improve the examination of depository institutions, and for other purposes.

S. 798

At the request of Mr. BROWN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 798, a bill to address equity capital requirements for financial institutions, bank holding companies, subsidiaries, and affiliates, and for other purposes.

S. 822

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 822, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 916

At the request of Mr. KAINE, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 957

At the request of Mr. BENNET, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 957, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain.

S. 1030

At the request of Mr. WYDEN, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1030, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 1078

At the request of Ms. KLOBUCHAR, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1078, a bill to direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime.

S. 1089

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1089, a bill to provide for a prescription drug take-back program for members of the Armed Forces and veterans, and for other purposes.

S. 1114

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1249

At the request of Mr. BLUMENTHAL, the names of the Senator from Nebraska (Mr. JOHANNS), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 1292

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 1292, a bill to prohibit the funding of the Patient Protection and Affordable Care Act.

S. 1300

At the request of Mr. FLAKE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1300, a bill to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship end result contracting projects.

S. 1302

At the request of Mr. HARKIN, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Indiana (Mr. DONNELLY) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1349

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. ENZI) 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. 1490

At the request of Mr. FLAKE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1490, a bill to delay the application of the Patient Protection and Affordable Care Act.

S. 1500

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of 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.

S. 1503

At the request of Mr. DURBIN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from California (Mrs. BOXER) were added as cosponsors of 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).

S. 1525

At the request of Mr. HATCH, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Illinois (Mr. KIRK) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 1525, a bill to ensure that the personal and private information of Americans enrolling in Exchanges established under the Patient Protection and Affordable Care Act is secured with proper privacy and data security safeguards.

S. RES. 225

At the request of Mr. CRUZ, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of 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.

AMENDMENT NO. 1853

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 1853 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1858

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1858 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 name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor 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. 1894

At the request of Mr. MENENDEZ, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1894 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1941

At the request of Mr. FRANKEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1941 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1957

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 1957 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 Ms. COLLINS (for herself and Mr. CARPER):

S. 1528. A bill to establish a national mercury monitoring program, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, today along with Senator CARPER, I am introducing the Comprehensive National Mercury Monitoring Act. This bill would ensure that we have accurate information about the extent of mercury pollution in our Nation.

A comprehensive national mercury monitoring network is needed to protect human health, safeguard fisheries, and track the effect of emissions reductions in the U.S. This tracking is particularly important in light of increasing mercury emissions from other countries. By accurately quantifying regional and national changes in atmospheric deposition, ecosystem contamination, and bioaccumulation of mercury in fish and wildlife in response to changes in mercury emissions, a monitoring network would help policy makers, scientists, and the public to better understand the sources, consequences, and trends in United States mercury pollution.

Mercury is a potent neurotoxin of significant ecological and public health concern, especially for children and pregnant women. It is estimated that approximately 410,000 children born in the U.S. were exposed to levels of mercury in the womb that are high enough to impair neurological development. Mercury exposure has gone down as U.S. mercury emissions have declined; however, levels remain unacceptably high.

Each new scientific study seems to find higher levels of mercury in more ecosystems and in more species, and the issue of mercury emissions is growing in importance around the world. At present, scientists must rely on limited information to understand the critical linkages between mercury emissions and environmental response and human health. Successful design, implementation, and assessment of solutions to the mercury pollution problem require comprehensive long-term information. A system for collecting such information, such as we have for acid rain and other pollution, does not currently exist for mercury—a much more toxic pollutant. We must have more comprehensive information and we must have it soon; otherwise, we risk making misguided policy decisions.

Specifically, the Comprehensive National Mercury Monitoring Act would direct EPA, in conjunction with the Fish and Wildlife Service, U.S. Geological Survey, National Park Service, the National Oceanic and Atmospheric Association, and other appropriate Federal agencies, to establish a national mercury monitoring program to measure and monitor mercury levels in the air and watersheds, water and soil chemistry, and in marine, freshwater, and terrestrial organisms at multiple sites across the Nation.

The act would establish a scientific advisory committee to advise on the establishment, site selection, measurement, recording protocols, and operations of the monitoring program.

The act would establish a centralized database for existing and newly collected environmental mercury data that can be freely accessed on the Internet and that is compatible with similar international efforts.

The act would require a report to Congress every 2 years on the program, including trend data, and an assessment of the reduction in mercury deposition rates that need to be achieved in order to prevent adverse human and ecological effects every 4 years; and

The act would authorize $95 million over 3 years to carry out the act.

We must establish a comprehensive, robust national mercury monitoring network to provide the data needed to help make decisions that can protect the people and environment of Maine and the entire Nation.

By Mr. LEVIN (for himself, Mr. WHITEHOUSE, Mr. BEGICH, and Mrs. SHAHEEN):

S. 1533. A bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts , and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, I am introducing today, along with my colleagues Senators WHITEHOUSE, BEGICH and SHAHEEN, the Stop Tax Haven Abuse Act, legislation that is geared to stop the estimated $150 billion yearly drain on the U.S. treasury caused by offshore tax abuses. Offshore tax abuses are not only undermining public confidence in our tax system, but widening the deficit and increasing the tax burden for the rest of American families and businesses.

This bill eliminates incentives to send U.S. profits and jobs offshore, combats offshore tax abuses, and raises revenues needed to fund our national security and essential domestic programs. Its provisions could be part of an alternative deficit reduction package to substitute for sequestration this year, but should be adopted in any event because the loopholes we would close serve no economic purpose and shouldn't exist even if there were no deficit.

We should close these loopholes on principle. They are blatantly unfair, and we should end them, regardless of our deficit, regardless of whether sequestration is in effect. But surely, at a time when sequestration is harming families, national security, life-saving research, students and seniors, we should close these loopholes and dedicate the revenue to ending sequestration.

The bill is supported by a wide array of small business, labor and public interest groups, including the Financial Accountability and Corporate Transparency, FACT, Coalition, Americans for Tax Fairness, Tax Justice Network-USA, Citizens for Tax Justice, AFL–CIO, SEIU, American Sustainable Business Council, Business for Shared Prosperity, South Carolina Small Business Chamber of Commerce, Friends of the Earth, New Rules for Global Finance, U.S. Public Interest Research Group, Global Financial Integrity, Jubilee USA Network, and Public Citizen.

Frank Knapp, president and CEO of the South Carolina Small Business Chamber of Commerce, has explained small business support for the bill this way:

> Small businesses are the lifeblood of local economies. We pay our fair share of taxes and generate most of the new jobs. Why should we be subsidizing U.S. multinationals that use offshore tax havens to avoid paying taxes? Big corporations benefit immensely from all the advantages of being headquartered in our country. It's time to end tax haven abuse and level the playing field.

The Stop Tax Haven Abuse Act is a product of the investigative work of the Permanent Subcommittee on Investigations which I chair. For more than 12 years, the Subcommittee has conducted inquiries into offshore tax avoidance abuses, including the use of offshore corporations and trusts to hide assets and shift income abroad, the use of tax haven banks to set up secret accounts, and the use of U.S. bankers, lawyers, accountants and other professionals to devise methods of taking advantage of tax loopholes that Congress never intended. Over the years, my Subcommittee has learned a lot about these offshore tricks, and we have designed this bill to fight back by closing many of these tax loopholes and strengthening offshore tax enforcement.

The 113th Congress is the sixth Congress in which I have introduced a comprehensive bill to combat offshore and tax shelter abuses. A number of provisions from past bills have made it into law, such as measures to curb abusive foreign trusts, close offshore dividend tax loopholes, and strengthen penalties on tax shelter promoters.

In recent years, Congress has made a little progress in the offshore tax battle. In 2010, we enacted into law the economic substance doctrine, which up to then had been a judicially created policy. The law now authorizes courts to strike down phony business deals with no economic purpose other than to avoid the payment of tax. Getting the economic substance doctrine enacted was a victory many years in the making.

Also in 2010, Congress enacted the Baucus-Rangel Foreign Account Tax Compliance Act or FATCA, which is designed to flush out hidden offshore bank accounts. Foreign banks have engaged in a massive lobbying effort to weaken its disclosure requirements, but most U.S. banks have had it with foreign banks using secrecy to attract U.S. clients and want those foreign banks to have to meet the same disclosure requirements U.S. banks do. Starting next year, foreign financial institutions will have to agree to comply with FATCA's disclosure requirements, which include disclosing to the IRS all accounts held by U.S. persons, or else begin incurring a 30 percent withholding tax on all investment income received from the United States.

President Obama, who when in the Senate cosponsored the 2005 and 2007 versions of this bill we're introducing today, is a longtime opponent of offshore tax evasion. And just weeks ago, the G–20 leaders declared international tax avoidance by multinational corporations to be a global concern, and pledged to work cooperatively to end abuses.

The bottom line is that each of us has a legal and civil obligation to pay taxes, and most Americans fulfill that obligation. It is time to force the tax scofflaws, the tax dodgers, and the tax avoiders to do the same, and for us to take the steps needed to end their use of offshore tax havens. It is also time to recapture those unpaid taxes to pay for critical government services, including strengthening our education, health care, and defense to help replace the absurd sequestration approach with an alternative balanced deficit reduction package that includes revenues as one component.

The bill we are introducing today is a stronger, more streamlined version of the Stop Tax Haven Abuse Act introduced in the last Congress. This enhanced version includes key provisions from the last bill that have not yet been enacted into law, several provisions implementing the President's budget recommendations, and new provisions to stop the offshore tax haven

abuses featured in hearings held and bipartisan reports filed during the last Congress by my Subcommittee.

The provisions retained from the prior version of the bill include, with some clarifying or strengthening language, special measures to deal with foreign jurisdictions and financial institutions that significantly impede U.S. tax enforcement. They include tougher disclosure, evidentiary and enforcement provisions for accounts at foreign financial institutions that do not comply with FATCA; and the treatment of offshore corporations as domestic corporations for tax purposes when managed and controlled primarily from the United States. They also include stronger disclosure requirements for offshore accounts and offshore entities opening U.S. financial accounts, and closure of a tax loophole benefiting financial swaps that send money offshore. In addition, they mandate new disclosure requirements to stop multinational corporate tax evasion by requiring publicly traded corporations to disclose basic information about their employees, revenues and tax payments on a country-by-country basis.

The new provisions in this bill would eliminate tax provisions encouraging the offshoring of jobs and profits by deferring corporate tax deductions for expenses associated with moving and operating offshore unless and until the corporation repatriates the offshore profits produced by those operations and pays taxes on them. Another set of new provisions would end transfer pricing abuses by immediately taxing any excess income received by foreign affiliates to which U.S. intellectual property rights have been transferred, and limiting income shifting through U.S. property transfers offshore. Other new provisions would require foreign tax credits to be calculated on a pooled basis to stop the manipulation of those tax credits to dodge U.S. taxes. Still another new bill provision would end tax gimmicks involving the use of the so-called ''check-the-box'' and ''CFC look-through'' rules for offshore entities. Finally, a new bill provision would close the short-term loan loophole used by some corporations to avoid paying taxes on offshore income that is effectively repatriated.

Let me now go through each of the bill sections to explain the tax abuses they address and how they would work.

TITLE I—DETERRING THE USE OF TAX HAVENS FOR TAX EVASION

The first title of the bill concentrates on combating tax havens and their financial institutions around the world that assist U.S. taxpayers in hiding their assets, avoiding U.S. tax enforcement efforts, and dodging U.S. taxes. It focuses on strengthening tools to stop tax haven jurisdictions and tax haven banks from facilitating U.S. tax evasion, to expose hidden offshore assets, and to eliminate incentives for U.S. persons to send funds offshore.

SECTION 101—SPECIAL MEASURES WHERE U.S. TAX ENFORCEMENT IS IMPEDED

The first section of the bill, Section 101, which is carried over from the last Congress and which passed the Senate in 2012 as part of another bill but did not make it through conference, would allow the Treasury Secretary to apply an array of sanctions against any foreign jurisdiction or foreign financial institution that the Secretary determined was significantly impeding U.S. tax enforcement.

We have all seen the press reports about tax haven banks that have deliberately helped U.S. clients evade U.S. taxes. In 2008, UBS, Switzerland's largest bank, admitted doing just that, paid a $780 million fine, and promised to stop opening accounts for U.S. persons without reporting them to the IRS. Earlier this year, Switzerland's oldest bank, Wegelin & Co., pleaded guilty to conspiring with U.S. taxpayers to hide more than $1.2 billion in secret Swiss bank accounts and closed its doors. These are just a few examples of how some foreign banks knowingly impede U.S. tax enforcement efforts, and why the United States needs to be better armed with the tools needed to deal with them.

This bill section also has added significance now that Congress has enacted the Foreign Account Tax Compliance Act or FATCA requiring foreign financial institutions with U.S. investments to disclose all accounts opened by U.S. persons or pay a hefty withholding tax on all of the U.S. investment income they receive. FATCA has begun to go into effect, but some foreign financial institutions are saying that they will refuse to adopt FATCA's approach and will instead stop holding any U.S. investments. While that is their right, the question being raised by some foreign banks planning to comply with FATCA is what happens to the non-FATCA institutions that take on U.S. clients and don't report the accounts to the United States. Right now, the U.S. government has limited ways to take effective action against foreign financial institutions that open secret accounts for U.S. tax evaders. Section 101 of our bill would change that by providing a powerful new tool to deter and stop non-FATCA-compliant institutions from facilitating U.S. tax evasion.

Section 101 is designed to build upon existing Treasury authority to take action against foreign financial institutions that engage in money laundering by extending that same authority to the tax area. In 2001, the Patriot Act gave Treasury the authority under 31 U.S.C. 5318A to require domestic financial institutions and agencies to take special measures with respect to foreign jurisdictions, financial institutions or transactions found to be of ''primary money laundering concern.'' Once Treasury designates a foreign jurisdiction or financial institution to be of primary money laundering concern, Section 5318A allows Treasury to impose a range of requirements on U.S. financial institutions in their dealings with the designated entity—all the way from requiring U.S. financial institutions, for example, to provide greater information than normal about transactions involving the designated entity to prohibiting U.S. financial institutions from opening accounts for that foreign entity.

This Patriot Act authority has been used sparingly, but to telling effect. In some instances Treasury has employed special measures against an entire country, such as Burma, to stop its financial institutions from laundering funds through the U.S. financial system. More often, Treasury has used the authority narrowly against a single problem financial institution, such as a bank in Syria, to stop laundered funds from entering the United States. The provision has clearly succeeded in giving Treasury a powerful tool to protect the U.S. financial system from money laundering abuses.

The bill would authorize Treasury to use that same tool against foreign jurisdictions or financial institutions found by Treasury to be ''significantly impeding U.S. tax enforcement.'' Treasury could, for example, require U.S. financial institutions that have correspondent accounts for a designated foreign bank to produce information on all transactions by that foreign bank executed through a U.S. correspondent bank. Alternatively, Treasury could prohibit U.S. financial institutions from opening accounts for a designated foreign bank, thereby cutting off that foreign bank's access to the U.S. financial system. Those types of sanctions could be as effective in ending tax haven abuses as they have been in curbing money laundering.

In addition to extending Treasury's ability to impose special measures against foreign jurisdictions or financial institutions impeding U.S. tax enforcement, the bill would add a new measure to the list of possible sanctions that could be applied: it would allow Treasury to instruct U.S. financial institutions not to authorize or accept credit or debit card transactions involving a designated foreign jurisdiction or financial institution. Denying tax haven banks the ability to issue credit or debit cards for use in the United States, for example, offers an effective new way to stop U.S. tax avoiders from obtaining access to funds hidden offshore.

This provision is estimated by the Joint Committee on Taxation to raise $880 million over ten years. It was passed by the Senate last year as an amendment to help pay for the transportation bill, but, ultimately, did not make it into law. This non-controversial, completely discretionary power aimed at foreign facilitators of U.S. tax evasion should be enacted into law without further delay.

SECTION 102—STRENGTHENING FATCA

Section 102 of the bill is a new section that seeks to clarify, build upon,

and strengthen the Foreign Account Tax Compliance Act, or FATCA, to flush out hidden foreign accounts and assets used by U.S. taxpayers to evade paying U.S. taxes. The law is currently designed to become effective in stages, beginning in 2013, and will eventually require disclosure of accounts held by U.S. persons at foreign banks, broker-dealers, investment advisers, hedge funds, private equity funds and other financial firms.

Some foreign financial institutions are likely to choose to forego maintaining accounts for U.S. persons rather than comply with FATCA's disclosure rules. If some foreign financial institutions decide not to participate in the FATCA system, that's their business. But if U.S. taxpayers start using those same foreign financial institutions to hide assets and evade U.S. taxes to the tune of $100 billion per year, that's our business. The United States has a right to enforce our tax laws and to expect that financial institutions will not assist U.S. tax cheats.

Section 101 of the bill would provide U.S. authorities with the means to take direct action against foreign financial institutions that decide to operate outside of the FATCA system and allow U.S. clients to open hidden accounts. If the U.S. Treasury determines that such a foreign financial institution is significantly impeding U.S. tax enforcement, Section 101 would give U.S. authorities a menu of special measures that could be taken in response, including prohibiting U.S. banks from doing business with that institution.

Section 102, in contrast, does not seek to take action against a non-FATCA institution, but instead seeks to strengthen U.S. tax enforcement tools with respect to U.S. persons opening accounts at those institutions. Section 102 would also help clarify when foreign financial institutions are obligated to disclose certain accounts to the United States under FATCA.

Background. In 2006, the Permanent Subcommittee on Investigations released a report with six case histories detailing how U.S. taxpayers were using offshore tax havens to avoid payment of the taxes they owed. These case histories examined an internet-based company that helped persons obtain offshore entities and accounts; U.S. promoters that designed complex offshore structures to hide client assets and even providing clients with a how-to manual for going offshore. They also examined U.S. taxpayers who diverted business income offshore through phony loans and invoices; a one-time tax dodge that deducted phantom offshore stock losses from real U.S. stock income to shelter that income from U.S. taxes; and a 13-year offshore network of 58 offshore trusts and corporations built by American brothers Sam and Charles Wyly. Each of these case histories presented the same fact pattern in which the U.S. taxpayer, through lawyers, banks, or other representatives, set up offshore trusts, corporations, or other entities which had all the trappings of independence but, in fact, were controlled by the U.S. taxpayer whose directives were implemented by compliant offshore personnel acting as the trustees, officers, directors, or nominee owners of the offshore entities.

In the case of the Wylys, the brothers and their representatives communicated Wyly directives to a so-called trust protector who then relayed the directives to the offshore trustees and corporate officers. In the 13 years examined by the Subcommittee, the offshore trustees and corporate officers never once rejected a Wyly request and never once initiated an action without Wyly approval. They simply did what they were told, and directed the so-called independent offshore trusts and corporations to do what the Wylys wanted. A U.S. taxpayer in another case history told the Subcommittee that the offshore personnel who nominally owned and controlled his offshore entities, in fact, always followed his directions, describing himself as the ''puppet master'' in charge of his offshore holdings.

When the Subcommittee discussed these case histories with financial administrators from the Isle of Man, the regulators explained that none of the offshore personnel were engaged in any wrongdoing, because their laws permit foreign clients to transmit detailed, daily instructions to offshore service providers on how to handle offshore assets, so long as it is the offshore trustee or corporate officer who gives the final order to buy or sell the assets. They explained that, under their law, an offshore entity is considered legally independent from the person directing its activities so long as that person follows the form of transmitting ''requests'' to the offshore personnel who retain the formal right to make the decisions, even though the offshore personnel always do as they are asked.

The Subcommittee case histories illustrate what the tax literature and law enforcement experience have shown for years: that the business model followed in offshore secrecy jurisdictions is for compliant trustees, corporate administrators, and financial institutions to provide a veneer of independence while ensuring that their U.S. clients retain complete and unfettered control over ''their'' offshore assets. That's the standard operating procedure offshore. Offshore service providers pretend to own or control the offshore trusts, corporations and accounts they help establish, but what they really do is whatever their clients tell them to do.

Rebuttable Evidentiary Presumptions. The reality behind these offshore practices makes a mockery of U.S. laws that normally view trusts and corporations as independent actors. They invite tax avoidance and tax evasion. To combat these abusive offshore practices, Section 102(g) of the bill would implement a bipartisan recommendation in the Levin-Coleman 2006 report by establishing several rebuttable evidentiary presumptions that would presume a U.S. taxpayer controls offshore entities that they create, finance, or from which they benefit, unless the U.S. taxpayer presents clear and convincing evidence to the contrary.

The presumptions would apply only in civil judicial or administrative tax or securities enforcement proceedings examining offshore entities or transactions. They would place the burden of producing evidence from offshore jurisdiction on the taxpayer who chose to open an offshore account at a non-FATCA compliant financial institution and who has access to the information, rather than placing the burden on the federal government that has little practical ability to get the information.

Section 102(g)(1) would establish three evidentiary presumptions in civil tax enforcement efforts. First is a presumption that a U.S. taxpayer who ''formed, transferred assets to, was a beneficiary of, had a beneficial interest in, or received money or property or the use thereof'' from an offshore entity, such as a trust or corporation, controls that entity. Second is a presumption that funds or other property received from offshore are taxable income, and that funds or other property transferred offshore have not yet been taxed. Third is a presumption that a financial account controlled by a U.S. taxpayer in a foreign country contains enough money—$10,000—to trigger an existing statutory reporting threshold and allow the IRS to assert the minimum penalty for nondisclosure of the account by the taxpayer.

Section 102(g)(2) would establish two evidentiary presumptions applicable to civil proceedings to enforce U.S. securities laws. The first would specify that if a director, officer, or major shareholder of a U.S. publicly-traded corporation creates, finances, or benefits from an offshore entity, that U.S. corporation would be presumed to control that offshore entity. The second presumption would provide that securities nominally owned by an offshore entity are presumed to be beneficially owned by any U.S. person who controlled that offshore entity.

All of these presumptions are rebuttable, which means that the U.S. person who is the subject of the presumptions could provide clear and convincing evidence to show that the presumptions were factually inaccurate. To rebut the presumptions, a taxpayer could establish, for example, that an offshore corporation really was controlled by an independent third party, or that money sent from an offshore account really represented a non-taxable gift instead of taxable income. If the taxpayer wished to introduce evidence from a foreign person, such as an offshore banker, corporate officer, or trust administrator, to establish those

facts, that foreign person would have to appear in the U.S. proceeding in a manner that would permit cross examination.

The bill also includes several limitations on the presumptions to ensure their operation is fair and reasonable. First, criminal cases would not be affected by this bill, which would apply only to civil proceedings. Second, the presumptions would come into play only if the IRS or SEC were to challenge a matter in an enforcement proceeding. Third, the bill recognizes that certain classes of offshore transactions, such as corporate reorganizations, may not present a potential for abuse and accordingly authorizes Treasury and the SEC to issue regulations or guidance identifying such classes of transactions to which the presumptions would not apply.

An even more fundamental limitation on the presumptions is that they would apply only to U.S. persons who directly or through an offshore entity choose to do business with a ''nonFATCA institution,'' meaning a foreign financial institution that has not adopted the FATCA disclosure requirements and instead takes advantage of banking, corporate, and tax secrecy laws and practices that make it very difficult for U.S. tax authorities to detect financial accounts benefiting U.S. persons.

FATCA's disclosure requirements were designed to combat offshore secrecy and flush out hidden accounts being used by U.S. persons to evade U.S. taxes. Section 102(g) would continue the fight by allowing federal authorities to benefit from rebuttable presumptions regarding the control, ownership and assets of offshore entities that open accounts at financial institutions outside the FATCA disclosure system. These presumptions would allow U.S. law enforcement to establish what we all know from experience is normally the case in an offshore jurisdiction: that a U.S. person who creates, finances, or benefits from an offshore entity controls that entity; that money and property sent to or from an offshore entity involves taxable income; and that an offshore account that has not been disclosed to U.S. authorities should become subject to inspection. U.S. law enforcement needs to establish those facts presumptively, without having to pierce the secrecy veil, because of the difficulty of getting access to the relevant information. At the same time, U.S. persons who chose to transact their affairs through accounts at a non-FACTA institution are given the opportunity to lift the veil of secrecy and demonstrate that the presumptions are factually incorrect. These rebuttable evidentiary presumptions would provide U.S. tax and securities law enforcement with powerful new tools to end tax haven abuses.

FATCA Disclosure Obligations. In addition to establishing presumptions, Section 102 would make several changes to clarify and strengthen FATCA's disclosure obligations.

Section 102(b) would amend 26 U.S.C. Section 1471 to make it clear that the types of financial accounts that must be disclosed by foreign financial institutions under FATCA include not just savings, money market or securities accounts, but also transaction accounts, such as checking accounts, that some banks might claim are not depository accounts. This section would also make it clear that financial institutions may not omit from their disclosures client assets in the form of derivatives, including swap agreements.

Section 102(c) would amend 26 U.S.C. 1472 to clarify when a withholding agent ''knows or has reason to know'' that an account is directly or indirectly owned by a U.S. person and must be disclosed to the United States. The bill provision would make it clear that the withholding agent would have to take into account information obtained as the result of ''any customer identification, anti-money laundering, anti-corruption, or similar obligation to identify accountholders.'' In other words, if a foreign bank knows, as a result of due diligence inquiries made under its anti-money laundering program, that a non-U.S. corporation was beneficially owned by a U.S. person, the foreign bank would have to report that account to the IRS—it could not treat the offshore corporation as a non-U.S. customer. That approach is already implied in the existing statutory language and is part of the regulations that have been issued to implement FATCA, but this amendment would make it crystal clear.

Section 102(c) would also amend the law to make it clear that the Treasury Secretary, when exercising authority under FATCA to waive disclosure or withholding requirements for non-financial foreign entities, can waive those requirements only for a class of entities that the Secretary identifies as ''posing a low risk of tax evasion.'' A variety of foreign financial institutions have pressed Treasury to issue waivers under Section 1472, and this amendment would make it clear that such waivers are possible only when the risk of tax evasion is minimal.

Section 102(d) would amend 26 U.S.C. 1473 to clarify that the definition of ''substantial United States owner'' includes U.S. persons who are beneficial owners of corporations or the beneficial owner of an entity that is one of the partners in a partnership. While the current statutory language already implies that beneficial owners are included, this amendment would leave no doubt.

Section 102(e) would amend 26 U.S.C. 1474 to make two exceptions to the statutory provision which makes account information disclosed to the IRS by foreign financial institutions under FATCA confidential tax return information. The first exception would allow the IRS to disclose the account information to federal law enforcement agencies, including the SEC and bank regulators, investigating possible violations of U.S. law. The second would allow the IRS to disclose the name of any foreign financial institution whose disclosure agreement under FATCA was terminated, either by the institution, its government, or the IRS. Financial institutions should not be able to portray themselves as FATCA institutions if, in fact, they are not.

Section 102(f) would amend 26 U.S.C. 6038D, which creates a new tax return disclosure obligation for U.S. taxpayers with interests in ''specified foreign financial assets,'' to clarify that the disclosure requirement applies not only to persons who have a direct or nominal ownership interest in those foreign financial assets, but also to persons who have a beneficial ownership interest in them. While the existing statutory language implies this broad reporting obligation, the amendment would make it clear.

Finally, Section 102(a) would amend a new annual tax return obligation established in 26 U.S.C. 1298(f) for passive foreign investment companies (PFICs). PFICs are typically used as holding companies for foreign assets held by U.S. persons, and the intent of the new Section 1298(f) is to require all PFICs to begin filing annual informational tax returns with the IRS. The current statutory language, however, limits the disclosure obligation to any U.S. person who is a ''shareholder'' in a PFIC, and does not cover PFICs whose shares may be nominally held by an offshore corporation or trust, but beneficially owned by a U.S. person. The bill provision would broaden the PFIC reporting requirement to apply to any U.S. person who ''directly or indirectly, forms, transfers assets to, is a beneficiary of, has a beneficial interest in, or receives money or property or the use thereof'' from a PFIC. That broader formulation of who should file the new PFIC annual tax return would ensure that virtually all PFICs formed by, financed by, or benefiting U.S. persons are required to file informational returns with the IRS.

SECTION 103—CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES

Section 103 of the bill focuses on corporations which claim foreign status—often in a tax haven jurisdiction—in order to avoid payment of U.S. taxes, but then operate right here in the United States in direct competition with domestic corporations that are paying their fair share.

This offshore game is all too common. In 2008, the Senate Finance Committee held a hearing describing a trip made by GAO to the Cayman Islands to look at the infamous Ugland House, a five-story building that is the official address for over 18,800 registered companies. GAO found that about half of the alleged Ugland House tenants—around 9,000 entities—had a billing address in the United States and were not actual occupants of the building. In fact, GAO determined that none of the companies registered at the Ugland

House had office space or actual employees there. GAO found that the only true occupant of the building was a Cayman law firm, Maples and Calder.

Here's what the GAO wrote:

> Very few Ugland House registered entities have a significant physical presence in the Cayman Islands or carry out business in the Cayman Islands. According to Maples and Calder partners, the persons establishing these entities are typically referred to Maples by counsel from outside the Cayman Islands, fund managers, and investment banks. As of March 2008 the Cayman Islands Registrar reported that 18,857 entities were registered at the Ugland House address. Approximately 96 percent of these entities were classified as exempted entities under Cayman Islands law, and were thus generally prohibited from carrying out domestic business within the Cayman Islands.

Section 103 of the bill is designed to address the Ugland House problem. It focuses on the situation where a corporation is incorporated in a tax haven as a mere shell operation with little or no physical presence or employees in the jurisdiction. The shell entity pretends it is operating in the tax haven even though its key personnel and decisionmakers are in the United States. This set up allows the owners of the shell entity to take advantage of all of the benefits provided by U.S. legal, educational, financial and commercial systems and at the same time avoid paying U.S. taxes.

My Subcommittee has seen numerous companies exploit this situation, declaring themselves to be foreign corporations even though they really operate out of the United States. For example, thousands of hedge funds whose managers live and work in the United States play this game to escape taxes and avoid regulation. In an October 2008 Subcommittee hearing, three sizeable hedge funds, Highbridge Capital which is associated with JPMorgan Chase, Angelo Gordon, and Maverick Capital, acknowledged that, although all claimed to be Cayman Island corporations, none had an office or a single full time employee in that jurisdiction. Instead, their offices and key decisionmakers were located and did business right here in the United States.

According to a Wall Street Journal article, over 20 percent of the corporations that made initial public offerings or IPOs in the United States in 2010, were incorporated in Bermuda or the Cayman Islands, but also described themselves to investors as based in another country, such as the United States. The article also described how Samsonite, a Denver-based company, reincorporated in Luxembourg before going public. Too many of these tax-haven incorporations appear to have no purpose other than having the advantage of operating in the United States while avoiding U.S. taxation and undercutting U.S. competitors who pay their taxes.

Still another illustration of the problem came to light earlier this year, in a Subcommittee hearing which disclosed that Apple, a prominent U.S. corporation, had established three wholly-owned subsidiaries in Ireland that claimed the bulk of Apple's foreign sales income, while also claiming not to be tax resident in any country. All three of Apple's Irish subsidiaries were run by personnel located primarily in the United States. Under Irish law, because the management of the corporations was not in Ireland, they were not considered tax residents of Ireland. Under U.S. law, because the corporations were formed in Ireland, they were not considered tax residents of the United States. They were neither here nor there, and paid no corporate income taxes anywhere.

Section 103 would put an end to such corporate fictions and unjustified tax avoidance by profitable multinational corporations through offshore loopholes. It provides that if a corporation is publicly traded or has aggregate gross assets of $50 million or more, and its management and control occurs primarily in the United States, then that corporation will be treated as a U.S. domestic corporation for income tax purposes.

To implement this provision, Treasury is directed to issue regulations to guide the determination of when management and control occur primarily in the United States, looking at whether ''substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States.''

This new section relies on the same principles regarding the true location of ownership and control of a company that underlie the corporate inversion rules adopted in the American Jobs Creation Act of 2005. Those inversion rules, however, do not address the fact that some entities directly incorporate in foreign countries and manage their businesses activities from the United States. Section 103 would level the playing field and ensure that entities which incorporate directly in another country are subject to a similar management and control test. Section 103 is also similar in concept to the substantial presence test in the income tax treaty between the United States and the Netherlands that looks to the primary place of management and control to determine corporate residency.

To address, in particular, the many investment companies that incorporate in tax havens but operate with investment managers who live and work in the United States, Section 103 specifically directs Treasury to issue regulations to specify that, when investment decisions are being made in the United States, the management and control of that corporation shall be treated as occurring primarily in the United States, and that corporation shall be subject to U.S. taxes in the same manner as any other U.S. corporation.

The section would provide exceptions for private companies that once met the section's test for treatment as a domestic corporation but, during a later tax year, fell below the $50 million gross assets test, do not expect to exceed that threshold again, and are granted a waiver by the Treasury Secretary.

If enacted into law, Section 103 would put an end to the unfair situation where some U.S.-based companies pay U.S. taxes, while their competitors set up a shell corporation in a tax haven and are able to defer or escape taxation, despite the fact that their foreign status is nothing more than a paper fiction. This provision has been estimated by the Joint Committee on Taxation to raise $6.6 billion in tax revenues over ten years.

SECTION 104—INCREASED DISCLOSURE OF OFFSHORE ACCOUNTS AND ENTITIES

Offshore tax abuses thrive in secrecy. Section 104(a) attempts to overcome offshore secrecy practices by creating two new disclosure mechanisms requiring third parties to report offshore transactions undertaken by U.S. persons.

The first disclosure mechanism focuses on U.S. financial institutions that open a U.S. account in the name of an offshore entity, such as an offshore trust or corporation, and learn from an anti-money laundering due diligence review, that a U.S. person is the beneficial owner behind that offshore entity. In the Wyly case history examined by the Subcommittee, for example, three major U.S. financial institutions opened dozens of accounts for offshore trusts and corporations that they knew were associated with the Wyly family.

Under current anti-money laundering law, all U.S. financial institutions are supposed to know who is behind an account opened in the name of, for example, an offshore shell corporation or trust. They are supposed to obtain this information to safeguard the U.S. financial system against misuse by terrorists, money launderers, and other criminals.

Under current tax law, a bank or securities broker that opens an account for a U.S. person is also required to give the IRS a 1099 form reporting any capital gains or other reportable income earned on that account. However, the bank or securities broker need not file a 1099 form if the account is owned by a foreign entity not subject to U.S. tax law. Problems arise when an account is opened in the name of an offshore entity that is nominally not subject to tax, but which the bank or broker knows, from its anti-money laundering review, is owned or controlled by a U.S. person who is subject to tax. The U.S. person should be filing a tax return with the IRS reporting the income of the ''controlled foreign corporation.'' However, since he or she knows it is difficult for the IRS to connect an offshore accountholder to a particular taxpayer, the U.S. person

may feel safe in not reporting that income. That complacency might change, however, if the U.S. person knew that the bank or broker who opened the account and learned of the connection had a legal obligation to report any account income to the IRS.

Under current law, the way the regulations are written and typically interpreted, the bank or broker can treat an account opened in the name of a foreign corporation as an account that is held by an independent entity that is separate from the U.S. person, even if it knows that the foreign corporation is acting merely as a screen to hide the identity of the U.S. person, who exercises complete authority over the corporation and benefits from any income earned on the account. Many banks and brokers contend that the current regulations impose no duty on them to file a 1099 form or other form disclosing that type of account to the IRS.

The bill would strengthen current law by expressly requiring a bank or broker that knows, as a result of its anti-money laundering due diligence or otherwise, that a U.S. person is the beneficial owner of a foreign entity that opened an account, to disclose that account to the IRS by filing a 1099 or equivalent form reporting the account income. This reporting obligation would not require banks or brokers to gather any new information—financial institutions are already required to perform anti-money laundering due diligence for accounts opened by offshore shell entities. The bill would instead require U.S. financial institutions to act on what they already know by filing the relevant form with the IRS.

This section would require such reports to the IRS from two sets of financial institutions. The first set is financial institutions that are located and do business in the United States. The second set is foreign financial institutions which are located and do business outside of the United States, but are voluntary participants in either the FATCA or Qualified Intermediary program, and have agreed to provide information to the IRS about certain accounts. Under this section, if a foreign financial institution has an account under the FATCA or QI program, and the accountholder is a non-U.S. entity that is controlled or beneficially owned by a U.S. person, then that foreign financial institution would have to report any reportable assets or income in that account to the IRS. While foreign financial institutions are already required to report such accounts under FATCA regulations, Section 104(a) would provide a clear statutory foundation for those regulatory provisions and extend them to U.S. financial institutions as well.

The second disclosure mechanism created by Section 104(a) targets U.S. financial institutions that open foreign bank accounts for U.S. clients at non-FATCA institutions, meaning foreign financial institutions that have not agreed under FATCA to disclose to the IRS the accounts they open for U.S. persons. Past Subcommittee investigations have found that some U.S. financial institutions help their U.S. clients both to form offshore entities and to open foreign bank accounts for those entities, so that their clients do not even need to leave home to set up an offshore structure. Since non-FATCA institutions, by definition, have no obligation to disclose the accounts to U.S. authorities, Section 104(a) would instead impose that disclosure obligation on the U.S. financial institution that helped set up the account for its U.S. client.

Section 104(b) would impose the same penalties for the failure to report such accounts as apply to the failure to meet other reporting obligations of withholding agents.

SECTION 105—CLOSING THE SWAPS OFFSHORE LOOPHOLE

Section 105 of the bill targets a tax loophole benefiting swap dealers and other parties that enter into swap arrangements, which I call the swaps offshore loophole.

In simple terms, a swap is a financial contract in which two parties typically bet against each other on the performance of a referenced financial instrument or on the outcome of a referenced event over a specified period of time. The bet can be about whether a commodity price or stock value will go up or down over time, whether one foreign currency or interest rate will gain or lose value compared to another during the covered period, or whether a corporate bond or sovereign country will default before a specified date. Those swaps are generally referred to as commodity, equity, interest rate, foreign currency, or credit default swaps. Sometimes swaps are used, not to place bets, but to allocate revenue streams over time. For example, in a ''total return swap,'' one party may promise to pay the other party all financial returns produced by a referenced financial instrument during the covered period. In many swaps, one party makes a series of payments to the other during the covered period to reflect the change in value of the swap over time.

Ten years ago, few people outside of financial circles had ever heard of a swap, but we all learned a great deal about them during the financial crisis. We watched AIG teeter on the brink of bankruptcy from issuing credit default swaps whose collateral calls it could not meet, needing a $182 billion rescue with taxpayer dollars. Since then, we have seen credit default swaps play roles in financial crises around the world from Greece to Ireland to Portugal. We have also learned that virtually all major U.S. banks engage in interest rate and foreign currency swaps, and have seen U.S. cities like Detroit incur major losses from entering into complex interest rate swaps that went sour. We have also learned that global swap markets have grown so large that, by the end of 2012, according to the Bank for International Settlements, their dollar value topped $560 trillion.

Well it turns out that there's a tax angle that promotes not only swaps dealing, but also offshore finagling. That's because U.S. tax regulations currently allow swap payments that are sent from the United States to someone offshore to be treated as non-U.S. source income that may escape U.S. taxation. Let me repeat that. Under existing IRS regulations, swap payments sent from the United States are deemed to be non-U.S. source income to the recipient for U.S. tax purposes. That is because current IRS regulations deem the ''source'' of the swap payment to be where the payment ends up—the exact opposite of the normal meaning of the word ''source.''

You can imagine the use that some hedge funds that are managed here in the United States, but are incorporated offshore and maintain post office boxes and bank accounts in tax havens, may be making of that tax loophole. They can tell their swap counterparties in the United States to send any swap payments to their offshore post box or bank account, tell Uncle Sam that those payments are legally considered non-U.S. source income, and count the swap payments they receive as foreign income not subject to U.S. tax. Hedge funds are likely far from alone in sheltering their swap income from taxation by sending it offshore. Banks, securities firms, other financial firms and a lot of commercial firms may be doing the same thing.

Our bill would shut down that offshore game simply by recognizing reality—that swap payments sent from the United States are U.S. source income subject to taxation.

TITLE II—OTHER MEASURES TO COMBAT TAX HAVEN ABUSES

The second title of the bill concentrates on strengthening key domestic measures used to combat offshore tax abuse. Its provisions focus on strengthening corporate offshore disclosure requirements and nondisclosure penalties, anti-money laundering safeguards used to screen incoming offshore funds, procedures to authorize John Doe summonses used to uncover the identities of tax dodgers, and Foreign Bank Account Reports used to identify assets held offshore.

SECTION 201—COUNTRY-BY-COUNTRY REPORTING

Section 201 of the bill would tackle the problem of offshore secrecy that currently surrounds most multinational corporations by requiring them to provide basic information on a country-by-country basis to the investing public and government authorities.

Many multinationals today are complex businesses with sprawling operations that cross multiple international boundaries. In many cases, no one outside of the corporations themselves knows much about what a particular corporation is doing on a per

country basis or how its country-specific activities fit into the corporation's overall performance, planning, and operations.

The lack of country-specific information deprives investors of key data to analyze a multinational's financial health, exposure to individual countries' problems, and worldwide operations. There is also a lack of information to evaluate tax revenues on a country-specific basis to combat tax evasion, financial fraud, and corruption by government officials.

The lack of country-specific information impedes efficient tax administration and leaves tax authorities unable to effectively analyze transfer pricing arrangements, foreign tax credits, business arrangements that attempt to play one country off another to avoid taxation, and illicit tactics to move profits to tax havens.

For example, earlier this year, the Subcommittee hearing on Apple disclosed for the first time that it had three wholly owned subsidiaries in Ireland which claimed the bulk of Apple's sales income, but also claimed not to be tax resident in any country. One of those subsidiaries, Apple Operations International, had no physical presence at any address and, in thirty years of existence, no employees. It was run entirely from the United States, but claimed it was not a U.S. tax resident. Over a four year period from 2009 to 2012, it declared $30 billion in revenues, but paid no corporate income tax in the United States, Ireland, or any other jurisdiction. Apple Sales International, a second Irish subsidiary, received sales revenue over a three-year period, from 2009 to 2011, totaling $74 billion, but did not declare any of that income in the United States and apparently only a tiny fraction in Ireland. In 2011, for example, it paid no corporate income taxes at all in the United States and only $10 million in taxes in Ireland on $22 billion in income, producing an overall tax rate of five-hundreds of one percent. It is far from clear that either U.S. or Irish tax authorities were fully aware of the actions taken by Apple to avoid taxation in both countries.

Apple is far from alone. Over the last two years, other multinational corporations, including Starbucks, Amazon, Google, and others, have been excoriated for failing to pay taxes in countries where they have massive sales. Earlier this month, leaders of the G–20 countries declared aggressive multinational corporate tax avoidance through profit shifting was a global problem, and called for profits to be taxed where economic activities added value or produced profits. The G–20 leaders, including President Obama, committed their countries to engaging in automatic information sharing to stop tax evasion and to support an ongoing effort by the Organization for Cooperation and Economic Development the OECD to develop global tax principles aimed at ending corporate profit shifting and tax avoidance. They also endorsed an ongoing OECD effort to develop a standard template for multinational corporations to disclose their income and taxes on a per country basis.

Section 201 of our bill would help the United States carry out its G–20 commitment to combat multinational tax avoidance while also assisting U.S. investors and tax administrators to identify U.S. corporations engaged in profit shifting and tax avoidance. The bill would accomplish those objectives by requiring corporations that are registered with the Securities and Exchange Commission to provide an annual report with basic information about their operations on a country-by-country basis. Three types of information would have to be provided: the approximate number of corporate employees per country; the total amount of pre-tax gross revenues assigned by the corporation to each country; and the total amount of tax obligations and actual tax payments made by the corporation in each jurisdiction. This information would have to be provided by the corporation in a publicly available annual report filed with the SEC.

The bill requires disclosure of basic data that multinational corporations should already have. The data would not be burdensome to collect. It's just information that is not routinely released by many multinationals. It is time to end the secrecy that now enables too many multinationals to run circles around tax administrators.

In the case of the United States, the value of country-by-country data would provide critical information in the fight against rampant corporate tax evasion. An article by Professor Kimberly Clausing estimated that, in 2008 alone, ''the income shifting of multinational firms reduced U.S. government corporate tax revenue by about $90 billion,'' which was ''approximately 30 percent of corporate tax revenues.'' Think about that. Profit shifting—in which multinationals use various tactics to shift income to tax havens to escape U.S. taxes is—responsible for $90 billion in unpaid taxes in a single year. Over ten years, that translates into $900 billion—nearly a trillion dollars. It is unacceptable to allow that magnitude of nonpayment of corporate taxes to continue year after year in light of the mounting deficits facing this country and the sequestration that has been imposed.

Treasury data shows that the overall share of federal taxes paid by U.S. corporations has fallen dramatically, from 32 percent in 1952, to about 9 percent last year. A 2008 report by the Government Accountability Office found that, over an eight-year period, about 1.2 million U.S. controlled corporations, or 67 percent of the corporate tax returns filed, paid no federal corporate income tax at all, despite total gross receipts of $2.1 trillion. A more recent study found that, over a recent three year period, 30 of the largest U.S. multinationals, with more than $160 billion in profits, paid no federal income taxes at all. A 2013 GAO report found that, contrary to the statutory corporate income tax rate of up to 35 percent, in 2010, overall, large profitable corporations actually paid an effective tax rate of just 12.6 percent. At the same time that corporations are dodging payment of U.S. taxes, corporate misconduct is continuing to drain the U.S. treasury of billions upon billions of taxpayer dollars to combat mortgage fraud, oil spills, bank bailouts, and more.

Corporate nonpayment of tax involves a host of issues, but transfer pricing and offshore tax dodging by multinationals is a big part of the problem. Section 201 of the bill would take the necessary first step to stop transfer pricing abuses by requiring clear disclosures of basic corporate data on a country-by-country basis.

SECTION 202—$1 MILLION PENALTY FOR HIDING OFFSHORE STOCK HOLDINGS

Section 202 of the bill addresses a different offshore abuse. In addition to tax abuses, the 2006 Subcommittee investigation into the Wyly case history uncovered a host of troubling transactions involving U.S. securities held by the 58 offshore trusts and corporations associated with the two Wyly brothers. Over the course of a number of years, the Wylys had obtained about $190 million in stock options as compensation from three U.S. publicly traded corporations at which they were directors and major shareholders. Over time, the Wylys transferred those stock options to the network of offshore entities they had established.

The investigation found that, for years, the Wylys had generally failed to report the offshore entities' stock holdings or transactions in their filings with the Securities and Exchange Commission (SEC). They did not report those stock holdings on the ground that the 58 offshore trusts and corporations functioned as independent entities, even though the Wylys continued to direct the entities' investment and other activities. The public companies where the Wylys were corporate insiders also failed to include in their SEC filings information about the company shares held by the offshore entities, even though the companies knew of their close relationship to the Wylys, that the Wylys had provided the offshore entities with significant stock options, and that the offshore entities held large blocks of the company stock. On other occasions, the public companies and various financial institutions failed to treat the shares held by the offshore entities as affiliated stock, even though they were aware of the offshore entities' close association with the Wylys. The investigation found that, because both the Wylys and the public companies had failed to disclose the holdings of the offshore entities, for 13 years federal regulators had been unaware of those stock holdings and the relationships between the offshore entities and the Wyly brothers.

Corporate insiders and public companies are already obligated by current law to disclose stock holdings and transactions of offshore entities affiliated with a company director, officer, or major shareholder. In fact, in 2010, the SEC filed a civil complaint against the Wylys in connection with their hidden offshore holdings and alleged insider trading. Current penalties, however, appear insufficient to ensure compliance in light of the low likelihood that U.S. authorities will learn of transactions that take place in an offshore jurisdiction. To address this problem, Section 202 of the bill would establish a new monetary penalty of up to $1 million for persons who knowingly fail to disclose offshore stock holdings and transactions in violation of U.S. securities laws.

SECTIONS 203 AND 204—ANTI-MONEY LAUNDERING PROGRAMS

The next two sections of the bill seek to establish preventative programs to screen offshore money being sent into the United States through private investment funds.

The Subcommittee's 2006 investigation showed that the Wyly brothers used two hedge funds and a private equity fund controlled by them to funnel millions of untaxed offshore dollars into U.S. investments. Other Subcommittee investigations provide extensive evidence of the role played by U.S. formation agents in assisting U.S. persons to set up offshore structures as well as U.S. shell companies later used in illicit activities, including tax evasion, money laundering, and other misconduct. Because hedge funds, private equity funds, and formation agents are as vulnerable as other financial institutions to money launderers seeking entry into the U.S. financial system, the bill contains two provisions aimed at ensuring that these groups know who their clients are and do not transmit suspect funds into the U.S. financial system.

Currently, hedge funds and private equity funds are free to transmit substantial offshore funds into the United States without the same safeguards that apply to other financial institutions—anti-money laundering programs that require them to know their customers, understand where substantial funds are coming from, and report suspicious activity. There is no reason why this sector of our financial services industry should continue to serve as an unfettered gateway into the U.S. financial system for substantial funds that could be connected to tax evasion, money laundering, terrorism, drug trafficking, or other misconduct.

In 2001, after the 9/11 terrorist attack, the Patriot Act required all U.S. financial institutions to put anti-money laundering programs in place. Eleven years ago, in 2002, in compliance with the Patriot Act, the Treasury Department proposed anti-money laundering regulations for hedge funds and private equity companies, but never finalized them. In 2008, the Department withdrew them with no explanation. Section 203 of the bill would require Treasury to get back on track and issue final anti-money laundering regulations for investment advisors to hedge funds and private equity companies registered with the SEC. Treasury would be free to draw upon its 2002 proposal, and would have 180 days after enactment of the bill to propose a rule and another 270 days to finalize it and put in place the same types of safeguards that now apply to all other financial firms.

In addition, Section 204 of the bill would add formation agents to the list of persons with anti-money laundering obligations. For the first time, those engaged in the business of forming corporations, trusts, and other entities, both offshore and in the 50 States, would be responsible for knowing who their clients are and avoiding suspect funds. The bill directs Treasury to develop anti-money laundering regulations for this group in a little over a year. Treasury's key anti-money laundering agency, the Financial Crimes Enforcement Network, testified before the Subcommittee in 2006, that it was considering drafting such regulations but seven years later has yet to do so. Section 204 also creates an exemption for government personnel and for attorneys who use paid formation agents when forming entities for their clients. Because paid formation agents would already be subject to anti-money laundering obligations under the bill, there would be no reason to simultaneously subject attorneys using their services to the same anti-money laundering requirements.

We expect and intend that, as in the case of all other entities required to institute anti-money laundering programs, the regulations issued in response to this bill would instruct hedge funds, private equity funds and formation agents to adopt risk-based procedures that would concentrate their due diligence efforts on clients and funds that pose the highest risks of injecting suspect funds into the United States.

SECTION 205—IRS JOHN DOE SUMMONS

Section 205 of the bill focuses on an important tool used by the IRS in recent years to uncover taxpayers involved in offshore tax schemes, known as a John Doe summons. Section 205 would make three technical changes to make the use of a John Doe summons more effective in offshore and other complex investigations.

A John Doe summons is an administrative IRS summons used to request information in cases where the identity of a taxpayer is unknown. In cases involving a known taxpayer, the IRS may issue a summons to a third party to obtain information about that U.S. taxpayer, but must also notify the taxpayer who then has 20 days to petition a court to quash the summons to the third party. With a John Doe summons, however, the IRS does not have the taxpayer's name and does not know where to send the taxpayer notice, so the statute substitutes a procedure in which the IRS must instead apply to a court for advance permission to serve the summons on the third party. To obtain approval of the summons, the IRS must show the court, in public filings to be resolved in open court, that: (1) the summons relates to a particular person or ascertainable class of persons, (2) there is a reasonable basis for concluding that there is a tax compliance issue involving that person or class of persons, and (3) the information sought is not readily available from other sources.

In recent years, the IRS has used John Doe summonses to obtain information about taxpayers operating in offshore secrecy jurisdictions. For example, the IRS obtained court approval to serve a John Doe summons on a Swiss bank, UBS AG, to obtain the names of thousands of U.S. clients who opened UBS accounts in Switzerland without disclosing those accounts to the IRS. That landmark effort to overcome Swiss secrecy laws led to the bank's turning over thousands of U.S. client names to the United States and to the Swiss government's announcing it would no longer use its secrecy laws to protect U.S. tax evaders. In earlier years, the IRS obtained court approval to issue John Doe summonses to credit card associations, credit card processors, and credit card merchants, to collect information about taxpayers using credit cards issued by offshore banks. This information has led to many successful cases in which the IRS has identified funds hidden offshore and recovered unpaid taxes.

Currently, however, use of the John Doe summons process is time consuming and expensive. For each John Doe summons involving an offshore secrecy jurisdiction, the IRS has had to establish in court that the involvement of accounts and transactions in that offshore secrecy jurisdiction meant that there was a significant likelihood of tax compliance problems. To relieve the IRS of the need to make this same proof over and over in court after court, the bill would provide that, in any John Doe summons proceeding involving a class defined in terms of a correspondent or payable-through account involving a non-FATCA institution, the court may presume that the case raises tax compliance issues. This presumption would then eliminate the need for the IRS to repeatedly establish in court the obvious fact that accounts at non-FATCA institutions raise tax compliance issues.

In addition, Section 205 would streamline the John Doe summons approval process in large ''project'' investigations where the IRS anticipates issuing multiple summonses to definable classes of third parties, such as banks or credit card associations, to obtain information related to particular taxpayers. Right now, for each summons issued in connection with a

project, the IRS has to obtain the approval of a court, often having to repeatedly establish the same facts before multiple judges in multiple courts. This repetitive exercise wastes IRS, Justice Department, and court resources, and fragments oversight of the overall IRS investigative effort.

To streamline this process and strengthen court oversight of IRS use of John Doe summons, the bill would authorize the IRS to present an investigative project, as a whole, to a single judge to obtain approval for issuing multiple summonses related to that project. In such cases, the court would retain jurisdiction over the case after approval is granted, to exercise ongoing oversight of IRS issuance of summonses under the project. To further strengthen court oversight, the IRS would be required to file a publicly available report with the court on at least an annual basis describing the summonses issued under the project. The court would retain authority to restrict the use of further summonses at any point during the project.

SECTION 206—FBAR INVESTIGATIONS AND SUSPICIOUS ACTIVITY REPORTS

Section 206 of the bill contains several provisions to strengthen the ability of the IRS to enforce the Foreign Bank Account Report (FBAR) requirements and clarify the right of access by IRS civil enforcement authorities to Suspicious Activity Reports.

Under present law, a person controlling a foreign financial account with over $10,000 is required to check a box on his or her income tax return and, under Title 31, also file an FBAR form with the IRS. Treasury has delegated to the IRS responsibility for investigating FBAR violations and assessing FBAR penalties. Because the FBAR enforcement jurisdiction derives from Title 31, however, the IRS has set up a complex process for when its personnel may use tax return information when acting in its role as FBAR enforcer. The tax disclosure law, in Section 6103(b)(4) of the tax code, permits the use of tax information only for the administration of the internal revenue laws or ''related statutes.'' To implement this statutory requirement, the IRS currently requires its personnel to determine, at a managerial level and on a case by case basis, that the Title 31 FBAR law is a ''related statute.'' Not only does this necessitate a repetitive determination in every FBAR case before an IRS agent can look at the potential non-filer's income tax return to determine if such filer checked the FBAR box, but it also prevents the IRS from comparing FBAR filing records to bulk data on foreign accounts received from tax treaty partners to find non-filers.

One of the stated purposes for the FBAR filing requirement is that such reports ''have a high degree of usefulness in . . . tax . . . investigations or proceedings.'' 31 U.S.C. §5311. If one of the reasons for requiring taxpayers to file FBARs is to use the information for tax purposes, and if the IRS has been charged with FBAR enforcement because of the FBARs' close connection to tax administration, common sense dictates that the FBAR statute should be viewed as a ''related statute'' for tax disclosure purposes. Section 206(a) of the bill would make that clear by adding a provision to Section 6103(b) of the tax code deeming FBAR-related statutes to be ''related statutes,'' thereby allowing IRS personnel to make routine use of tax return information when working on FBAR matters.

The second change that would be made by Section 206 is an amendment to simplify the calculation of FBAR penalties. Currently the penalty is determined in part by the balance in the foreign bank account at the time of the ''violation.'' The violation has been interpreted to have occurred on the due date of the FBAR return, which is June 30 of the year following the year to which the report relates. The statute's use of this specific June 30th date can lead to strange results if money is withdrawn from the foreign account after the reporting period closed but before the return due date. To eliminate this unintended problem, Section 206(b) of the bill would instead calculate the penalty using the highest balance in the account during the covered reporting period.

The third part of Section 206 relates to Suspicious Activity Reports or SARs, which financial institutions are required to file with the Financial Crimes Enforcement Center (FinCEN) of the Treasury Department when they encounter suspicious transactions. FinCEN is required to share this information with law enforcement, but currently does not permit IRS civil investigators access to the information, even though IRS civil investigators are federal law enforcement officials. Sharing SAR information with civil IRS investigators would likely prove very useful in tax investigations and would not increase the risk of disclosure of SAR information, because IRS civil personnel operate under the same tough confidentiality rules as IRS criminal investigators. In some cases, IRS civil agents are now issuing an IRS summons to a financial institution to get access, for a production fee, to the very same information the financial institution has already filed with Treasury in a SAR. Section 206(c) of the bill would end that inefficient and costly practice by making it clear that ''law enforcement'' includes civil tax law enforcement.

TITLE III—ENDING CORPORATE OFFSHORE TAX AVOIDANCE

The first two titles of the bill focus primarily on strengthening tools needed to identify, stop, and punish offshore tax evasion, concentrating on activities that, for the most part, are already illegal. Another problem, however, are actions taken by multinational corporations to exploit loopholes in our tax code. Title III of the bill seeks to close loopholes that contribute to offshore tax abuse and create incentives for U.S. corporations to send jobs and operations offshore. Most of these provisions are modeled after recommendations made by the President in his budget proposals.

Earlier this month, the G–20 leaders endorsed efforts to prevent tax avoidance and tax evasion through offshore structures. They stated that ''international tax rules, which date back to the 1920's, have not kept pace with the changing business environment, including the growing importance of intangibles and the digital economy.'' They agreed that base erosion and profit shifting (BEPS) deprives countries across the world of the funds needed to finance their governments, and results in an unfair burden on the citizens who must make up the lost revenues through increased taxes. The G–20 leaders issued a declaration that ''we must move forward in fighting BEPS practices so that we ensure a fair contribution of all productive sectors to the financing of public spending in our countries.''

The provisions we are offering today would help do just that.

SECTION 301—ALLOCATION OF EXPENSES AND TAXES ON THE BASIS OF REPATRIATION OF FOREIGN INCOME

Section 301 addresses two key loopholes in the taxation of multinational corporations. First, it would stop corporations from taking current deductions for expenses arising from moving assets and operations abroad while being able to still defer paying U.S. income taxes on the income generated from those assets and operations.

Offshore Expenses. Under current law, a multinational corporation can lower its U.S. taxes by taking deductions for offshore expenses currently, while deferring paying taxes on its related income. For example, if a U.S.-based company borrows money in the United States to build a factory offshore, then it can deduct currently the interest expense it pays on the loan from its U.S. taxes. It can also deduct currently the expenses of moving materials to the offshore factory and for operating the offshore factory on an ongoing basis. But the company doesn't have to pay U.S. taxes on any of the income arising from its offshore factory operations until it chooses to return that income to the United States. The end result is that the multinational corporation currently deducts the offshore expenses from its taxable income, while deferring taxes on the offshore income related to those expenses. That deduction-income mismatch creates a tax incentive for corporations to move their operations, jobs, and profits offshore.

Section 301 of the bill would eliminate that offshore incentive by allowing multinationals to claim deductions only for the expenses of producing foreign income when they have repatriated the income back to the U.S. parent corporation and paid taxes on it. For corporations that choose to immediately repatriate, and thus pay taxes

on, their foreign earnings, the bill would present no change from current tax policy. But for multinational corporations that park their overseas earnings outside the United States, and defer paying any taxes on those earnings, the bill would no longer allow them to claim U.S. tax deductions for expenses associated with those same overseas operations, again, unless and until they return the profits to the United States and pay taxes on them.

It simply does not make sense for American taxpayers to subsidize the offshoring of American jobs and operations—but that is exactly what the current tax code is doing. The bill being introduced today would stop that unjustified tax subsidy.

This provision has been proposed in various forms in the President's budget proposals, and is estimated by the Joint Committee on Taxation to raise $60 billion over ten years.

Foreign Tax Credits. The second loophole addressed by Section 301 would fix a complex mathematical game played by multinational corporations with how they calculate their foreign tax credits. Our proposal, which the President has included in his budget proposals, would close the loophole that allows multinationals to use excess foreign tax credits from higher tax jurisdictions to shelter income run through lower tax jurisdictions from U.S. taxes. There is bipartisan agreement that this issue needs to be addressed.

The first part of this mathematical game is straightforward. Under current law, the tax code protects U.S. taxpayers from double taxation of foreign income by allowing them to claim a foreign tax credit for taxes paid to a foreign jurisdiction. Those foreign tax credits can be used to offset U.S. income taxes owed by the corporation.

Here is an example. Suppose ABC Corporation, a U.S. multinational corporation, has $100 in income in Higher Tax Country where it is taxed at 40 percent, and another $100 in income in Lower Tax Country where it is taxed at 0 percent. Because ABC Corp. paid $40 in taxes to Higher Tax Country, it would generate a $40 foreign tax credit which it could immediately use to lower its U.S. taxes when it repatriates the foreign income.

Now here is where it gets a bit more complex. Under current law, the corporation can use some of the foreign tax credits generated from paying taxes in one country to shield from U.S. taxes foreign income attributed to another country, including a tax haven.

Right now, if a corporation earns foreign tax credits from a higher tax jurisdiction and those tax credits exceed the amount used to offset the corporation's U.S. tax liability upon repatriation, current law allows those excess credits to be applied to offset U.S tax on income repatriated from a lower-tax jurisdiction, typically a tax haven.

Let's go back to our example, using the current maximum U.S. corporate tax rate of 35 percent. ABC Corp. has generated a $40 foreign tax credit from the taxes it paid to Higher Tax Country. The $40 foreign tax credit allows ABC Corp. to repatriate all $100 of its income from Higher Tax Country free of U.S. tax. Since that income had already been taxed by Higher Tax Country, it is reasonable under the principle of avoiding double taxation that the corporation should not have to pay any further U.S. tax on that income.

But repatriating that $100 would use up only $35 of the corporation's $40 foreign tax credit, with a $5 foreign tax credit left over. Under current law, the corporation could then repatriate another $14 of offshore income from Lower Tax Country, and use its left over $5 foreign tax credit to shelter that income from U.S. taxes. But foreign tax credits are supposed to prevent double taxation of the same income, not shield foreign income from any taxation at all. By allowing that use of excess foreign tax credits, the tax code encourages multinationals to run income through tax havens.

To change that outcome, the bill would require corporations to pool their foreign tax credits. The bill would then limit the amount of tax credits that could be used, by allowing only that percent of its foreign tax credits equal to the percent of foreign income that the corporation has repatriated that year. For example, if the corporation repatriated only 10 percent of its foreign income, it could use only 10 percent of its foreign tax credits.

By aggregating the foreign tax credits of multinational corporations, the bill would remove the tax incentive for locating offshore income in low-tax jurisdictions, while leveling the global playing field for multinationals operating in multiple countries. The Joint Committee on Taxation has estimated that this provision would raise $55 billion over 10 years.

SECTION 302—EXCESS INCOME FROM TRANSFERS OF INTANGIBLES TO LOW-TAXED AFFILIATES

Section 302 of the bill addresses the problem of corporate transfers of intangible property offshore, an area rampant with tax abuse.

Intangible property includes such valuable items as patents, trademarks, and marketing and distribution rights. Under U.S. tax law, if a multinational corporation has valuable intellectual property, it can sell that property to its wholly-owned offshore subsidiary. So long as the corporation complies with a set of complicated ''transfer pricing'' rules, the corporation can then treat any income generated from that intellectual property as offshore income, and defer paying U.S. taxes on it.

Current transfer pricing rules are intended to ensure that the U.S. parent receives fair compensation in return for the sale of its property rights to its offshore subsidiary, but these rules are not working.

Last year, the Subcommittee held a hearing exposing how the current system works in a case history involving Microsoft. The hearing showed how Microsoft sold key intellectual property rights to an Irish subsidiary it had established for $2.8 billion. That subsidiary then turned around and sold the rights to other Microsoft offshore subsidiaries for $9 billion, immediately shifting more than $6 billion in profits offshore, without paying any U.S. taxes.

But Microsoft did not stop there. The U.S. parent also sold the right to market its products in North and South America to another offshore subsidiary and then bought back from that same subsidiary the right to sell Microsoft products in the United States in exchange for payment of licensing fees. In 2011, its offshore licensing agreement translated into Microsoft sending 47 cents of every U.S. sales dollar to its offshore subsidiary, shifting even more U.S. source income offshore. In total, over a three-year period, Microsoft used its transfer pricing gimmick to avoid paying $4.5 billion in U.S. corporate income taxes, or $4 million in taxes per day. Think about that. Microsoft products are developed here. They are sold here, to customers here. And yet Microsoft paid no taxes here on nearly half of its U.S. sales income, because current U.S. tax law allowed Microsoft to send that money offshore and defer indefinitely paying U.S. taxes on it.

The code currently includes provisions, particularly Sections 367(d) and 482, designed to stop multinationals from improperly transferring property offshore to avoid U.S. taxes. Those provisions, and the corresponding regulations, require that transfers of property from a U.S. parent to a ''controlled foreign corporation,'' or CFC, be conducted at an ''arms-length'' price. The problem, however, is that determining an arms-length price for an intellectual property transaction demands analysis of complex facts with no decisive evidence of the proper price. Every case requires expensive and time consuming analysis by the IRS as well as expensive and time consuming litigation if the IRS decides to try to overturn an abusive transaction.

Section 302 of the bill would help erect a backstop to prevent unfair valuations of intellectual property being used to send money offshore. Specifically, if evidence indicated that the transferred property's value exceeded 150 percent of the transfer price, and it was transferred to a tax haven, then all gross income attributed to the use of such transferred property over 150 percent of the costs allocated to such gross income would be treated as Subpart F income subject to U.S. taxation. In the case of Microsoft, for example, since the re-transfer of its intellectual property rights for $9 billion exceeded the original transfer price of $2.8 billion by more than 150 percent, it would have triggered taxation on the excess amount. While the Microsoft transactions may very well violate existing transfer pricing laws based on

arms-length determinations, Section 302 would make explicit that when offshore transfers result in large profits being transferred to an offshore CFC, those excess profits are subject to immediate taxation by the United States, without mandating a complex arms-length evaluation.

Section 302 has been designed to avoid taxation of legitimate business transfers. For example, to avoid capturing income related to legitimate business operations by the foreign subsidiary using intangible property, income derived from such subsidiary's actual use in the country would be entirely excluded from any excess income calculation. Further, to avoid impacting legitimate operations that simply earn high rates of return due to a business success, the provision targets only profits that are not taxed by the foreign jurisdiction. To do so, this provision exempts income that is taxed by a foreign jurisdiction at a rate of more than 15 percent, with a phase out set for rates between 10 percent and 15 percent. In most cases, this exemption would limit the impact of the provision so that it would affect only subsidiaries located in tax haven jurisdictions, which, of course, are the most likely candidates for abuse.

We are not alone in targeting transfer pricing abuses involving intellectual and other intangible property. The international community has recognized the severity of these abuses when the G–20 leaders recently called for ''ensuring that profits associated with the transfer and use of intangibles are appropriately allocated in accordance with (rather than divorced from) value creation.'' The leaders went on to endorse ''developing transfer pricing rules or special measures for transfer of hard-to-value intangibles.''

Section 302 does not change U.S. transfer pricing rules generally. Instead it simply creates a backstop to ensure that a corporation cannot avoid taxes by transferring its property to an offshore subsidiary in a tax haven, and then enjoy windfall profits far in excess of the transfer price without paying U.S. taxes. While the new transfer pricing provision would still depend upon strong enforcement by the IRS, it would put in place a new bright-line approach that would deter some of the worst offshore transfer pricing abuses now going on.

Section 302 has been estimated by the Joint Committee on Taxation to raise $21.5 billion over ten years.

SECTION 303—LIMITATIONS ON INCOME SHIFTING THROUGH INTANGIBLE PROPERTY TRANSFERS

As just noted, our current tax code makes it far too easy for U.S. multinational corporations to shift intangible property to tax havens through transfer pricing and other similar schemes. In addition, as noted earlier, tax enforcement authorities are faced with the difficulty of valuing each property involved in a questionable transfer pricing transaction.

Section 303 would address these problems by clarifying current law that the IRS is fully authorized to use certain common sense valuation methods for determining the proper valuation of intangible property transfers. Specifically, this section authorizes Treasury to promulgate rules regarding the valuation of transferred intangible property. In particular, if deemed the ''most reliable means of valuation'' by the Secretary, tax enforcement officials would be allowed to aggregate offshore transfers by a company for the purpose of valuation. And, under this provision, tax officials could consider realistic alternatives to the transfer in developing their valuations, if such alternatives would lead to the most reliable valuation.

By providing tax enforcement authorities with the flexibility needed to perform realistic and more accurate assessments of the value of transferred intangible property, we would improve both the accuracy of enforcement and the fairness of our tax code. The Joint Committee on Taxation has estimated that this provision would raise about $1.7 billion over ten years.

SECTION 304—REPEAL OF ''CHECK-THE-BOX'' RULE FOR FOREIGN ENTITIES AND THE CFC ''LOOK-THROUGH'' RULE

Section 304 of the bill addresses another key offshore tax abuse: use of the so-called ''check-the-box'' and CFC ''look-through'' rules to avoid paying U.S. corporate income taxes on passive offshore income. Both provisions enable multinational corporations to avoid taxation of offshore passive income which, under Subpart F of the tax code, is supposed to be taxed. Both provisions discourage repatriation of offshore profits, discourage U.S. investment, and deprive the U.S. Treasury of tens of billions of dollars.

To better understand this Section, it may be helpful to examine some general tax principles and a little bit of history. The first principle is that, if a U.S. corporation earns income from an active business activity offshore, the corporation generally owes no U.S. tax until the income is returned to the United States. This principle is known as deferral. It is meant to defer taxes on active businesses such as a U.S. parent's foreign subsidiary selling products in another country.

The deferral principle is also subject to a big exception in Subpart F of the tax code. Subpart F provides that deferral of taxes is not permitted for passive, inherently mobile income such as interest, dividend, or royalty income. The reason is that passive income can be earned anywhere—in the United States or outside of it—and, if taxes are deferred on offshore passive income, it would create an enormous incentive for U.S. corporations to send their funds offshore. To eliminate that incentive, Subpart F makes passive income immediately taxable, even when the income is offshore. Subpart F's effort to remove the incentive to send U.S. funds offshore, however, has been largely undermined by regulations, temporary statutory changes, and weak IRS enforcement, not to mention numerous tax gimmicks devised by multinational corporations.

One key problem is the 1997 so-called ''check-the-box'' regulation, which allows a business enterprise to declare what type of legal entity it wants to be considered for federal tax purposes by simply checking a box. This rule was issued by the IRS without any statutory direction. It was intended to stop expensive and unproductive litigation and confusion over whether to treat business entities as taxable entities or as flow-through entities whose taxes had to be paid by their owners. It was in response to many states creating new business forms in the years leading up to its adoption. Since different states used different names with slightly different characteristics, the regulation was intended to help provide relief for taxpayers who were having difficulty determining whether they should be taxed at the entity level, or have the income pass through to its owners. It was almost exclusively viewed as a domestic tax law issue.

Almost as soon as it was issued, however, multinational corporations began to use the rule, not as a way of determining who should be taxed, but as a way to get around paying any taxes at all on passive offshore income under Subpart F.

A little over a year after its adoption, after it became clear that the rule would be abused to circumvent Subpart F taxation of passive income, Treasury attempted to revoke the check the box option. That effort was met with such opposition from industry groups, however, that it was abandoned. In 2006, in response to corporate pressure to provide a statutory basis for the check the-box rule, Congress enacted Section 954(c)(6), the so-called CFC look-through rule, which excludes certain passive income transferred between related offshore entities from Subpart F taxation. That provision was so costly, however, that it was enacted for only a three-year period. After it expired in 2009, the provision was revived and has been twice extended, both times on a temporary basis. It is currently in effect, but will expire at the end of this year unless extended again.

Using the check-the-box and CFC look-through rules to avoid Subpart F taxation requires planning and multiple offshore subsidiaries, which is why it benefits large multinational corporations, giving them an advantage over their domestic competitors. One common tactic has been for a U.S. parent corporation to establish an offshore subsidiary that earns active sales income whose taxes can be deferred indefinitely. The U.S. parent also establishes other subsidiaries in tax havens and typically drains money from the active business by requiring it to pay dividends, interest on intercompany loans, royalty income, or licensing fees to the tax haven subsidiaries. Then, instead of paying taxes on that passive income under Subpart F, the U.S. parent uses the check-the-box rule to

treat its tax haven subsidiaries as ''disregarded entities,'' making them invisible for U.S. tax purposes and leaving only the active business whose taxes can be deferred indefinitely.

The 2012 Apple hearing held by my Subcommittee provided a real life example. That hearing disclosed that Apple Inc., the U.S. parent, formed three wholly owned subsidiaries in Ireland, as well as subsidiaries in other countries that actually sold Apple products in Europe, Asia and Africa. Apple required the sales businesses to transfer most of their profits to one of the Irish subsidiaries, Apple Sales International, through licensing and other fees. In three years, those businesses sent sales revenues to Apple Sales International totaling $74 billion. Apple Sales International did not keep all of those funds; it issued dividends totaling $30 billion to another Apple Irish subsidiary, Apple Operations International. Under Subpart F, both Apple Sales International and Apple Operations International should have paid U.S. taxes on the passive income they received, but neither did. Instead, Apple Inc. used check-the-box to treat its Irish subsidiaries as disregarded entities for tax purposes and then deferred taxes on the sales income of their active business subsidiaries, even though those businesses did not actually retain most of the sales income. The end result was that check-the-box enabled Apple to circumvent Subpart F's immediate taxation of its offshore passive income.

The loss to the U.S. Treasury from these types of offshore check-the-box arrangements is enormous. Investigations conducted by my Subcommittee have found, for example, that for fiscal years 2009, 2010 and 2011, Google used check-the-box to defer taxes on over $24.2 billion in offshore passive income covered by Subpart F. Microsoft deferred $21 billion in the same period.

Section 304 would put an end to this type of tax avoidance and revitalize Subpart F by prohibiting the application of the check-the-box rule to offshore entities and by eliminating the CFC look-through rule altogether. The Joint Committee on Taxation has estimated that this provision would raise $78 billion over ten years.

SECTION 305—PROHIBITION ON OFFSHORE LOAN ABUSE

The final provision in the bill, Section 305, addresses another offshore abuse uncovered by my Subcommittee: the misuse of tax provisions that allow offshore funds to be repatriated tax free to the United States when provided as short term loans.

To understand this Section, it is again important to examine some general tax principles. One of those principles is that a U.S. parent corporation is supposed to be taxed on any profits sent to it by an offshore subsidiary, which is often called ''repatriation.'' If an offshore subsidiary loans money to its U.S. parent, that is also subject to U.S. taxes. In both cases, the funds sent to the United States are to be treated as taxable dividends.

Once again, however, those simple tax principles have been subverted in practice by complex exclusions and limitations. Section 956 of the tax code is the provision that makes a loan from an offshore affiliate to a U.S. parent subject to U.S. tax. Although the law contains no exceptions or limits on the loans covered, the IRS has issued regulations that create exceptions for certain types of short term loans. The IRS regulations provide, for example, that offshore loans may be excluded from taxation if they are repaid within 30 days, as are all loans made over the course of a year if they are outstanding for less than 60 days in total. In addition, the IRS permits a controlled foreign corporation—a CFC—to loan offshore funds to a related U.S. entity to escape U.S. taxation, if the loan is initiated and concluded before the end of the CFC's calendar quarter. Those loans are not subject to the 30 day limit, and don't count against the aggregate 60 day limit for the fiscal year. The IRS has also declared that the limitations on the length of loans apply separately to each CFC of a U.S. corporation. So when aggregated, all loans for all CFCs could be outstanding for more than 60 days in total.

An investigation conducted by my Subcommittee found that U.S. multinationals have used the IRS' convoluted short term loan provisions to orchestrate a constant stream of offshore loans from their foreign subsidiaries without ever exceeding the 30 or 60 day limits or extending over the end of a CFC's quarter. Instead of ensuring that taxes are paid on offshore funds returned to the United States, Section 956 has been converted by the IRS regulations into a mechanism used to get billions of dollars back into the United States tax free.

This offshore tax scheme was illustrated in a 2012 Subcommittee hearing that showed how Hewlett-Packard has, for years, used a short term loan program to avoid paying U.S. taxes on billions of dollars in offshore income used to run its U.S. operations. Hewlett-Packard obtained the offshore cash by directing two of its controlled foreign corporations in Belgium and the Cayman Islands to provide serial, alternating loans to its U.S. operations. For a four year period, from March 2008 to September 2012, Hewlett-Packard used those intercompany loans to seamlessly provide an average of about $3.6 billion per day for use in its U.S. operations, claiming the funds were tax-free, short term loans of less than 30 days duration under Section 956.

Section 305 would put an end to this repatriation sleight of hand by eliminating the provision allowing offshore funds returned to the United States under the guise of short term loans to escape U.S. taxation. Instead, it would reaffirm the general principle that offshore funds returned to the United States are subject to U.S. taxes.

Conclusion. Offshore tax abuses eat at the fabric of society, not only by widening deficits and robbing health care, education, and other needed government services of resources, but also by undermining public trust—making law-abiding taxpayers feel like they are being taken advantage of when they pay their fair share. Tax law is complicated, and where most Americans see an inscrutable maze, too many profitable companies and wealthy individuals see an opportunity to avoid paying taxes. Our commitment to crack down on their tax-avoidance schemes must be as strong as their determination to get away with ripping off Uncle Sam and moving their tax burden onto the backs of the rest of American taxpayers.

Our nation is suffering greatly from the effects of sequestration, which were brought on by our failure to reach an agreement on a balanced mix of spending cuts and revenue increases. If we are serious about finding a solution to mindless sequestration cuts and our nation's repeated budget battles, we must look at the offshore tax avoidance abuses that rob our Treasury of the funds needed to pay our soldiers, help the sick, research cures for diseases, educate students, and invest in our future. Putting the burden of funding our government on the backs of hardworking American families and domestic businesses, while letting a sophisticated minority of multinational corporations get away with these types of offshore gimmicks, is grossly unfair.

We can fight back against offshore tax abuses if we summon the political will. The Stop Tax Haven Abuse Act, which is the product of years of work, including hearings and reports of the Permanent Subcommittee on Investigations, offers the tools needed to close the tax haven loopholes and use the hundreds of billions of dollars which will come to our Treasury as part of a sensible balanced deficit reduction substitute for the damaging irrationality of sequestration.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD.

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

SUMMARY OF THE STOP TAX HAVEN ABUSE ACT, SEPTEMBER 19, 2013

The Levin-Whitehouse-Begich-Shaheen Stop Tax Haven Abuse Act would:

TITLE I—DETERRING THE USE OF TAX HAVENS FOR TAX EVASION

Authorize special measures to stop offshore tax abuse (§101) by allowing Treasury to take specified steps against foreign jurisdictions or financial institutions that impede U.S. tax enforcement, including prohibiting U.S. banks from doing business with a designated foreign bank.

Strengthen FATCA (§102) by clarifying when, under the Foreign Account Tax Compliance Act, foreign financial institutions and U.S. persons must report foreign financial accounts to the IRS.

Establish rebuttable presumptions to combat offshore secrecy (§102) in U.S. tax and securities law enforcement proceedings by

shifting to the U.S. taxpayer, who takes advantage of the related loopholes, the burden of proving: who controls an offshore entity; when money sent to or received from offshore is taxable income; and when offshore accounts have sufficient funds to trigger a reporting obligation.

Stop companies incorporated offshore but managed and controlled from the United States from claiming foreign status (§ 103) and avoiding U.S. taxes on their foreign income by treating them as U.S. domestic corporations for tax purposes.

Strengthen detection of offshore activities (§ 104) by requiring U.S. financial institutions that open accounts for foreign entities controlled by U.S. clients or open foreign accounts in non-FATCA institutions for U.S. clients to report the accounts to the IRS.

Close the offshore swap payments loophole (§ 105) by treating swap payments that originate in the United States as taxable U.S. source income.

TITLE II-OTHER MEASURES TO COMBAT TAX HAVEN ABUSES

(Require annual country-by-country reporting (§ 201) by SEC-registered corporations to disclose their 7, employees, gross revenues, and tax payments on a per country basis.

Establish a penalty on corporate insiders who hide offshore holdings (§ 202) with a securities law fine of up to $1 million per violation.

Require anti-money laundering programs (§§ 203 and § 204) for private funds and formation agents to ensure they screen high risk clients and offshore funds.

Strengthen John Doe summons (§ 205) by streamlining court procedures used by the IRS to obtain these summons, while also strengthening court oversight.

Combat hidden foreign financial accounts (§ 206) by facilitating IRS use of Foreign Bank Account Reports and Suspicious Activity Reports, and simplifying penalties for unreported foreign accounts.

TITLE III—ENDING CORPORATE OFFSHORE TAX AVOIDANCE

Eliminate incentives for offshoring jobs and operations (§ 301) by deferring corporate tax deductions for expenses related to deferred income so that, for example, a U.S. corporation could not take a tax deduction for building a plant offshore until it also declared and paid taxes on income produced by that plant.

Stop foreign tax credit manipulation (§ 301) by requiring foreign tax credits to be considered on a pooled basis.

Limit incentives to move intellectual property and related marketing rights offshore (§§ 302 and 303) by taxing excess income earned from transferring that property offshore to a related foreign entity, and by allowing the IRS to use common sense methods to value the transferred property.

Repeal check-the-box rule for foreign entities and CFC look-through rule (§ 304) to stop U.S. multinationals from disregarding their offshore subsidiaries to avoid U.S. taxes on passive income.

Stop offshore loan abuse (§ 305) by preventing multinationals from artificially repatriating offshore funds tax-free by treating them as short-term loans from their offshore subsidiaries to their U.S. operations.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I applaud the senior Senator from Michigan for his persistence on this matter. He has brought the attention of the Senate to it time and time again, as well as that of the American public. Let us hope he is listened to. He should be.

Mr. LEVIN. I thank my good friend from Vermont.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 241—AUTHORIZING EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Mr. NELSON submitted the following resolution; from the Special Committee on Aging; which was referred to the Committee on Rules and Administration:

S. RES. 241

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging (in this resolution referred to as the ''committee'') is authorized from October 1, 2013, through September 30, 2014 and October 1, 2014, through February 28, 2015, in its discretion to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) PERIOD ENDING SEPTEMBER 30, 2014.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this resolution shall not exceed $2,375,377, of which amount, not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

(b) PERIOD ENDING FEBRUARY 28, 2015.—The expenses of the committee for the period October 1, 2014 through February 28, 2015 under this resolution shall not exceed $989,740, of which amount, not to exceed $4,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

SEC. 3. REPORTING LEGISLATION.

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 AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 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.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—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'' of the Senate.

SENATE RESOLUTION 242—SUPPORTING THE GOALS AND IDEALS OF ''GROWTH AWARENESS WEEK''

Mr. KIRK submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 242

Whereas, according to the Pictures of Standard Syndromes and Undiagnosed Malformations database (commonly known as the ''POSSUM'' database), more than 600 serious diseases and health conditions cause growth failure;

Whereas health conditions that cause growth failure may affect the overall health of a child;

Whereas short stature may be a symptom of a serious underlying health condition;

Whereas growth failure in children is often undiagnosed;

Whereas, according to the MAGIC Foundation for Children's Growth, 48 percent of children in the United States who were evaluated for the 2 most common causes of growth failure were undiagnosed with growth failure;

Whereas the longer a child with growth failure goes undiagnosed, the greater the potential for damage and higher costs of care;

Whereas early detection and a diagnosis of growth failure are crucial to ensure a healthy future for a child with growth failure;

Whereas raising public awareness of, and educating the public about, growth failure is a vital public service;

Whereas providing resources for identification of growth failure will allow for early detection; and

Whereas the MAGIC Foundation for Children's Growth has designated the third week of September as ''Growth Awareness Week'': Now, therefore, be it

Resolved, That the Senate—

(1) designates the third week of September 2013 as ''Growth Awareness Week''; and

(2) supports the goals and ideals of ''Growth Awareness Week''.

SENATE RESOLUTION 243—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON VETERANS' AFFAIRS

Mr. SANDERS submitted the following resolution; from the Committee on Veterans' Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 243

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 Veterans' 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 $2,178,117, of which amount (1) not to exceed $50,000 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 $9,500 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 $907,549, of which amount (1) not to exceed $21,000 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 $3,500 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 244—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ROCKEFELLER submitted the following resolution; from the Committee on Commerce, Science, and Transportation; which was referred to the Committee on Rules and Administration:

S. RES. 244

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 Commerce, Science, and Transportation 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 from October 1, 2013, through September 30, 2014, under this resolution shall not exceed $6,583,591, of which amount (1) not to exceed $50,000 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 $50,000 may be expended for the training of the professional staff of the 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 from October 1, 2014, through February 28, 2015, expenses of the Committee under this resolution shall not exceed $2,743,163, of which amount (1) not to exceed $50,000 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 $50,000 may be expended for the training of the professional staff of the 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, (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, (4) for payments to the Postmaster, United States Senate, (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, (6) for the payment of Senate Recording and Photographic Services, or (7) for the payment of franked and mass mail costs by the Office of 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'' of the Senate.

SENATE RESOLUTION 245—AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mrs. FEINSTEIN submitted the following resolution; from the Select Committee on Intelligence; which was referred to the Committee on Rules and Administration:

S. RES. 245

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 Select Committee on Intelligence 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 from October 1, 2013, through September 30, 2014, under this resolution shall not exceed $5,516,196 of which amount not to exceed $17,144 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))).

(b) For the period from October 1, 2014, through February 28, 2015, expenses for the committee under this resolution shall not exceed $2,298,415, of which amount not to exceed $7,144 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))).

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 246—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BEGICH, Mr. BENNET, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HAGAN, Mr. HEINRICH, Mr. KAINE, Ms. MIKULSKI, Mr. NELSON, Mr. REED, Mr. RUBIO, Mr. SCHUMER, Ms. STABENOW, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WARNER, Mr. BROWN, Mr. MERKLEY, Mr. HELLER, Mr. CASEY, Ms. WARREN, Mr. ENZI, Mrs. MURRAY, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 246

Whereas from September 15, 2013 through October 15, 2013, the United States celebrates Hispanic Heritage Month;

Whereas the Census Bureau estimates the Hispanic population in the United States at over 53,000,000 people, making Hispanic Americans the largest racial or ethnic minority group in the United States overall and in 21 individual States;

Whereas the United States Hispanic population is ranked 2nd worldwide, exceeding the size of every country except Mexico;

Whereas 8 States in the United States had 1,000,000 or more Latino residents in 2012, inlcuding Arizona, California, Colorado, Florida, Illinois, New Jersey, New York, and Texas;

Whereas Latinos grew the United States population by 1,100,000 between July 1, 2011 and July 1, 2012, accounting for nearly half of all population growth during this period;

Whereas the Hispanic population in the United States is projected to grow to 128,800,000 by 2060, at which point the Hispanic population will comprise 31 percent of the total United States population, which is nearly double the 2012 percentage;

Whereas 1 in 4 public school students in the United States is Hispanic, and the total number of school-age Hispanic children in the United States is expected to reach 28,000,000 by 2050;

Whereas 19 percent of all college students between the ages of 18 and 24 years old are Hispanic, making Hispanics the largest racial or ethnic minority group on college campuses in the United States, including both 2-year community colleges and 4-year colleges and universities;

Whereas a record 11,200,000 Latinos voted in the 2012 presidential election, representing a record 8.4 percent of the electorate in the United States;

Whereas the annual purchasing power of Hispanic Americans is an estimated $1,200,000,000,000 and is expected to grow to $1,500,000,000,000 by 2015;

Whereas there are approximately 3,000,000 Hispanic-owned firms in the United States, supporting millions of employees nationwide and contributing more than $500,000,000,000 in revenue to the economy of the United States;

Whereas Hispanic-owned businesses represent the fastest-growing segment of small businesses in the United States, with Hispanic entrepreneurs starting businesses at more than double the national rate;

Whereas as of August 2013, nearly 25,000,0000 Hispanic workers represented 16 percent of the total civilian labor force in the United States and the share of Latino labor force participation is expected to grow to 18.5 percent by 2020;

Whereas Latinos have the highest labor force participation rate of any racial or ethnic group (66.3 percent compared to 63.2 percent overall);

Whereas Hispanic Americans serve in all branches of the Armed Forces and have bravely fought in every war in the history of the United States;

Whereas as of July 31, 2013, 162,717 Hispanic active duty service members served with distinction in the Armed Forces of the United States;

Whereas as of June 30, 2013, a total of 82,343 Hispanics had served in Afghanistan;

Whereas as of September 2013, 668 United States military fatalities in Iraq and Afghanistan have been Hispanic;

Whereas more than 80,000 Hispanics served in the Vietnam War, representing 5.5 percent of individuals who made the ultimate sacrifice for the United States in the conflict, even though Hispanics comprised only 4.5 percent of the population of the United States at the time;

Whereas 140,000 Hispanic soldiers served in the Korean War;

Whereas as of September 2013, there are an estimated 1,377,000 Hispanic veterans of the Armed Forces of the United States;

Whereas 44 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that can be bestowed on an individual serving in the Armed Forces of the United States;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including 1 seat on the Supreme Court, 3 seats in the Senate, 35 seats in the House of Representatives, and 1 seat in the Cabinet; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2013 through October 15, 2013;

(2) esteems the integral role of Latinos and the manifold heritage of Latinos in the economy, culture, and identity of the United States; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities that celebrate the cultural contributions of Latinos to American life.

SENATE RESOLUTION 247—DESIGNATING THE WEEK OF SEPTEMBER 16 THROUGH SEPTEMBER 20, 2013, AS ''NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK'' TO RECOGNIZE THE VALUE OF HEALTH INFORMATION TECHNOLOGY IN TRANSFORMING AND IMPROVING THE HEALTHCARE SYSTEM FOR ALL PEOPLE IN THE UNITED STATES

Ms. STABENOW (for herself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 247

Whereas health information technology has been recognized as an essential tool for improving patient care, ensuring patient safety, stopping duplicative tests and paperwork, and reducing healthcare costs;

Whereas the Center for Information Technology Leadership has estimated that the fully realized implementation of national standards for interoperability and the exchange of health information could produce significant savings in healthcare costs;

Whereas the use of health information technology enables providers to utilize innovative tools to provide more efficient, personalized, and better coordinated care, and helps patients be more engaged in managing their own treatment;

Whereas Congress has made a commitment to realizing the benefits of health information technology, including supporting the adoption of electronic health records that will help to reduce costs and improve quality while ensuring the privacy of patients;

Whereas the adoption of electronic health records more than doubled for physician practices and more than quadrupled for hospitals between 2008 and 2012;

Whereas it is necessary to continue improving the exchange of health information confidently and securely between different providers, systems, and insurers—a task that is foundational to transforming the healthcare delivery system of the United States;

Whereas aligning the use of electronic health records with other reporting efforts is critical to improving clinical outcomes for patients, controlling costs, and expanding access to care through the use of technology; and

Whereas, since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the healthcare system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 16 through September 20, 2013, as ''National Health Information Technology Week'';

(2) recognizes the value of information technology and management systems in transforming healthcare for the people of the United States; and

(3) calls on all interested parties to promote the use of information technology and management systems to transform the healthcare system of the United States.

SENATE RESOLUTION 248—DESIGNATING SEPTEMBER 22, 2013, AS ''NATIONAL FALLS PREVENTION AWARENESS DAY'' TO RAISE AWARENESS AND ENCOURAGE THE PREVENTION OF FALLS AMONG OLDER ADULTS

Mr. NELSON (for himself, Ms. COLLINS, Ms. MIKULSKI, Mr. SANDERS, Mr. FRANKEN, Mr. COONS, Mr. MARKEY, Mr. KING, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 248

Whereas older adults, 65 years of age and older, are the fastest-growing segment of the population in the United States, and the number of older adults in the United States will increase from 35,000,000 in 2000 to 72,100,000 in 2030;

Whereas 1 out of 3 older adults in the United States falls each year;

Whereas falls are the leading cause of death and hospital admissions for injuries among older adults;

Whereas, in 2010, approximately 2,300,000 older adults were treated in hospital emergency departments for fall-related injuries,

and more than 650,000 were subsequently hospitalized;

Whereas, in 2010, more than 21,000 older adults died from injuries related to unintentional falls;

Whereas the total annual medical cost of fall-related injuries for older adults is estimated at $30,000,000,000;

Whereas the Centers for Disease Control and Prevention estimate that if the rate of increase in falls is not slowed, the total annual medical cost of fall-related injuries for older adults will reach $59,600,000,000 by 2020; and

Whereas evidence-based programs show promise in reducing falls by utilizing cost-effective strategies, such as comprehensive clinical assessments, exercise programs to improve balance and health, medication management, vision correction, and reduction of home hazards: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 22, 2013, as ''National Falls Prevention Awareness Day'';

(2) recognizes that there are proven, cost-effective falls prevention programs and policies;

(3) commends the Falls Free Coalition and the falls prevention coalitions in 42 States and the District of Columbia for their efforts to work together to increase education and awareness about the prevention of falls among older adults;

(4) encourages businesses, individuals, Federal, State, and local governments, the public health community, and health care providers to work together to raise awareness of falls in an effort to reduce the incidence of falls among older adults in the United States;

(5) urges the Centers for Disease Control and Prevention to continue developing and evaluating interventions to prevent falls among older adults that will translate into effective community-based falls prevention programs;

(6) urges the Administration for Community Living, the Centers for Disease Control and Prevention, and associated partners to continue to promote evidence-based programs and services in communities in the United States to reduce the number of older adults at risk for falls;

(7) encourages State health departments, which provide significant leadership in reducing injuries and injury-related health care costs by collaborating with organizations and individuals, to reduce falls among older adults; and

(8) encourages experts in the field of falls prevention to share their best practices so that their success can be replicated by others.

SENATE RESOLUTION 249—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FINANCE

Mr. BAUCUS submitted the following resolution; from the Committee on Finance; which was referred to the Committee on Rules and Administration:

S. RES. 249

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 Finance 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 from October 1, 2013, through September 30, 2014, under this resolution shall not exceed $7,993,936, of which amount (1) not to exceed $30,000 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 $10,000 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 from October 1, 2014, through February 28, 2015, expenses of the committee under this resolution shall not exceed $3,330,807, of which amount (1) not to exceed $12,500 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 $4,167 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 250—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE BUDGET

Mrs. MURRAY submitted the following resolution; from the Committee on the Budget; which was referred to the Committee on Rules and Administration:

S. RES. 250

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 Budget 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 $5,997,777, of which amount (1) not to exceed $60,000 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 $36,000 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 $2,499,074, of which amount (1) not to exceed $25,000 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 $15,000 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''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1958. Mr. MCCONNELL 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 1959. Mr. CRAPO (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 1960. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 527, to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

SA 1961. Mr. HATCH 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 1962. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1963. Mr. HATCH 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 1958. Mr. MCCONNELL 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:

DIVISION B—SAVING COAL JOBS

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Saving Coal Jobs Act of 2013''.

TITLE I—PROHIBITION ON ENERGY TAX

SEC. 1101. PROHIBITION ON ENERGY TAX.

(a) FINDINGS; PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) on June 25, 2013, President Obama issued a Presidential memorandum directing the Administrator of the Environmental Protection Agency to issue regulations relating to power sector carbon pollution standards for existing coal fired power plants;

(B) the issuance of that memorandum circumvents Congress and the will of the people of the United States;

(C) any action to control emissions of greenhouse gases from existing coal fired power plants in the United States by mandating a national energy tax would devastate major sectors of the economy, cost thousands of jobs, and increase energy costs for low-income households, small businesses, and seniors on fixed income;

(D) joblessness increases the likelihood of hospital visits, illnesses, and premature deaths;

(E) according to testimony on June 15, 2011, before the Committee on Environment and Public Works of the Senate by Dr. Harvey Brenner of Johns Hopkins University, ''The unemployment rate is well established as a risk factor for elevated illness and mortality rates in epidemiological studies performed since the early 1980s. In addition to influences on mental disorder, suicide and alcohol abuse and alcoholism, unemployment is also an important risk factor in cardiovascular disease and overall decreases in life expectancy.'';

(F) according to the National Center for Health Statistics, ''children in poor families were four times as likely to be in fair or poor health as children that were not poor'';

(G) any major decision that would cost the economy of the United States millions of dollars and lead to serious negative health effects for the people of the United States should be debated and explicitly authorized by Congress, not approved by a Presidential memorandum or regulations; and

(H) any policy adopted by Congress should make United States energy as clean as practicable, as quickly as practicable, without increasing the cost of energy for struggling families, seniors, low-income households, and small businesses.

(2) PURPOSES.—The purposes of this section are—

(A) to ensure that—

(i) a national energy tax is not imposed on the economy of the United States; and

(ii) struggling families, seniors, low-income households, and small businesses do not experience skyrocketing electricity bills and joblessness;

(B) to protect the people of the United States, particularly families, seniors, and children, from the serious negative health effects of joblessness;

(C) to allow sufficient time for Congress to develop and authorize an appropriate mechanism to address the energy needs of the United States and the potential challenges posed by severe weather; and

(D) to restore the legislative process and congressional authority over the energy policy of the United States.

(b) PRESIDENTIAL MEMORANDUM.—Notwithstanding any other provision of law, the head of a Federal agency shall not promulgate any regulation relating to power sector carbon pollution standards or any substantially similar regulation on or after June 25, 2013, unless that regulation is explicitly authorized by an Act of Congress.

TITLE II—PERMITS

SEC. 1201. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.

(a) APPLICABILITY OF GUIDANCE.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) APPLICABILITY OF GUIDANCE.—

''(1) DEFINITIONS.—In this subsection:

''(A) GUIDANCE.—

''(i) IN GENERAL.—The term 'guidance' means draft, interim, or final guidance issued by the Administrator.

''(ii) INCLUSIONS.—The term 'guidance' includes—

''(I) the comprehensive guidance issued by the Administrator and dated April 1, 2010;

''(II) the proposed guidance entitled 'Draft Guidance on Identifying Waters Protected by the Clean Water Act' and dated April 28, 2011;

''(III) the final guidance proposed by the Administrator and dated July 21, 2011; and

''(IV) any other document or paper issued by the Administrator through any process other than the notice and comment rulemaking process.

''(B) NEW PERMIT.—The term 'new permit' means a permit covering discharges from a structure—

''(i) that is issued under this section by a permitting authority; and

''(ii) for which an application is—

''(I) pending as of the date of enactment of this subsection; or

''(II) filed on or after the date of enactment of this subsection.

''(C) PERMITTING AUTHORITY.—The term 'permitting authority' means—

''(i) the Administrator; or

''(ii) a State, acting pursuant to a State program that is equivalent to the program under this section and approved by the Administrator.

''(2) PERMITS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, in making a determination whether to approve a new permit or a renewed permit, the permitting authority—

''(i) shall base the determination only on compliance with regulations issued by the Administrator or the permitting authority; and

''(ii) shall not base the determination on the extent of adherence of the applicant for the new permit or renewed permit to guidance.

''(B) NEW PERMITS.—If the permitting authority does not approve or deny an application for a new permit by the date that is 270 days after the date of receipt of the application for the new permit, the applicant may operate as if the application were approved in accordance with Federal law for the period of time for which a permit from the same industry would be approved.

''(C) SUBSTANTIAL COMPLETENESS.—In determining whether an application for a new permit or a renewed permit received under this paragraph is substantially complete, the permitting authority shall use standards for determining substantial completeness of similar permits for similar facilities submitted in fiscal year 2007.''.

(b) STATE PERMIT PROGRAMS.—

(1) IN GENERAL.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by striking subsection (b) and inserting the following:

''(b) STATE PERMIT PROGRAMS.—

''(1) IN GENERAL.—At any time after the promulgation of the guidelines required by section 304(a)(2), the Governor of each State desiring to administer a permit program for discharges into navigable waters within the jurisdiction of the State may submit to the Administrator—

''(A) a full and complete description of the program the State proposes to establish and administer under State law or under an interstate compact; and

''(B) a statement from the attorney general (or the attorney for those State water pollution control agencies that have independent legal counsel), or from the chief legal officer in the case of an interstate agency, that the laws of the State, or the interstate compact, as applicable, provide adequate authority to carry out the described program.

''(2) APPROVAL.—The Administrator shall approve each program for which a description is submitted under paragraph (1) unless the Administrator determines that adequate authority does not exist—

''(A) to issue permits that—

''(i) apply, and ensure compliance with, any applicable requirements of sections 301, 302, 306, 307, and 403;

''(ii) are for fixed terms not exceeding 5 years;

''(iii) can be terminated or modified for cause, including—

''(I) a violation of any condition of the permit;

''(II) obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and

''(III) a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; and

''(iv) control the disposal of pollutants into wells;

''(B)(i) to issue permits that apply, and ensure compliance with, all applicable requirements of section 308; or

''(ii) to inspect, monitor, enter, and require reports to at least the same extent as required in section 308;

''(C) to ensure that the public, and any other State the waters of which may be affected, receives notice of each application for a permit and an opportunity for a public hearing before a ruling on each application;

''(D) to ensure that the Administrator receives notice and a copy of each application for a permit;

''(E) to ensure that any State (other than the permitting State), whose waters may be affected by the issuance of a permit may submit written recommendations to the permitting State and the Administrator with respect to any permit application and, if any part of the written recommendations are not accepted by the permitting State, that the permitting State will notify the affected State and the Administrator in writing of the failure of the State to accept the recommendations, including the reasons for not accepting the recommendations;

''(F) to ensure that no permit will be issued if, in the judgment of the Secretary of the Army (acting through the Chief of Engineers), after consultation with the Secretary of the department in which the Coast Guard is operating, anchorage and navigation of any of the navigable waters would be substantially impaired by the issuance of the permit;

''(G) to abate violations of the permit or the permit program, including civil and criminal penalties and other means of enforcement;

''(H) to ensure that any permit for a discharge from a publicly owned treatment works includes conditions to require the identification in terms of character and volume of pollutants of any significant source introducing pollutants subject to pretreatment standards under section 307(b) into the treatment works and a program to ensure compliance with those pretreatment standards by each source, in addition to adequate notice, which shall include information on the quality and quantity of effluent to be introduced into the treatment works and any anticipated impact of the change in the quantity or quality of effluent to be discharged from the publicly owned treatment works, to the permitting agency of—

''(i) new introductions into the treatment works of pollutants from any source that would be a new source (as defined in section 306(a)) if the source were discharging pollutants;

''(ii) new introductions of pollutants into the treatment works from a source that would be subject to section 301 if the source were discharging those pollutants; or

''(iii) a substantial change in volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit; and

''(I) to ensure that any industrial user of any publicly owned treatment works will comply with sections 204(b), 307, and 308.

''(3) ADMINISTRATION.—Notwithstanding paragraph (2), the Administrator may not disapprove or withdraw approval of a program under this subsection on the basis of the following:

''(A) The failure of the program to incorporate or comply with guidance (as defined in subsection (s)(1)).

''(B) The implementation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended—

(i) in subsection (c)—

(I) in paragraph (1)(A), by striking ''402(b)(8)'' and inserting ''402(b)(2)(H)''; and

(II) in paragraph (2)(A), by striking ''402(b)(8)'' and inserting ''402(b)(2)(H)''; and

(ii) in subsection (d), in the first sentence, by striking ''402(b)(8)'' and inserting ''402(b)(2)(H)''.

(B) Section 402(m) of the Federal Water Pollution Control Act (33 U.S.C. 1342(m)) is amended in the first sentence by striking ''subsection (b)(8) of this section'' and inserting ''subsection (b)(2)(H)''.

(c) SUSPENSION OF FEDERAL PROGRAM.—Section 402(c) of the Federal Water Pollution Control Act (33 U.S.C. 1342(c)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

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

''(4) LIMITATION ON DISAPPROVAL.—Notwithstanding paragraphs (1) through (3), the Administrator may not disapprove or withdraw approval of a State program under subsection (b) on the basis of the failure of the following:

''(A) The failure of the program to incorporate or comply with guidance (as defined in subsection (s)(1)).

''(B) The implementation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).''.

(d) NOTIFICATION OF ADMINISTRATOR.—Section 402(d)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1342(d)(2)) is amended—

(1) by striking ''(2)'' and all that follows through the end of the first sentence and inserting the following:

''(2) OBJECTION BY ADMINISTRATOR.—

''(A) IN GENERAL.—Subject to subparagraph (C), no permit shall issue if—

''(i) not later than 90 days after the date on which the Administrator receives notification under subsection (b)(2)(E), the Administrator objects in writing to the issuance of the permit; or

''(ii) not later than 90 days after the date on which the proposed permit of the State is transmitted to the Administrator, the Administrator objects in writing to the issuance of the permit as being outside the guidelines and requirements of this Act.'';

(2) in the second sentence, by striking ''Whenever the Administrator'' and inserting the following:

''(B) REQUIREMENTS.—If the Administrator''; and

(3) by adding at the end the following:

''(C) EXCEPTION.—The Administrator shall not object to or deny the issuance of a permit by a State under subsection (b) or (s) based on the following:

''(i) Guidance, as that term is defined in subsection (s)(1).

''(ii) The interpretation of the Administrator of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).''.

SEC. 1202. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) IN GENERAL.—Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) by striking the section heading and all that follows through ''SEC. 404. (a) The Secretary may issue'' and inserting the following:

''SEC. 404. PERMITS FOR DREDGED OR FILL MATERIAL.

''(a) PERMITS.—

''(1) IN GENERAL.—The Secretary may issue''; and

(2) in subsection (a), by adding at the end the following:

''(2) DEADLINE FOR APPROVAL.—

''(A) PERMIT APPLICATIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), if an environmental assessment or environmental impact statement, as appropriate, is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary shall—

''(I) begin the process not later than 90 days after the date on which the Secretary receives a permit application; and

''(II) approve or deny an application for a permit under this subsection not later than the latter of—

''(aa) if an agency carries out an environmental assessment that leads to a finding of no significant impact, the date on which the finding of no significant impact is issued; or

''(bb) if an agency carries out an environmental assessment that leads to a record of decision, 15 days after the date on which the record of decision on an environmental impact statement is issued.

''(ii) PROCESSES.—Notwithstanding clause (i), regardless of whether the Secretary has commenced an environmental assessment or environmental impact statement by the date described in clause (i)(I), the following deadlines shall apply:

''(I) An environmental assessment carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be completed not later than 1 year after the deadline for commencing the permit process under clause (i)(I).

''(II) An environmental impact statement carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be completed not later than 2 years after the deadline for commencing the permit process under clause (i)(I).

''(B) FAILURE TO ACT.—If the Secretary fails to act by the deadline specified in clause (i) or (ii) of subparagraph (A)—

''(i) the application, and the permit requested in the application, shall be considered to be approved;

''(ii) the Secretary shall issue a permit to the applicant; and

''(iii) the permit shall not be subject to judicial review.''.

(b) STATE PERMITTING PROGRAMS.—Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended by striking subsection (c) and inserting the following:

''(c) AUTHORITY OF ADMINISTRATOR.—

''(1) IN GENERAL.—Subject to paragraphs (2) through (4), until the Secretary has issued a permit under this section, the Administrator is authorized to prohibit the specification (including the withdrawal of specification) of any defined area as a disposal site, and deny or restrict the use of any defined area for specification (including the withdrawal of specification) as a disposal site, if the Administrator determines, after notice and opportunity for public hearings, that the discharge of the materials into the area will have an unacceptable adverse effect on municipal water supplies, shellfish beds or fishery areas (including spawning and breeding areas), wildlife, or recreational areas.

''(2) CONSULTATION.—Before making a determination under paragraph (1), the Administrator shall consult with the Secretary.

''(3) FINDINGS.—The Administrator shall set forth in writing and make public the findings of the Administrator and the reasons of the Administrator for making any determination under this subsection.

''(4) AUTHORITY OF STATE PERMITTING PROGRAMS.—This subsection shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the determination of the Administrator that the discharge will result in an unacceptable adverse effect as described in paragraph (1).''.

(c) STATE PROGRAMS.—Section 404(g)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(g)(1)) is amended in the first sentence by striking ''for the discharge'' and inserting ''for all or part of the discharges''.

SEC. 1203. IMPACTS OF ENVIRONMENTAL PROTECTION AGENCY REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COVERED ACTION.—The term ''covered action'' means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) MORE THAN A DE MINIMIS NEGATIVE IMPACT.—The term ''more than a de minimis negative impact'' means the following:

(A) With respect to employment levels, a loss of more than 100 jobs, except that any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than $1,000,000 over any calendar year, except that any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

(b) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.—

(1) ANALYSIS.—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) ECONOMIC MODELS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall use the best available economic models.

(B) ANNUAL GAO REPORT.—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) AVAILABILITY OF INFORMATION.—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post the analysis in the Capitol of the State.

(c) PUBLIC HEARINGS.—

(1) IN GENERAL.—If the Administrator concludes under subsection (b)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) TIME, LOCATION, AND SELECTION.—

(A) IN GENERAL.—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents.

(B) PRIORITY.—In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(d) NOTIFICATION.—If the Administrator concludes under subsection (b)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the congressional delegation, Governor, and legislature of the State at least 45 days before the effective date of the covered action.

SEC. 1204. IDENTIFICATION OF WATERS PROTECTED BY THE CLEAN WATER ACT.

(a) IN GENERAL.—The Secretary of the Army and the Administrator of the Environmental Protection Agency may not—

(1) finalize, adopt, implement, administer, or enforce the proposed guidance described in the notice of availability and request for comments entitled ''EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act'' (EPA–HQ–OW–2011–0409) (76 Fed. Reg. 24479 (May 2, 2011)); and

(2) use the guidance described in paragraph (1), any successor document, or any substantially similar guidance made publicly available on or after December 3, 2008, as the basis for any decision regarding the scope of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any rulemaking.

(b) RULES.—The use of the guidance described in subsection (a)(1), or any successor document or substantially similar guidance made publicly available on or after December 3, 2008, as the basis for any rule shall be grounds for vacating the rule.

SEC. 1205. LIMITATIONS ON AUTHORITY TO MODIFY STATE WATER QUALITY STANDARDS.

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by striking ''(4) The'' and inserting the following:

''(4) PROMULGATION OF REVISED OR NEW STANDARDS.—

''(A) IN GENERAL.—The'';

(3) by striking ''The Administrator shall promulgate'' and inserting the following:

''(B) DEADLINE.—The Administrator shall promulgate;'' and

(4) by adding at the end the following:

''(C) STATE WATER QUALITY STANDARDS.—Notwithstanding any other provision of this paragraph, the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the determination of the Administrator that the revised or new standard is necessary to meet the requirements of this Act.''.

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

''(7) STATE OR INTERSTATE AGENCY DETERMINATION.—With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point at which the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.''.

SEC. 1206. STATE AUTHORITY TO IDENTIFY WATERS WITHIN BOUNDARIES OF THE STATE.

Section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)) is amended by striking paragraph (2) and inserting the following:

''(2) STATE AUTHORITY TO IDENTIFY WATERS WITHIN BOUNDARIES OF THE STATE.—

''(A) IN GENERAL.—Each State shall submit to the Administrator from time to time, with the first such submission not later than 180 days after the date of publication of the first identification of pollutants under section 304(a)(2)(D), the waters identified and the loads established under subparagraphs (A), (B), (C), and (D) of paragraph (1).

''(B) APPROVAL OR DISAPPROVAL BY ADMINISTRATOR.—

''(i) IN GENERAL.—Not later than 30 days after the date of submission, the Administrator shall approve the State identification and load or announce the disagreement of the Administrator with the State identification and load.

''(ii) APPROVAL.—If the Administrator approves the identification and load submitted by the State under this subsection, the State shall incorporate the identification and load into the current plan of the State under subsection (e).

''(iii) DISAPPROVAL.—If the Administrator announces the disagreement of the Administrator with the identification and load submitted by the State under this subsection. the Administrator shall submit, not later than 30 days after the date that the Administrator announces the disagreement of the Administrator with the submission of the State, to the State the written recommendation of the Administrator of those additional waters that the Administrator identifies and such loads for such waters as the Administrator believes are necessary to implement the water quality standards applicable to the waters.

''(C) ACTION BY STATE.—Not later than 30 days after receipt of the recommendation of the Administrator, the State shall—

''(i) disregard the recommendation of the Administrator in full and incorporate its own identification and load into the current plan of the State under subsection (e);

''(ii) accept the recommendation of the Administrator in full and incorporate its identification and load as amended by the recommendation of the Administrator into the current plan of the State under subsection (e); or

''(iii) accept the recommendation of the Administrator in part, identifying certain additional waters and certain additional loads proposed by the Administrator to be added to the State's identification and load and incorporate the State's identification and load as amended into the current plan of the State under subsection (e).

''(D) NONCOMPLIANCE BY ADMINISTRATOR.—

''(i) IN GENERAL.—If the Administrator fails to approve the State identification and load or announce the disagreement of the Administrator with the State identification and load within the time specified in this subsection—

''(I) the identification and load of the State shall be considered approved; and

''(II) the State shall incorporate the identification and load that the State submitted into the current plan of the State under subsection (e).

''(ii) RECOMMENDATIONS NOT SUBMITTED.—If the Administrator announces the disagreement of the Administrator with the identification and load of the State but fails to submit the written recommendation of the Administrator to the State within 30 days as required by subparagraph (B)(iii)—

''(I) the identification and load of the State shall be considered approved; and

''(II) the State shall incorporate the identification and load that the State submitted into the current plan of the State under subsection (e).

''(E) APPLICATION.—This section shall apply to any decision made by the Administrator under this subsection issued on or after March 1, 2013.''.

SA 1959. Mr. CRAPO (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:

At the beginning of title IV, insert the following:

SEC. 4___. RESOLUTION OF CONFLICTING CLEAN WATER CERTIFICATIONS.

Section 10(a) of the Federal Power Act (16 U.S.C. 803(a)) is amended by adding at the end the following:

''(4) RESOLUTION OF CONFLICTING CLEAN WATER CERTIFICATIONS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, if any condition or requirement of any certification made under section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341) for a project covered by this Act is not agreed to by 2 or more affected States, the Commission shall review, modify as necessary, and approve the condition or requirement under paragraph (1) before the condition or requirement may become effective and included in a new license for the project.

''(B) RESOLUTION OF CONFLICTS.—Any condition or requirement that is modified by the Commission and included in the new license for a project under this paragraph shall supersede and replace the condition or requirement of any certification made under section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341).

''(C) ADMINISTRATION.—In reviewing conditions and requirements under this paragraph, the Commission shall—

''(i) use and consider the best scientific information available, including site-specific and species-specific information;

''(ii) consult with appropriate Federal and State resource agencies;

''(iii) provide for a public hearing; and

''(iv) consider such additional evidence in reaching the decision of the Commission as is appropriate to secure adequate protection of any affected species.''.

SA 1960. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 527, to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Helium Stewardship Act of 2013''.

SEC. 2. DEFINITIONS.

Section 2 of the Helium Act (50 U.S.C. 167) is amended to read as follows:

''SEC. 2. DEFINITIONS.

''In this Act:

''(1) CLIFFSIDE FIELD.—The term 'Cliffside Field' means the helium storage reservoir in which the Federal Helium Reserve is stored.

''(2) FEDERAL HELIUM PIPELINE.—The term 'Federal Helium Pipeline' means the federally owned pipeline system through which the Federal Helium Reserve may be transported.

''(3) FEDERAL HELIUM RESERVE.—The term 'Federal Helium Reserve' means helium reserves owned by the United States.

''(4) FEDERAL HELIUM SYSTEM.—The term 'Federal Helium System' means—

''(A) the Federal Helium Reserve;

''(B) the Cliffside Field;

''(C) the Federal Helium Pipeline; and

''(D) all other infrastructure owned, leased, or managed under contract by the Secretary for the storage, transportation, withdrawal, enrichment, purification, or management of helium.

''(5) FEDERAL USER.—The term 'Federal user' means a Federal agency or extramural holder of one or more Federal research grants using helium.

''(6) LOW-BTU GAS.—The term 'low-Btu gas' means a fuel gas with a heating value of less than 250 Btu per standard cubic foot measured as the higher heating value resulting from the inclusion of noncombustible gases, including nitrogen, helium, argon, and carbon dioxide.

''(7) PERSON.—The term 'person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, or State or political subdivision.

''(8) PRIORITY PIPELINE ACCESS.—The term 'priority pipeline access' means the first priority of delivery of crude helium under which the Secretary schedules and ensures the delivery of crude helium to a helium refinery through the Federal Helium System.

''(9) QUALIFIED BIDDER.—

''(A) IN GENERAL.—The term 'qualified bidder' means a person the Secretary determines is seeking to purchase helium for their own use, refining, or redelivery to users.

''(B) EXCLUSION.—The term 'qualified bidder' does not include a person who was previously determined to be a qualified bidder if the Secretary determines that the person did not meet the requirements of a qualified bidder under this Act.

''(10) QUALIFYING DOMESTIC HELIUM TRANSACTION.—The term 'qualifying domestic helium transaction' means any agreement entered into or renegotiated agreement during the preceding 1-year period in the United States for the purchase or sale of at least 15,000,000 standard cubic feet of crude or pure helium to which any holder of a contract with the Secretary for the acceptance, storage, delivery, or redelivery of crude helium from the Federal Helium System is a party.

''(11) REFINER.—The term 'refiner' means a person with the ability to take delivery of crude helium from the Federal Helium Pipeline and refine the crude helium into pure helium.

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

SEC. 3. AUTHORITY OF SECRETARY.

Section 3 of the Helium Act (50 U.S.C. 167a) is amended by adding at the end the following:

''(c) EXTRACTION OF HELIUM FROM DEPOSITS ON FEDERAL LAND.—All amounts received by the Secretary from the sale or disposition of helium on Federal land shall be credited to the Helium Production Fund established under section 6(e).''.

SEC. 4. STORAGE, WITHDRAWAL AND TRANSPORTATION.

Section 5 of the Helium Act (50 U.S.C. 167c) is amended to read as follows:

''SEC. 5. STORAGE, WITHDRAWAL AND TRANSPORTATION.

''(a) IN GENERAL.—If the Secretary provides helium storage, withdrawal, or transportation services to any person, the Secretary shall impose a fee on the person that accurately reflects the economic value of those services.

''(b) MINIMUM FEES.—The fees charged under subsection (a) shall be not less than the amount required to reimburse the Secretary for the full costs of providing storage, withdrawal, or transportation services, including capital investments in upgrades and maintenance at the Federal Helium System.

''(c) SCHEDULE OF FEES.—Prior to sale or auction under subsection (a), (b), or (c) of section 6, the Secretary shall annually publish a standardized schedule of fees that the Secretary will charge under this section.

''(d) TREATMENT.—All fees received by the Secretary under this section shall be credited to the Helium Production Fund established under section 6(e).

''(e) STORAGE AND DELIVERY.—In accordance with this section, the Secretary shall—

''(1) allow any person or qualified bidder to which crude helium is sold or auctioned under section 6 to store helium in the Federal Helium Reserve; and

''(2) establish a schedule for the transportation and delivery of helium using the Federal Helium System that—

''(A) ensures timely delivery of helium auctioned pursuant to section 6(b)(2);

''(B) ensures timely delivery of helium acquired from the Secretary from the Federal Helium Reserve by means other than an auction under section 6(b)(2), including nonallocated sales; and

''(C) provides priority access to the Federal Helium Pipeline for in-kind sales for Federal users.

''(f) NEW PIPELINE ACCESS.—The Secretary shall consider any applications for access to the Federal Helium Pipeline in a manner consistent with the schedule for phasing out commercial sales and disposition of assets pursuant to section 6.''.

SEC. 5. SALE OF CRUDE HELIUM.

Section 6 of the Helium Act (50 U.S.C. 167d) is amended to read as follows:

''SEC. 6. SALE OF CRUDE HELIUM.

''(a) PHASE A: ALLOCATION TRANSITION.—

''(1) IN GENERAL.—The Secretary shall offer crude helium for sale in such quantities, at such times, at not less than the minimum price established under subsection (b)(7), and under such terms and conditions as the Secretary determines necessary to carry out this subsection with minimum market disruption.

''(2) FEDERAL PURCHASES.—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium at the in-kind price from the Secretary.

''(3) DURATION.—This subsection applies during—

''(A) the period beginning on the date of enactment of the Helium Stewardship Act of 2013 and ending on September 30, 2014; and

''(B) any period during which the sale of helium under subsection (b) is delayed or suspended.

''(b) PHASE B: AUCTION IMPLEMENTATION.—

''(1) IN GENERAL.—The Secretary shall offer crude helium for sale in quantities not subject to auction under paragraph (2), after completion of each auction, at not less than the minimum price established under paragraph (7), and under such terms and conditions as the Secretary determines necessary—

''(A) to maximize total recovery of helium from the Federal Helium Reserve over the long term;

''(B) to maximize the total financial return to the taxpayer;

''(C) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

''(D) to give priority to meeting the helium demand of Federal users in the event of any disruption to the Federal Helium Reserve; and

''(E) to carry out this subsection with minimum market disruption.

''(2) AUCTION QUANTITIES.—For the period described in paragraph (4) and consistent with the conditions described in paragraph

(8), the Secretary shall annually auction to any qualified bidder a quantity of crude helium in the Federal Helium Reserve equal to—

''(A) for fiscal year 2015, 10 percent of the total volume of crude helium made available for that fiscal year;

''(B) for each of fiscal years 2016 through 2019, a percentage of the total volume of crude helium that is 15 percentage points greater than the percentage made available for the previous fiscal year; and

''(C) for fiscal year 2020 and each fiscal year thereafter, 100 percent of the total volume of crude helium made available for that fiscal year.

''(3) FEDERAL PURCHASES.—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium at the in-kind price from the Secretary.

''(4) DURATION.—This subsection applies during the period—

''(A) beginning on October 1, 2014; and

''(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

''(5) SAFETY VALVE.—The Secretary may adjust the quantities specified in paragraph (2)—

''(A) downward, if the Secretary determines the adjustment necessary—

''(i) to minimize market disruptions that pose a threat to the economic well-being of the United States; and

''(ii) only after submitting a written justification of the adjustment to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives; or

''(B) upward, if the Secretary determines the adjustment necessary to increase participation in crude helium auctions or returns to the taxpayer.

''(6) AUCTION FORMAT.—The Secretary shall conduct each auction using a method that maximizes revenue to the Federal Government.

''(7) PRICES.—The Secretary shall annually establish, as applicable, separate sale and minimum auction prices under subsection (a)(1) and paragraphs (1) and (2) using, if applicable and in the following order of priority:

''(A) The sale price of crude helium in auctions held by the Secretary under paragraph (2).

''(B) Price recommendations and disaggregated data from a qualified, independent third party who has no conflict of interest, who shall conduct a confidential survey of qualifying domestic helium transactions.

''(C) The volume-weighted average price of all crude helium and pure helium purchased, sold, or processed by persons in all qualifying domestic helium transactions.

''(D) The volume-weighted average cost of converting gaseous crude helium into pure helium.

''(8) TERMS AND CONDITIONS.—

''(A) IN GENERAL.—The Secretary shall require all persons that are parties to a contract with the Secretary for the withdrawal, acceptance, storage, transportation, delivery, or redelivery of crude helium to disclose, on a strictly confidential basis—

''(i) the volumes and associated prices in dollars per thousand cubic feet of all crude and pure helium purchased, sold, or processed by persons in qualifying domestic helium transactions;

''(ii) the volumes and associated costs in dollars per thousand cubic feet of converting crude helium into pure helium; and

''(iii) refinery capacity and future capacity estimates.

''(B) CONDITION.—As a condition of sale or auction to a refiner under subsection (a)(1) and paragraphs (1) and (2), effective beginning 90 days after the date of enactment of the Helium Stewardship Act of 2013, the refiner shall make excess refining capacity of helium available at commercially reasonable rates to—

''(i) any person prevailing in auctions under paragraph (2); and

''(ii) any person that has acquired crude helium from the Secretary from the Federal Helium Reserve by means other than an auction under paragraph (2) after the date of enactment of the Helium Stewardship Act of 2013, including nonallocated sales.

''(9) USE OF INFORMATION.—The Secretary may use the information collected under this Act—

''(A) to approximate crude helium prices; and

''(B) to ensure the recovery of fair value for the taxpayers of the United States from sales of crude helium.

''(10) PROTECTION OF CONFIDENTIALITY.—The Secretary shall adopt such administrative policies and procedures as the Secretary considers necessary and reasonable to ensure the confidentiality of information submitted pursuant to this Act.

''(11) FORWARD AUCTIONS.—Effective beginning in fiscal year 2016, the Secretary may conduct a forward auction once each fiscal year of a quantity of helium that is equal to up to 10 percent of the volume of crude helium to be made available at auction during the following fiscal year if the Secretary determines that the forward auction will—

''(A) not cause a disruption in the supply of helium from the Reserve;

''(B) represent a cost-effective action;

''(C) generate greater returns for taxpayers; and

''(D) increase the effectiveness of price discovery.

''(12) AUCTION FREQUENCY.—Consistent with the annual volumes established under paragraph (2), effective beginning in fiscal year 2016, the Secretary may conduct auctions twice during each fiscal year if the Secretary determines that the auction frequency will—

''(A) not cause a disruption in the supply of helium from the Reserve;

''(B) represent a cost-effective action;

''(C) generate greater returns for taxpayers; and

''(D) increase the effectiveness of price discovery.

''(c) PHASE C: CONTINUED ACCESS FOR FEDERAL USERS.—

''(1) IN GENERAL.—The Secretary shall offer crude helium for sale to Federal users in such quantities, at such times, at such prices required to reimburse the Secretary for the full costs of the sales, and under such terms and conditions as the Secretary determines necessary to carry out this subsection.

''(2) FEDERAL PURCHASES.—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium at the in-kind price from the Secretary.

''(3) EFFECTIVE DATE.—This subsection applies beginning on the day after the date described in subsection (b)(4)(B).

''(d) PHASE D: DISPOSAL OF ASSETS.—

''(1) IN GENERAL.—Not earlier than 2 years after the date of commencement of Phase C described in subsection (c) and not later than September 30, 2022, the Secretary shall designate as excess property and dispose of all facilities, equipment, and other real and personal property, and all interests in the same, held by the United States in the Federal Helium System.

''(2) APPLICABLE LAW.—The disposal of the property described in paragraph (1) shall be in accordance with subtitle I of title 40, United States Code.

''(3) PROCEEDS.—All proceeds accruing to the United States by reason of the sale or other disposal of the property described in paragraph (1) shall be treated as funds received under this Act for purposes of subsection (e).

''(4) COSTS.—All costs associated with the sale and disposal (including costs associated with termination of personnel) and with the cessation of activities under this subsection shall be paid from amounts available in the Helium Production Fund established under subsection (e).

''(e) HELIUM PRODUCTION FUND.—

''(1) IN GENERAL.—All amounts received under this Act, including amounts from the sale or auction of crude helium, shall be credited to the Helium Production Fund, which shall be available without fiscal year limitation for purposes determined to be necessary and cost effective by the Secretary to carry out this Act (other than sections 16, 17, and 18), including capital investments in upgrades and maintenance at the Federal Helium System, including—

''(A) well head maintenance at the Cliffside Field;

''(B) capital investments in maintenance and upgrades of facilities that pressurize the Cliffside Field;

''(C) capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, transportation, purification, and sale of crude helium from the Federal Helium Reserve;

''(D) entering into purchase, lease, or other agreements to drill new or uncap existing wells to maximize the recovery of crude helium from the Federal Helium System; and

''(E) any other scheduled or unscheduled maintenance of the Federal Helium System.

''(2) EXCESS FUNDS.—Amounts in the Helium Production Fund in excess of amounts the Secretary determines to be necessary to carry out paragraph (1) shall be paid to the general fund of the Treasury and used to reduce the annual Federal budget deficit.

''(3) RETIREMENT OF PUBLIC DEBT.—Out of amounts paid to the general fund of the Treasury under paragraph (2), the Secretary of the Treasury shall use $51,000,000 to retire public debt.

''(4) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2013 and annually thereafter, the Secretary of the Interior shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing all expenditures by the Bureau of Land Management to carry out this Act.

''(f) MINIMUM QUANTITY.—The Secretary shall offer for sale or auction during each fiscal year under subsections (a), (b), and (c) a quantity of crude helium that is the lesser of—

''(1) the quantity of crude helium offered for sale by the Secretary during fiscal year 2012; or

''(2) the maximum total production capacity of the Federal Helium System.''.

SEC. 6. INFORMATION, ASSESSMENT, RESEARCH, AND STRATEGY.

The Helium Act (50 U.S.C. 167 et seq.) is amended—

(1) by repealing section 15 (50 U.S.C. 167m);

(2) by redesignating section 17 (50 U.S.C. 167 note) as section 20; and

(3) by inserting after section 14 (50 U.S.C. 167l) the following:

"SEC. 15. INFORMATION.

''(a) TRANSPARENCY.—The Secretary, acting through the Bureau of Land Management, shall make available on the Internet information relating to the Federal Helium System that includes—

''(1) continued publication of an open market and in-kind price;

''(2) aggregated projections of excess refining capacity;

''(3) ownership of helium held in the Federal Helium Reserve;

''(4) the volume of helium delivered to persons through the Federal Helium Pipeline;

''(5) pressure constraints of the Federal Helium Pipeline;

''(6) an estimate of the projected date when 3,000,000,000 standard cubic feet of crude helium will remain in the Federal Helium Reserve and the final phase described in section 6(c) will begin;

''(7) the amount of the fees charged under section 5;

''(8) the scheduling of crude helium deliveries through the Federal Helium Pipeline; and

''(9) other factors that will increase transparency.

''(b) REPORTING.—Not later than 90 days after the date of enactment of the Helium Stewardship Act of 2013, to provide the market with appropriate and timely information affecting the helium resource, the Director of the Bureau of Land Management shall establish a timely and public reporting process to provide data that affects the helium industry, including—

''(1) annual maintenance schedules and quarterly updates, that shall include—

''(A) the date and duration of planned shutdowns of the Federal Helium Pipeline;

''(B) the nature of work to be undertaken on the Federal Helium System, whether routine, extended, or extraordinary;

''(C) the anticipated impact of the work on the helium supply;

''(D) the efforts being made to minimize any impact on the supply chain; and

''(E) any concerns regarding maintenance of the Federal Helium Pipeline, including the pressure of the pipeline or deviation from normal operation of the pipeline;

''(2) for each unplanned outage, a description of—

''(A) the beginning of the outage;

''(B) the expected duration of the outage;

''(C) the nature of the problem;

''(D) the estimated impact on helium supply;

''(E) a plan to correct problems, including an estimate of the potential timeframe for correction and the likelihood of plan success within the timeframe;

''(F) efforts to minimize negative impacts on the helium supply chain; and

''(G) updates on repair status and the anticipated online date;

''(3) monthly summaries of meetings and communications between the Bureau of Land Management and the Cliffside Refiners Limited Partnership, including a list of participants and an indication of any actions taken as a result of the meetings or communications; and

''(4) current predictions of the lifespan of the Federal Helium System, including how much longer the crude helium supply will be available based on current and forecasted demand and the projected maximum production capacity of the Federal Helium System for the following fiscal year.

"SEC. 16. HELIUM GAS RESOURCE ASSESSMENT.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Helium Stewardship Act of 2013, the Secretary, acting through the Director of the United States Geological Survey, shall—

''(1) in coordination with appropriate heads of State geological surveys—

''(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

''(B) make available the modern seismic and geophysical log data for characterization of the Bush Dome Reservoir;

''(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

''(3) in coordination with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

''(A) an assessment of trends in global demand for helium, including the isotope helium-3;

''(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, commercial, manufacturing, space technologies, cryogenics, and national defense; and

''(C) an inventory of medical, scientific, industrial, commercial, and other uses of helium in the United States, including Federal uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

''(4) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the assessments required under this paragraph.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

"SEC. 17. LOW-BTU GAS SEPARATION AND HELIUM CONSERVATION.

''(a) AUTHORIZATION.—The Secretary of Energy shall support programs of research, development, commercial application, and conservation (including the programs described in subsection (b))—

''(1) to expand the domestic production of low-Btu gas and helium resources;

''(2) to separate and capture helium from natural gas streams; and

''(3) to reduce the venting of helium and helium-bearing low-Btu gas during natural gas exploration and production.

''(b) PROGRAMS.—

''(1) MEMBRANE TECHNOLOGY RESEARCH.—The Secretary of Energy, in consultation with other appropriate agencies, shall support a civilian research program to develop advanced membrane technology that is used in the separation of low-Btu gases, including technologies that remove helium and other constituent gases that lower the Btu content of natural gas.

''(2) HELIUM SEPARATION TECHNOLOGY.—The Secretary of Energy shall support a research program to develop technologies for separating, gathering, and processing helium in low concentrations that occur naturally in geological reservoirs or formations, including—

''(A) low-Btu gas production streams; and

''(B) technologies that minimize the atmospheric venting of helium gas during natural gas production.

''(3) INDUSTRIAL HELIUM PROGRAM.—The Secretary of Energy, working through the Advanced Manufacturing Office of the Department of Energy, shall carry out a research program—

''(A) to develop low-cost technologies and technology systems for recycling, reprocessing, and reusing helium for all medical, scientific, industrial, commercial, aerospace, and other uses of helium in the United States, including Federal uses; and

''(B) to develop industrial gathering technologies to capture helium from other chemical processing, including ammonia processing.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000.

"SEC. 18. HELIUM-3 SEPARATION.

''(a) INTERAGENCY COOPERATION.—The Secretary shall cooperate with the Secretary of Energy, or a designee, on any assessment or research relating to the extraction and refining of the isotope helium-3 from crude helium and other potential sources, including—

''(1) gas analysis; and

''(2) infrastructure studies.

''(b) FEASIBILITY STUDY.—The Secretary, in consultation with the Secretary of Energy, or a designee, may carry out a study to assess the feasibility of—

''(1) establishing a facility to separate the isotope helium-3 from crude helium; and

''(2) exploring other potential sources of the isotope helium-3.

''(c) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2013, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that contains a description of the results of the assessments conducted under this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

"SEC. 19. FEDERAL AGENCY HELIUM ACQUISITION STRATEGY.

''In anticipation of the implementation of Phase D described in section 6(d), and not later than 2 years after the date of enactment of the Helium Stewardship Act of 2013, the Secretary (in consultation with the Secretary of Energy, the Secretary of Defense, the Director of the National Science Foundation, the Administrator of the National Aeronautics and Space Administration, and the Director of the National Institutes of Health) shall submit to Congress a report that provides for Federal users—

''(1) an assessment of the consumption of, and projected demand for, crude and refined helium;

''(2) a description of a 20-year Federal strategy for securing access to helium;

''(3) a determination of a date prior to September 30, 2022, for the implementation of Phase D as described in section 6(d) that minimizes any potential supply disruptions for Federal users;

''(4) an assessment of the effects of increases in the price of refined helium and methods and policies for mitigating any determined effects; and

''(5) a description of a process for prioritization of uses that accounts for diminished availability of helium supplies that may occur over time.''.

SEC. 7. CONFORMING AMENDMENTS.

(a) Section 4 of the Helium Act (50 U.S.C. 167b) is amended by striking ''section 6(f)'' each place it appears in subsections (c)(3), (c)(4), and (d)(2) and inserting ''section 6(d)''.

(b) Section 8 of the Helium Act (50 U.S.C. 167f) is repealed.

SEC. 8. EXISTING AGREEMENTS.

(a) IN GENERAL.—This Act and the amendments made by this Act shall not affect or

diminish the rights and obligations of the Secretary of the Interior and private parties under agreements in existence on the date of enactment of this Act, except to the extent that the agreements are renewed or extended after that date.

(b) DELIVERY.—No agreement described in subsection (a) shall affect or diminish the right of any party that purchases helium after the date of enactment of this Act in accordance with section 6 of the Helium Act (50 U.S.C. 167d) (as amended by section 5) to receive delivery of the helium in accordance with section 5(e)(2) of the Helium Act (50 U.S.C. 167c(e)(2)) (as amended by section 4).

SEC. 9. REGULATIONS.

The Secretary of the Interior shall promulgate such regulations as are necessary to carry out this Act and the amendments made by this Act, including regulations necessary to prevent unfair acts and practices.

SEC. 10. AMENDMENTS TO OTHER LAWS.

(a) SECURE RURAL SCHOOLS AND COMMUNITY SELF DETERMINATION PROGRAM.—

(1) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(A) AVAILABILITY OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking ''2012'' each place it appears and inserting ''2013''.

(B) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(i) in paragraph (1)(A), by striking ''2012'' and inserting ''2013''; and

(ii) in paragraph (2)(B), by striking ''2012'' each place it appears and inserting ''2013''.

(C) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''and 2012'' and inserting ''through 2013''.

(2) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 is amended—

(A) in section 203(a)(1) (16 U.S.C. 7123(a)(1)), by striking ''2012'' and inserting ''2013'';

(B) in section 204(e)(3)(B)(iii) (16 U.S.C. 7124(e)(3)(B)(iii)), by striking ''2012'' and inserting ''2013'';

(C) in section 205(a)(4) (16 U.S.C. 7125(a)(4)), by striking ''2011'' each place it appears and inserting ''2012'';

(D) in section 207(a) (16 U.S.C. 7127(a)), by striking ''2012'' and inserting ''2013''; and

(E) in section 208 (16 U.S.C. 7128)—

(i) in subsection (a), by striking ''2012'' and inserting ''2013''; and

(ii) in subsection (b), by striking ''2013'' and inserting ''2014''.

(3) CONTINUATION OF AUTHORITY TO RESERVE AND USE COUNTY FUNDS.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking ''2012'' and inserting ''2013'' ; and

(B) in subsection (b), by striking ''2013'' and inserting ''2014''.

(4) AUTHORIZATION OF APPROPRIATIONS.—Section 402 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7152) is amended by striking ''2012'' and inserting ''2013''.

(b) ABANDONED WELL REMEDIATION.—Section 349 of the Energy Policy Act of 2005 (42 U.S.C. 15907) is amended by adding at the end the following:

''(i) FEDERALLY DRILLED WELLS.—Out of any amounts in the Treasury not otherwise appropriated, $46,000,000 for fiscal year 2014 and $4,000,000 for fiscal year 2018 shall be made available to the Secretary, without further appropriation and to remain available until expended, to remediate, reclaim, and close abandoned oil and gas wells on current or former National Petroleum Reserve land.''.

(c) NATIONAL PARKS MAINTENANCE BACKLOG.—Section 814(g) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 1f) is amended by adding at the end the following:

''(4) AVAILABLE FUNDS.—Out of any amounts in the Treasury not otherwise appropriated, $50,000,000 shall be made available to the Secretary of the Interior for fiscal year 2018, without further appropriation and to remain available until expended, to pay the Federal funding share of challenge cost-share agreements for deferred maintenance projects and to correct deficiencies in National Park Service infrastructure.

''(5) COST-SHARE REQUIREMENT.—Not less than 50 percent of the total cost of project for funds made available under paragraph (4) to pay the Federal funding share shall be derived from non-Federal sources, including in-kind contribution of goods and services fairly valued.''.

(d) ABANDONED MINE RECLAMATION FUND.—Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended by adding at the end the following:

''(6) SUPPLEMENTAL FUNDING.—

''(A) WAIVER OF LIMITATION.—Notwithstanding paragraph (5), the limitation on the total annual payments to a certified State or Indian tribe under this subsection shall not apply for fiscal year 2014.

''(B) LIMITATION ON WAIVER.—Notwithstanding subparagraph (A), the total annual payment to a certified State or Indian tribe under this subsection for fiscal year 2014 shall not be more than $75,000,000.

''(C) INSUFFICIENT AMOUNTS.—If the total annual payment to a certified State or Indian tribe under paragraphs (1) and (2) is limited by subparagraph (B), the Secretary shall—

''(i) give priority to making payments under paragraph (2); and

''(ii) use any remaining funds to make payments under paragraph (1).''.

(e) SODA ASH ROYALTIES.—Notwithstanding section 24 of the Mineral Leasing Act (30 U.S.C. 262) and the terms of any lease under that Act, the royalty rate on the quantity of gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 2-year period beginning on the date of enactment of this Act shall be 4 percent.

(f) AUTHORIZATION OFFSET.—Section 207(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17022(c)) is amended by inserting before the period at the end the following: '', except that the amount authorized to be appropriated to carry out this section not appropriated as of the date of enactment of the Helium Stewardship Act of 2013 shall be reduced by $6,000,000''.

SA 1961. Mr. HATCH 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 24, strike lines 14 through 22 and insert the following:

(b) NONDUPLICATION.—The Secretary shall coordinate with the Secretary of Labor and the Secretary of Education prior to issuing any funding opportunity announcements to ensure that duplication does not occur.

SA 1962. Mr. HATCH 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___. WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS.

Section 415 of the Energy Conservation and Production Act (42 U.S.C. 6865) is amended by adding at the end the following:

''(f) ADMINISTRATION.—

''(1) IN GENERAL.—A State shall use up to 8 percent of any grant made by the Secretary under this part to track applicants for and recipients of weatherization assistance under this part to determine the impact of the assistance and eliminate or reduce reliance on the assistance over a period of not more than 3 years.

''(2) ANNUAL STATE PLANS.—A State may submit to the Secretary for approval within 90 days an annual plan for the administration of assistance under this part in the State that includes, at the option of the State—

''(A) local income eligibility standards for the assistance that are not based on the formula that are used to allocate assistance under this part; and

''(B) the establishment of revolving loan funds for multifamily affordable housing units.''.

SA 1963. Mr. HATCH 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 24, strike line 23 and insert the following:

(c) ADMINISTRATION.—To promote the efficiency and effectiveness of the programs, the Secretary shall—

(1) conduct or collect applicable third-party evaluations on every federally funded energy worker training program established during the 7-year period ending on the date of enactment of this Act, including technical training, on-the-job training, and industry-recognized credentialing programs; and

(2) publish and disseminate evidence-based guidance for the programs after considering the third-party evaluations.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 19, 2013, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 19, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on September 19, 2013, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 19, 2013, at 10 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WYDEN. 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 ''The Triad: Promoting a System of Shared Responsibility. Issues for Reauthorization of the Higher Education Act'' on September 19, 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 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 19, 2013, at 10 a.m. to conduct a hearing entitled ''Outside the Box: Reforming and Renewing the Postal Service, Part I—Maintaining Services, Reducing Costs and Increasing Revenue Through Innovation and Modernization.''

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

COMMITTEE ON THE JUDICIARY

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 19, 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.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WYDEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 19, 2013, at 2:30 p.m.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, September 24, at 11:15 a.m., the Senate proceed to executive session to consider the nomination of Calendar No. 203, that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of that time the Senate proceed to a vote with no intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; 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.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 246, S. Res. 247, and S. Res. 248.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid on the table en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, SEPTEMBER 23, 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 23, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 4 p.m. with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. REID. Mr. President, there will be no rollcall votes on Monday. The next rollcall vote will be Tuesday at approximately 11:45 a.m. on confirmation of the Hughes nomination.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 23, 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 5:17 p.m., adjourned until Monday, September 23, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

CYNTHIA ANN BASHANT, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE IRMA E. GONZALEZ, RETIRED.

STANLEY ALLEN BASTIAN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON, VICE EDWARD F. SHEA, RETIRED.

DIANE J. HUMETEWA, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE MARY H. MURGUIA, ELEVATED.

JON DAVID LEVY, OF MAINE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MAINE, VICE GEORGE Z. SINGAL, RETIRED.

STEVEN PAUL LOGAN, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE JAMES A. TEILBORG, RETIRED.

DOUGLAS L. RAYES, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE FREDERICK J. MARTONE, RETIRED.

MANISH S. SHAH, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE JOAN HUMPHREY LEFKOW, RETIRED.

JOHN JOSEPH TUCHI, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE ROSLYN MOORE–SILVER, RETIRED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203A:

To be rear admiral (lower half)

CAPT. FRANCIS S. PELKOWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C, SECTION 271(E):

To be rear admiral (lh)

CAPT. MEREDITH L. AUSTIN
CAPT. PETER W. GAUTIER
CAPT. MICHAEL J. HAYCOCK
CAPT. JAMES M. HEINZ
CAPT. KEVIN E. LUNDAY
CAPT. TODD A. SOKALZUK
CAPT. PAUL F. THOMAS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

GREGORY L. KOONTZ

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

NGA T. DO

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

PAUL A. THOMAS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

JUSTIN R. HODGES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

GEORGE P. BYRUM

EXTENSIONS OF REMARKS

HONORING LIEUTENANT COLONEL HAROLD FRITZ

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to talk about Lieutenant Colonel Harold Fritz of Peoria, Illinois, who is one of only three living Medal of Honor recipients in Illinois today. The Medal of Honor is our Nation's highest military honor and is awarded for personal acts of valor that go well above and beyond the call of duty.

Lieutenant Colonel Fritz, who went by ''Hal,'' was born in Chicago and currently lives in Peoria. He was awarded the Medal of Honor due to his brave service in Vietnam.

During a jungle firefight, then First Lieutenant Fritz displayed exemplary leadership despite suffering serious wounds. Lieutenant Colonel Fritz was leading his 7-vehicle armored column to meet and escort a truck convoy when they suddenly came under intense fire from enemy combatants. Lieutenant Colonel Fritz' vehicle was hit, and he was seriously wounded. Realizing that his men were completely surrounded and outnumbered, Lieutenant Colonel Fritz leaped to the top of his burning vehicle and directed the positioning of his remaining vehicles and men.

Without thinking of his own safety, he ran from vehicle to vehicle in complete view of the enemy gunners in order to help his men. Armed only with a pistol and bayonet, he led a small group of his men in a charge which inflicted heavy casualties on the enemy. Despite being wounded, Lieutenant Colonel Fritz assisted his men and refused medical attention until all of his wounded soldiers had been treated.

Lieutenant Colonel Fritz is currently the President of the Congressional Medal of Honor Society and resides in Peoria. I wish him all the best and want to thank him again for his brave and dedicated service to our Nation.

NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2013

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 761) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness:

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to the so-called ''National Strategic and Critical Minerals Protection Act,'' a bill that has very little to do with development of rare earth elements or minerals that are vulnerable to supply disruption.

The bill before us today is so broadly drafted that it would reduce or eliminate environmental review for almost all type of mines on public land, including common materials like sand, clay, and gravel. It needlessly limits judicial review of mining activities. And it arbitrarily prioritizes mining over every other use of public lands, including hunting, fishing, grazing, and conservation.

If the majority would like to encourage production of truly strategic and critical minerals on public lands, we should work together on a targeted solution that develops our natural resources while protecting our environment. Today's bill is not that solution. I urge a no vote.

IN RECOGNITION OF THE 60TH ANNIVERSARY OF KAISER PERMANENTE'S SOUTHERN CALIFORNIA PHYSICIANS MEDICAL GROUP

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. VARGAS. Mr. Speaker, I rise today to honor Kaiser Permanente's Southern California Physicians Medical Group (SCPMG) on their 60th Anniversary. As a leading provider of health care services for more than 500,000 San Diegans this is truly an historic occasion for their organization. Since its modest beginnings in 1953, SCPMG has grown to become the nation's second largest private multi-specialty group practice. In 1967, Kaiser Permanente introduced the ''integrated'' model of healthcare to San Diego with the opening of its first hospital and medical center.

With over 1,100 SCPMG physicians in the San Diego service area, they provide care at two medical centers and 24 outpatient offices and annually see more than 2.9 million patients. They have established San Diego Medical Center as a premier destination for the treatment of strokes as well as having been certified a ''baby-friendly'' hospital. SCPMG sites also serve as academic institutions where SCPMG physicians help mentor Kaiser Foundation graduate medical residents and fellows.

SCPMG is helping to shape the future of health care in our nation through the use of advanced technology and the creation of innovative solutions that will have a lasting impact. I would like to commend SCPMG on their 60th Anniversary and thank them for their contributions to the community.

PROCLAIMING NATIONAL GEAR UP WEEK IN EL PASO, TX

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. O'ROURKE. Mr. Speaker, I am honored to recognize the week of September 23, 2013 as National GEAR UP Week at Socorro Independent School District and Ysleta Independent School District in El Paso, TX.

The Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) is a federally funded, competitive grant program designed to increase the number of low-income students who are prepared to enter and succeed in postsecondary education. GEAR UP serves low-income, minority and disadvantaged students and their families from underserved communities who might be the first person in their family to go to college. The program provides multi-year grants to states to deliver resources to students and their families, starting in middle school and onward, to help them achieve their dreams of attaining a postsecondary education.

GEAR UP includes interventions such as tutoring, mentoring, rigorous academic preparation, financial education and college scholarships to improve access to higher education for low income, minority and disadvantaged first-generation students and their families. The program is built around public-private partnerships, enlisting resources from government, business and community groups to support low-income students as they prepare to enter and succeed in college.

The GEAR UP-SOAR (Solutions for Optimal Academic Readiness) and GEAR UP-Proyecto MAS is a partnership of the Socorro Independent School District, Ysleta Independent School District and the University of Texas at El Paso. Over 8,000 El Paso students have benefited from their participation in these GEAR UP Projects focused on college readiness.

The program helps the University of Texas at El Paso, Socorro Independent School District and Ysleta Independent School District fulfill their missions to provide a quality education for all students, helping them achieve their highest potential. I thank GEAR UP for increasing the number of low-income and minority El Paso students who are college ready, and helping these students enter and succeed in higher education.

CELEBRATING THE 70TH BIRTHDAY OF CLAUDIA TERENCIA NESBITT WALKER

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to recognize the birthday of Pastor Claudia Terencia Nesbitt Walker who turned 70

years old on September 2, 2013. Pastor Walker was born and raised on St. Croix in the U.S. Virgin Islands to the late Mary Matilda Henry and Austin Nesbitt. In honor of Pastor Walker's 70th birthday, I acknowledge her many contributions to the island of St. Croix. Pastor Walker is a lifelong business woman, culture bearer and community religious leader.

As a young female entrepreneur, she opened and managed several businesses in Frederiksted, St. Croix including the Palm Gardens and West Haven restaurants and the Frederiksted Bookkeeping and Secretarial Services. Prior to opening her own business, she worked as an Office Manager for the largest woman-owned business on St. Croix—Abramson Enterprises.

Pastor Walker is one of the Virgin Islands foremost culture bearers having co-founded the St. Croix Heritage Dancers, Inc. in 1981 where she served as the quadrille dance group's first Treasurer. Pastor Walker was also Treasurer for the St. Croix Festival Committee for many years. A gifted alto, Pastor Walker was a leading member of the Frederiksted Moravian Church Choir.

Pastor Walker is a prominent member of the religious community on St. Croix. An ordained minister and Christian education teacher, she was a congregation member of the Holy Ghost Deliverance Ministries where she was ordained in 1990. She was also ordained into the Ministerial Fellowship of the World Harvest Church in Columbus, Ohio. Pastor Walker is the Founder and Pastor of the Gospel Tent Ministries and an associate member of the International Third World Leaders Association. She has served as the Territorial Representative for Morris Cerullo World Evangelism and their Global Satellite Network. Pastor Walker was Treasurer for the St. Croix Ministerial Association and also served as President for the Frederiksted Moravian Church Women's Fellowship. She is the author of the acclaimed study manual entitled Forgiven and Forgiving: Your Doorway to Freedom.

Claudia Walker was a prominent Virgin Islands public servant. She was office manager for several Virgin Islands Senators including Senator Cleone Creque Maynard, Senator Douglas Canton, Senator Edgar Isles, Senator Luz James and Senator Alicia Hansen. Pastor Walker also served the Virgin Islands government for many years as Business Manager at the Department of Licensing and Consumer Affairs.

She lovingly raised a family of three children, and has four grandchildren, and three great-grandchildren.

I ask my colleagues to join me in congratulating Pastor Walker on this milestone. I thank her for her many contributions to the island of St. Croix and the U.S. Virgin Islands and I join her friends and family in celebration as we pay tribute to her on her 70th birthday. Pastor Claudia Walker is the very best St. Croix and the U.S. Virgin Islands has to offer, and I wish her good health and continued happiness.

SEEKING A VIABLE U.N. PATH FORWARD ON SYRIA

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. HOLT. Mr. Speaker, I would like to offer for the record and the benefit of my colleagues a recent op-ed in the Huffington Post by international affairs expert Jeffrey Laurenti. It outlines a sound broader approach to bringing the tragic civil war in Syria to an end. Although some of the circumstances have changed since he wrote this piece, the wisdom of his analysis and recommendation still shows.

[From the Huffington Post, Sept. 12, 2013]

SEEKING A VIABLE U.N. PATH FORWARD ON SYRIA

(By Jeffrey Laurenti)

Public consternation in the United States and abroad about President Obama's planned ''targeted, limited, and effective'' punitive strike against Syria confirms the wisdom of his overall approach to the Syrian crisis the past two years.

In facing down the caws from Washington hawks for arming rebels, bombing missile sites, and trying to impose no-fly zone, Obama has gauged perfectly what Americans—and the world—expected of him: restraint. As he acknowledged last week, ''I was elected to end wars, not start them.''

The apparent large-scale use of chemical weapons by the forces of Syrian president Bashar al-Assad certainly adds a new factor to the calculus, both for Obama's personal credibility and international concerns about weapons of mass destruction. It may be enough to sway a critical margin in the Congress to let the president proceed with his planned strike, which we would have to hope might accomplish its objective without widening the war.

But there is a good chance the public and Congress will remain immovable and reject any kind of military involvement in Syria. With the prudent counsel that St. Luke (14:32) recorded for political leaders facing possible defeat, the president's team should already be working now on Plan B: an ambitious effort to shut down the Syrian civil war altogether.

Perhaps the administration conceives air strikes as the lever to push the Syrian resistance to the long-promised negotiating table with Assad's government. That might be a plausible strategy for wresting peace from the jaws of wider war. But even if this is the game plan, the administration should be laying the groundwork now for the diplomatic dénouement to come—which might even help it on Capitol Hill—in the U.N. Security Council.

Ah, the United Nations. The institution whose resolutions—and, by extension, whose Charter restrictions on the use of force—Obama seemed to dismiss last week as ''hocus pocus,'' delighting his right-wing enemies and shocking the political support base at home that won him his party's nomination and the many publics abroad that had cheered his election.

(Those most shocked presumably include the Nobel Committee that awarded him its Peace Prize in 2009 for having ''created a new climate in international politics . . ., with emphasis on the role that the United Nations and other international institutions can play,'' with ''dialogue and negotiations . . ., preferred as instruments for resolving even the most difficult international conflicts.'')

Ambassador Samantha Power, a committed multilateralist now representing America at the United Nations, last week declared, ''there is no viable path forward in this Security Council.'' If the path we want the Security Council to travel is authorizing a U.S. military strike against Syrian government forces for the grotesque use of chemical weapons, she is likely right that Russia and China would vote no.

But even so, simply securing a nine-vote council majority would itself indicate to the Congress and American people that the red line that U.S. action would be upholding is the world's, not just Obama's. And it would justify a General Assembly call for limited military action, giving the gold-standard international legitimation when discord paralyzes the Security Council.

Perhaps those votes are just not there. President Bush abandoned the effort to win a Security Council majority for his planned invasion of Iraq when he couldn't get more than four votes. But that was surely the canary in the mineshaft in 2003, warning against what proved to be a disastrous war.

There is another viable path that the United States could usefully pursue right now, taking advantage of both the shock of the Ghouta gas attack and the fears of a U.S. strike's unintended consequences. It could take a page from the Security Council's first successful initiative as the Cold War wound down: its Resolution 598 that forced an end to the Iran-Iraq war (in which, coincidentally, Iraqi gas attacks against Iranians also figured).

These might be core elements of such an initiative:

A demand for an immediate ceasefire by all forces in Syria—the government and the various insurgent factions—with a short deadline for compliance;

Imposition of full-spectrum sanctions, especially on arms, on any party that refuses to comply with the cease-fire;

A summons to the Damascus authorities, the Syrian National Council, and other relevant parties to attend the much-postponed Kerry-Lavrov-Brahimi peace conference, to be convened within 30 days, and to negotiate in good faith;

Dispatch of a capably sized United Nations ceasefire monitoring force to oversee the ceasefire, investigate and report violations, and protect U.N. weapons inspectors;

Establishment of a U.N. commission of inquiry to determine responsibility for the Ghouta attack and any other reported chemical weapons use, with a demand that the government and, in rebel-dominated territory, insurgent groups permit full, unfettered access for U.N. weapons inspectors to undertake their investigation of sites of alleged attacks—much as Resolution 598 created a commission to certify officially who had started the Iran-Iraq war (surprise conclusion: Saddam);

Referral of the commission's findings of responsibility for chemical weapons use to the International Criminal Court, or less ideally an internationally vetted Syrian tribunal, for criminal prosecution;

A demand that Syria declare to U.N. inspectors its chemical weapons stocks for their provisional surveillance;

A reaffirmation of the need to kick-start the delayed conference on elimination of weapons of mass destruction from the Middle East that was promised at the 2010 nuclear nonproliferation treaty review conference.

It does not help President Obama's global credibility for Washington to appear to disdain the U.N. inspectors' pending report—especially when his one Western partner, France, now insists on waiting for it And it is certainly awkward for the president to hold the moral high ground when the pope is leading prayer vigils and writing to world leaders decrying the planned attack.

It may be that the world community places a thicker red line on unilateral use of force than on punishing poison gas. All the more reason for having Plan B in place to pick up the pieces.

HONORING SERGEANT JOHN F. BAKER, JR.

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to talk about John F. Baker Jr. of Moline, Illinois.

Sergeant Baker was awarded the Medal of Honor during the Vietnam War for heroically rescuing wounded soldiers from an ambush and leading a daring counterassault. The Medal of Honor is our nation's highest military honor and is awarded for personal acts of valor that go well above and beyond the call of duty.

He was accepted by the Army during the Vietnam War. As a side note, the Marine Corps said he was an inch too short. Remember that when I tell you that it was Sergeant Baker's strength that helped him save the lives of his fellow soldiers.

Sergeant Baker's unit was tasked with reinforcing a group of American soldiers pinned down in Vietnam, close to the Cambodian border. About 3,000 Vietnamese had taken cover in the surrounding brush. As the U.S. soldiers advanced, the lead scout was shot and killed, and the jungle erupted in enemy fire.

Sergeant Baker ran toward the front and helped destroy two enemy bunkers. Although he was blown off his feet by an enemy grenade, he willed his own recovery enough to make repeated trips through fire and smoke to evacuate wounded American soldiers, who were much bigger than he was. By the end of the hours-long conflict, his uniform was soaked in the blood of his fellow soldiers. In all, Sergeant Baker was credited with recovering eight fallen U.S. soldiers, destroying six bunkers and killing at least 10 enemies.

Sergeant Baker was honored in our home state of Illinois and in the Congressional District I serve in 2010 when the Interstate 280 Bridge over the Mississippi River was renamed the John F. Baker, Jr., Bridge. A monument also has been dedicated in his honor, in Rock Island, Illinois. Sergeant Baker passed away early last year. His family says they will remember his courage, strength, and love the most.

Mr. Speaker, I am proud to say that over the years, my region of Illinois has been the home to many brave veterans who have served our country in times of war and peace, including those who made the ultimate sacrifice in defense of our country. The extraordinary courage and selflessness displayed by Sergeant Baker reflect the greatest credit upon himself, his unit, the Armed Forces and our entire nation. For that we will be eternally grateful. Thank you.

RECOGNIZING MR. JAMES HOLIFIELD

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mrs. WALORSKI. Mr. Speaker, today I rise to recognize and congratulate Mr. James Holifield of New Carlisle, Indiana, who has been named Indiana's Middle School Principal of the Year by the Indiana Association of School Principals. This well-deserved honor reaffirms Mr. Holifield's exceptional work in the field of education.

Mr. Holifield has served as principal at New Prairie Middle School since 2002. Since that time, he has spearheaded the creation of the Alternative to Suspension/Expulsion (ATSE) Program. This innovative program requires students to complete daily physical activity and community service projects and provides students with one-on-one tutoring and counseling services in lieu of suspension or expulsion. This unique approach to discipline has resulted in a decrease in expulsions and a lower rate of recidivism.

In addition, Mr. Holifield's passion for intercultural communication led him to create a Mandarin language program at New Prairie Middle School. This program resulted in a partnership with ''sister schools'' in Liaoning Province, China that includes faculty and student exchange visits and regular Chinese guest teachers at New Prairie Middle School. Mr. Holifield's innovative program has provided many students with marketable skills that can be used in our ever-evolving global economy. These two achievements are only a sampling of Mr. Holifield's contributions to New Prairie Middle School.

Mr. Speaker, please join me in congratulating Mr. James Holifield for his exemplary work and impressive accomplishments in the field of education. Thanks to educators like Mr. Holifield who take the time to invest in their students, our children face a brighter future filled with greater opportunity. Mr. Holifield's work serves as an example not only to his colleagues but to all Hoosiers, and the Second District of Indiana is grateful for his service.

TRIBUTE TO TALIA LEMAN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize 18-year-old Talia Leman of Waukee, Iowa for her charitable efforts and for being named one of ten recipients of the 2013 Diller Teen Tikkun Olam Awards. These awards are presented annually to Jewish teens who exemplify the Jewish concept of ''repairing the world''.

Talia's philanthropic spark was first ignited in 2005, when she chose to trick-or-treat for change instead of candy in order to raise money to help those struggling in the aftermath of Hurricane Katrina. Talia successfully united her classmates into doing the same, and shortly thereafter her effort garnered national attention. In the end, 4,000 school districts across the United States collectively raised over $10 million for this effort.

In this altruistic spirit, Talia established the nonprofit RandomKid. This website provides youth with the tools and resources they need to formulate and develop community service projects by sharing possible ideas, strategies and funding opportunities. RandomKid has facilitated the efforts of 12 million youth from 20 countries bringing aid to four continents. Examples of RandomKid's reach include funding for water pumps, school construction, and medical care.

Mr. Speaker, I am honored to represent young Iowans like Talia Leman in the United States Congress. I know that my colleagues in the House will join me in commending her for her sincere dedication to helping others and wishing her continued success well into the future.

TRIBUE TO SEN. HARRY F. BYRD, JR.

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. HURT. Mr. Speaker, July 30, 2013, Virginia witnessed the passing of Senator Harry F. Byrd, Jr., of Virginia. Senator Byrd was a dedicated public servant and an exemplary figure in the history of our Commonwealth.

Born in Winchester, Virginia, Senator Byrd spent his life dedicated to Virginia. He attended both Virginia Military Institute and the University of Virginia, served our nation during World War II, and spent 78 years leading the Winchester Star, his family's newspaper. His 36 years of public service as a Virginia Senator and as a United States Senator set a high standard for integrity and leadership.

Senator Byrd always provided a strong voice for limited government and economic conservatism. He was at the center of many major policy discussions that shaped the future of this country. The late Senator is remembered for his positive, bipartisan approach to the great debates of his time, and his commitment to fiscal responsibility. During the 77th Congress, Senator Byrd proposed a commission to reduce the size and scope of the federal government. Named after its creator, the ''Byrd Committee'' was tasked with cutting unnecessary federal spending, which led to billions in savings during its first few years.

Senator Byrd's time was marked by great domestic and international transformation, and he played a crucial role as a Lieutenant Commander in the Navy, a Virginia and U.S. Senator, and as a journalist. His many contributions to the Commonwealth of Virginia and the nation as a whole will long be remembered.

On behalf of myself, Leader ERIC CANTOR, and Representatives FRANK WOLF, BOB GOODLATTE, RANDY FORBES, ROB WITTMAN, MORGAN GRIFFITH, and SCOTT RIGELL, I am honored to pay tribute to Senator Byrd's legacy. Our thoughts and prayers are with his family and loved ones.

HONORING SHILOH BAPTIST CHURCH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. WOLF. Mr. Speaker, I rise today to recognize Shiloh Baptist Church in McLean, Virginia. Shiloh Baptist Church celebrated its 140th anniversary last week.

Shiloh Baptist Church was founded in 1873 by Rev. Cyrus Carter, a native of Port-au-Prince, Haiti. The church's first services were held at Odrick's Public School in McLean. The

church's membership rapidly expanded and, today, worship is held at the Shiloh Baptist Church, 8310 Turning Leaf Lane in McLean.

Rev. Dr. Robert F. Cheeks, Jr. currently leads the congregation in worship and programming and, following the recent adoption of a new ministry strategy, Shiloh has successfully increased its outreach to the wider community and has grown stronger in its fellowship. I am pleased to join with them in celebrating this joyous occasion and recognizing 140 years of dedicated service to the McLean community and the greater Washington metropolitan area.

I wish Rev. Cheeks and the greater Shiloh Baptist Church family all the best as they continue to undertake the Lord's work, and thank them for 140 years of service to our community.

PERSONAL EXPLANATION

HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Ms. MENG. Mr. Speaker, on September 18, 2013, I mistakenly voted "aye" on rollcall vote 471. I meant to vote "nay" on the National Strategic and Critical Minerals Protection Act (H.R. 761).

HONORING THE SERVICE OF MR. THIERRY PORTÉ

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. PETRI. Mr. Speaker, I want to applaud the work of the Japan-U.S. Friendship Commission, CULCON (U.S,-Japan Conference on Educational and Cultural Interchange) and the United States–Japan Bridging Foundation on the occasion of their upcoming meetings in Washington, D.C., and for their ongoing work in support of a strong U.S.–Japan relationship.

I am especially honored to recognize the outstanding leadership of Mr. Thierry Porté, who has served the American people for six years as Chairman of the Japan–United States Friendship Commission and CULCON, and as Vice Chairman of the United States–Japan Bridging Foundation.

The Japan–U.S. Friendship Commission, a Federal agency established in 1975, awards grants supporting Japanese studies and educational, artistic, cultural and intellectual exchanges between the two nations. CULCON, established in 1962, is a bi-national advisory panel to the U.S. and Japanese governments ensuring that the best of new ideas are implemented as operational programs. CULCON also facilitates collaborations and partnership with other U.S.–Japan organizations. The United States–Japan Bridging Foundation was established in 1999 as a byproduct of the efforts of CULCON and the Commission. The Bridging Foundation is a self-sustaining 501(c)(3) nonprofit promoting educational and cultural exchanges. Collectively, these three organizations have been advancing and strengthening the vital educational and cultural foundations of the U.S.–Japan relationship.

Mr. Porté's enthusiastic and dedicated leadership has been instrumental in the success of all three organizations. In the field of art and culture, Mr. Porté has been a staunch supporter of the Japan–U.S. Friendship Commission's U.S.–Japan Creative Artists' Fellowship program that sends American artists to Japan for three months to collaborate with colleagues in their field. In spite of challenging financial circumstances, the Commission supported the continuation of this 30 year-old program whose impact reverberates as the artists continue their work with knowledge gained in Japan and working with their Japanese collaborators.

Mr. Porté has also been a strong supporter of Japanese studies in the United States. He has helped sustain funding for this field with support for projects such as the North American Coordinating Council of Japanese Library Resources (NCC). The NCC creates programs and online services to support the research needs of the field of Japanese studies and for users with any interest in Japan, anywhere.

The bedrock of the U.S.–Japan partnership is the close bond between our people, which remains the greatest resource for our Alliance. Student exchanges have been an important vehicle for nurturing the bonds between Japan and the United States. In this context, educational and cultural exchanges between Japan and the United States have been vital in building the strong partnership that exists today. At the same time, student exchanges help Japan and the United States to address the global challenges as partners with shared values, and enhance the global competitiveness of both countries.

To jointly address these issues, Mr. Porté, as Chairman of CULCON, spearheaded the work of a bi-national Education Task Force to examine trends in bilateral student exchanges and to make recommendations to leaders in both nations towards an ambitious goal: Double the number of U.S. and Japanese students studying in each other's country by 2020. The Educational Task Force, which is made up of government, private sector (nonprofit and for profit), and academic leaders from each country, has examined trends in bilateral student exchanges, and made recommendations to leaders in both nations on ways to revitalize and invigorate U.S.–Japan educational exchanges. Through Mr. Porté's leadership, the Task Force is making great strides in improving the quality and quantity of student exchanges.

Throughout his tenure as Chairman of the Commission, Mr. Porté has worked with the leaders of several professional organizations to support educational needs in Japan. In this regard, Mr. Porté supported efforts by Teach for Japan to help train Japan's most promising leaders to have an immediate impact on student achievement and develop these leaders into a national movement for educational change.

Mr. Porté has also been a staunch supporter of the United States–Japan Bridging Foundation as it expands opportunities for American undergraduate students to study in Japan. I applaud the Bridging Foundation for its work as a public-private partnership to raise over $4 million and award over 1,000 scholarships to American students since its inception.

In short, the Japan–U.S. Friendship Commission, CULCON and the U.S.–Japan Bridging Foundation have made great strides in promoting a strong and healthy U.S.–Japan relationship through the inspired leadership of Mr. Thierry Porté.

On behalf of the Congressional Members serving as Commissioners of the Japan–U.S. Friendship Commission—Senator LISA MURKOWSKI, Senator JAY ROCKEFELLER, Congressman JIM MCDERMOTT, and myself—I would like to express our deepest gratitude for these contributions and assure Mr. Porté and his colleagues that the positive results of their hard work will be felt for years to come.

IN RECOGNITION OF WOUNDED WARRIOR FELLOW EDWARD RELLA

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to an outstanding member of my staff, Mr. Edward Rella. Ed joined my office in March of 2012 through the U.S. House of Representatives' Wounded Warrior Program. After a successful and productive fellowship, Ed will be moving on and his last day with my office will be Friday, September 20, 2013.

A native of New Jersey, Ed served as an Armored Crewman in the U.S. Army and served tours of duty in Kuwait and Bosnia. During his successful military career, Ed was awarded three Army Achievement Medals, two Army Good Conduct Medals, two Armed Forces Expeditionary Medals and a National Defense Service Medal.

I was honored to have the opportunity to participate in the Wounded Warrior Program and have Ed join my Albany District Office last year. Since 2008, the U.S. House of Representatives has operated and funded the Wounded Warrior Program, offering full-time, two-year fellowships to veterans who have served on active duty since September 11, 2001, have a 30% or greater VA disability rating and less than 20 years of service. Veterans accepted into the program are employed by a House office to gain skills and work experience that will assist them as they transition to full-time, civilian employment.

As Ranking Member of the Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, it is important to me to have the insight, knowledge, and services that only a Veteran can provide and Ed has been an outstanding asset to my office. He has served as a caseworker on Veterans issues and military affairs-related matters. He has represented my office very capably at numerous events and made a number of presentations on my behalf. I have received extremely positive feedback from my constituents and veterans organizations about his performance and constituent service.

Ed is an example of public service at its finest and his work on military and Veterans issues, his first-hand knowledge of these issues, and his advocacy on behalf of the veterans of Georgia's Second Congressional District have been invaluable to my office. Ed has a tremendous work ethic and has gone above and beyond the highest standards expected from a Wounded Warrior Fellow. Truly, Ed is not just a member of my staff; I am proud to call him a friend.

Ed's service to his country and his community are but a small testimony of the high caliber of character that he embodies. He is kind, funny and friendly to everyone. One of the things I admire most about Ed is his never-ending positivity. Even in the most difficult and stressful times, he will find a way to make anyone laugh.

Ed has a big personality to match his big heart and we will certainly miss having him on the staff. We have grown accustomed to hearing his favorite sayings: ''Sharing is caring,'' and ''It's all good.'' He likes to think he can dance and will try to dance to anything with a good beat. He loves fried chicken and is hooked on the delicious fried chicken offered in the Albany area.

Ed has accomplished many things in his life but none of this would have been possible without the enduring love and support of his loving wife, Tracey, and his wonderful children, Taylor, Edward and Sydney.

Mr. Speaker, I ask my colleagues to join my wife, Vivian, and me, along with my Congressional staff and the more than 700,000 people in Georgia's 2''I Congressional District, in recognizing, commending and extending our sincerest appreciation to Edward Rella for all of the meaningful work he has done for our fine District.

TRIBUTE TO EAGLE SCOUT DANE ANDERSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Dane Andersen of Boy Scout Troop 98 in Johnston, 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, Dane raised more than $2500 and invested more than 240 hours to beautify the Iowa Primate Learning Sanctuary in Des Moines. Mr. Andersen oversaw the construction of a berm with 18 tons of dirt, planting 78 plants, painting the guardhouse and installing a new mailbox. Because the project was done on time and under budget, Dane and his volunteers were also able to provide a concrete base and footings for a future entrance sign. The work ethic Dane 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 am honored to represent Dane and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on reaching the rank of Eagle Scout, and I wish him continued success in his future education and career.

HONORING ANNA SOLLEY ED. D. ON RECEIVING VALLE DEL SOL'S LATINO ADVOCACY CHAMPION AWARD

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. PASTOR of Arizona. Mr. Speaker, I rise today to recognize Dr. Anna Solley for receiving the Latino Advocacy Champion Award at Valle del Sol's 23rd annual Profiles of Success Celebration on September 6, 2013. Valle del Sol takes pride in honoring individuals that take Arizona to new heights with their deeds and service for others. Dr. Anna Solley has accomplished this as a champion for education by empowering others, enabling change, and promoting diversity.

Dr. Solley has worked in higher education for thirty-six years and currently serves as President of Phoenix College. She is committed to providing access to higher education to a diverse student population and strengthening educational attainment among Latino students in the Phoenix metro area. One example of Dr. Solley's leadership is through her invaluable work in a partnership between Phoenix College, the City of Phoenix, and the Phoenix Union High School district. This partnership works to engage Latino youth at different points in their education, with the goal of increasing the number of students that earn postsecondary credentials by 20 percent over a six-year period.

Born in Nogales, Arizona, Dr. Solley had a big dream for a small-town girl, of making a difference in the lives of others. Throughout her career in higher education, Dr. Solley has exemplified this commitment to serving others by helping thousands of others accomplish their dreams and inspiring students to be significant contributors to their communities.

Dr. Anna Solley also currently serves on the National Community College Hispanic Council Board, the Arizona Commission for Postsecondary Education, the Phoenix Community Alliance Board, and the St. Joseph's Hospital Community Advisory Board.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Solley for receiving Valle del Sol's Latino Advocacy Champion Award and her continued service to the Phoenix community.

HONORING PROFESSOR WILLIAM GORDON McLAIN III

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. HASTINGS of Florida. Mr. Speaker, on September 6, 2013, Professor William Gordon McLain III lost his 19-month long battle with lung cancer. On that day, the world lost a champion for the powerless and a brilliant legal mind. Will, as he was known and distinguished from his first born son, William G. McLain, IV, was not unaccustomed to battles. He confronted his cancer diagnosis with the same ferocity, toughness, and wry humor that he exhibited in every fight, especially his lifelong battle to make the ideals of equality and justice under the law a reality for all.

Born and raised in McComb, Mississippi, in 1945, Will, an only child, lost his father who was also a lawyer, at an early age. But the die had been cast—the quest for justice was in his blood. Fueled by memories of his father and his lovingly feisty mother, Doris ''Cleo'' McLain, Will pursued his undergraduate education at Tulane University in his beloved second home, New Orleans, Louisiana. Although he entered the legal profession later than most, graduating from the Antioch School of Law in 1983 at the age of 38, Will lost little time throwing himself behind causes he believed in, no matter how unpopular. Indeed, some would say that the less popular an issue of Constitutional justice, government excess or fundamental fairness became, the more Will was compelled to stand up for it or fight against it. Will surprised many of his liberal friends with his dogged defense of an individual's right to bear arms under the Second Amendment—but that was him, consistent, principled, smart, and especially happy when he could shock folks a little. Clarence Darrow liked to call himself the ''Attorney for the Damned''—well, in our lifetimes that was Will McLain.

I first met Will in the late 1980s when he joined the legal team assembled by my chief counsel, University of Miami Professor Terry Anderson, to represent me in an ongoing impeachment proceeding before the U.S. House of Representatives, a body in which I now serve. Will quickly became an indispensable member of my defense. He continued working behind the scenes providing invaluable strategic advice and exhaustive legal research in the federal case that ultimately declared that my impeachment and Senate trial were in violation of due process. I am told that he found that legal victory and my subsequent election to Congress gleefully gratifying. I will be forever grateful for his contribution.

Many others are indebted to Will for his passion to serve the disadvantaged and powerless in society. He worked tirelessly—often without compensation or recognition—on behalf of death row inmates and other criminal defendants who faced trumped up charges or other government abuses. He deplored racism and homophobia and provided legal counsel to those who were victimized by discrimination. Will was also a staunch advocate for the freedom of the press. Together with his lifelong friend and colleague, Professor Tom Mack, Will successfully represented a journalist against the threat of compelled disclosure of a source. Most recently, he also associated with his former law student, and then soon to be son-in-law, Stephen Mercer, head of the Maryland Public Defender's forensics unit, to devise challenges to state and federal practices that allowed the warrantless collection of DNA of persons who are not convicted of a crime.

Will was very disappointed by the ruling of the U.S. Supreme Court in June 2013 that authorized those practices. But he was also encouraged that the 5–4 decision united arch-conservative and liberal Justices in dissent. In his view, that combination holds promise that someday fourth amendment protection will be extended to arrestees and end this practice.

His passion for justice never let up—even in his final months when many would have been understandably preoccupied with their own condition, he would rail about the NSA and the great civil liberties challenges and disappointments of our time.

The litany of cases and clients Will handled over the years, while impressive, are eclipsed by the legion of students he educated and inspired. Following Hurricane Katrina, Will co-created and co-taught Katrina and Beyond: Disaster Law at the University of the District of Columbia's law school. The course included field trips to New Orleans where students were exposed first hand to the devastation and human suffering left in Katrina's wake. Will's legal expertise was multidimensional and superior to most of his peers. But his ability to impart knowledge in digestible and accessible terms to his students and to motivate them to, not only learn but also, yearn was simply unmatched. He was the consummate professor, teaching wherever he found an audience. Will made learning fun, but he was not always gentle. He had an uncanny mix of southern charm, always greeting women with a peck on the wrist, and an unapologetic irreverence, keeping everyone on their toes (and sometimes knocked a bit further back than that!) with his incorrigible, irascible, withering wit. He was passionate, and as many who've worked in these halls know, that comes hand-in-hand with being brutally direct and unwilling to suffer fools gladly. In fact, Will gladly made fools suffer! He was also old fashioned, drafting his briefs by hand on yellow legal pads. He often ''held court'' at the Tune Inn, a Capitol Hill institution, where swarms of law students, colleagues, and more than a few members of our own Institution would parade in and out hungry for the opportunity to gain his insights on law, life, and the future.

Will's future was cut short when in the winter of 2011 he received the agonizing diagnosis that he had terminal cancer. Like he did with all of his legal battles, Will did not take the diagnosis lightly. As he fought through chemo treatments that weakened his body, he altered his routine very little. He continued to teach the students he loved. He read the Washington Post and the New York Times daily. He played Gin Rummy at the Tune Inn sipping vodka and watched the Saints and Redskins on Sundays with his young grandson, Sam, with whom he enjoyed a special relationship. As his body grew weary, Will hosted his own farewell party held in the backyard of what would become his final home in Rockville, Maryland. Over one hundred people attended, including Will's big, complicated, extended family—a world of people from all walks of life brought together by their shared love and admiration of Will. That was the thing about Will—he mattered to the people whose lives he touched, whether they loved him, grudgingly respected him, or found him simply infuriating (but irresistibly so).

Will was elated when his former student, Stephen Mercer proposed marriage to Will's oldest son, William. He never thought he would see the day when same-sex marriage would be a legal reality for his first born. He simply willed himself to find the strength to see that day. And he did. Will was alert, lucid and enthusiastic at the wedding, just weeks ago. Although he had become very frail, he independently raised a glass to toast their union. In his final days, Will spoke sporadically, clutched his New York Times, gripped the hands of his family and friends, and always provided a kiss followed by the words, ''I love you.'' Will passed away five days after the wedding he never thought possible. He was surrounded by the three most important people in his life—his now son-in-law, Stephen, his oldest son, William, and his youngest son, Pierce.

Will McLain lived his life with vigor, commitment and generosity of mind, heart and spirit. On September 6, 2013, the world lost an unsung legal giant. I lost a treasured friend. And his family and close personal friends lost the center of their universe.

I am honored to rise today to salute his memory and leave this permanent record in the annals of our nation of the great man who was Will McLain.

IN HONOR OF RICK A. GRECO, DO, FACOI, 71ST PRESIDENT OF THE AMERICAN COLLEGE OF OSTEOPATHIC INTERNISTS

HON. DAVID B. McKINLEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. McKINLEY. Mr. Speaker, I rise today to congratulate Rick A. Greco, DO, FACOI, who will be inaugurated as the American College of Osteopathic Internists' (ACOI) 71st President on October 13, 2013. The ACOI, which represents the nation's osteopathic internists, medical subspecialists, students, residents and fellows, is dedicated to the advancement of osteopathic internal medicine through education, advocacy, research and the opportunity for service. Dr. Greco embodies the mission of the ACOI as evidenced by his commitment to his patients and local community.

Dr. Greco is a life-long resident of West Virginia. He obtained a Bachelor of Arts in Biology from West Virginia University and a Doctor of Osteopathy degree from the West Virginia School of Osteopathic Medicine. Following medical school, Dr. Greco completed his residency training at Ohio Valley Medical Center in my hometown of Wheeling, WV.

He has spent his entire career working to improve access to high-quality care in underserved areas. Recognizing the need for a new medical training program in Wheeling, Dr. Greco established an osteopathic internal medicine residency program in 1999 at Ohio Valley Medical Center. In 2003 he became the Director of Medical Education and the large numbers of residents who complete their training and remained in the area to provide essential primary care services in an underserved area are testament to the quality of his training program. As a result of Dr. Greco's efforts, many more West Virginians have access to high-quality care where and when they need it most.

Dr. Greco has held numerous leadership positions. He served as president of the West Virginia Society of Osteopathic Medicine and the Ohio County Medical Society and was a state delegate for the West Virginia Medical Association. In addition to his many other duties, Dr. Greco continues to serve on the ACOI Board of Directors, where he has served since 2004 and serves on numerous committees at the Ohio Valley Medical Center. His commitment to his patients, trainees, church and community is unmatched.

Mr. Speaker, on behalf of the 1st Congressional District of West Virginia, I ask all my distinguished colleagues to join me in congratulating my friend, Dr. Rick Greco, on his inauguration as the 71st President of the American College of Osteopathic Internists.

SUDAN ADVOCATES EXPRESS GRAVE CONCERN AT PROSPECT OF BASHIR VISIT TO THE U.S.

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. WOLF. Mr. Speaker, I rise to submit a letter sent today to President Obama by leading Sudan advocacy groups and individuals expressing great concern over the reports that Sudanese President Omar al-Bashir has requested a visa to visit the U.S. for the upcoming United Nations General Assembly meeting.

September 19, 2013.

THE WHITE HOUSE,
1600 Pennsylvania Ave. NW.,
Washington DC.

DEAR PRESIDENT OBAMA: We write with great concern over reports that Sudanese President Omar al-Bashir has requested a visa from the U.S. government in order to participate in next week's UN General Assembly meeting. Our immigration laws prohibit admitting perpetrators of genocide and extrajudicial killings into our country and it is unprecedented for someone wanted by the International Criminal Court for the crime of genocide to travel to the United States. While we recognize that the U.S. government is obliged to facilitate President Bashir's visit under the UN Headquarters Agreement, we urge you to do everything in your power to prevent the trip.

We deeply appreciate that the administration has already publicly voiced concerns about this proposed trip and write to suggest additional steps that could dissuade President Bashir from persisting with his travel plans. The administration should consider announcing that, if President Bashir lands in New York, the U.S. Department of Justice will explore filing a criminal case against him under 18 USC 1091. This law, which codifies the Genocide Accountability Act of 2007, allows for anyone present in the United States to be prosecuted for genocide, even if their crimes were committed abroad. By publicly raising the threat of such a prosecution and the specter that President Bashir's privileges and immunities may not extend to genocidal acts, your administration would make an important statement about the U.S. government's commitment to atrocity prevention and accountability.

Declaring that the U.S. will only offer the Sudanese delegation the minimum amount of protection mandated by the UN Headquarters Agreement could also affect the Sudanese government's decision making process. Invoking the ''security reservation'' attached to the Headquarters Agreement might even offer our State Department a justification for a visa denial. The U.S. government could defend this decision by citing Presidential Study Directive–10, which unequivocally declares that the prevention of mass atrocities is a core national security interest. Limiting the number of visas granted to President Bashir's security detail and imposing specific geographic constraints on those visas could also circumscribe the delegation's mobility and raise the reputational costs of the trip.

In the event that President Bashir remains steadfast in his intent to travel to United Nations headquarters despite these actions, there are a number of steps that can be taken to impede his travel. Our diplomatic corps should encourage countries along President Bashir's planned flight path to refuse landing rights for his aircraft for refueling and restrict access to their airspace. The U.S. delegation to the United Nations and Ambassador Samantha Power should also encourage senior UN officials and delegations from other countries to publicly refuse to meet with President Bashir or his delegation. Drawing on the precedent set by a similar rejection of former Iranian President Ahmadinejad in 2011, our diplomats could also coordinate a walk-out of the UN General Assembly session in protest of President Bashir's presence.

Former President Bush paved the way to refer the situation in Darfur to the International Criminal Court, and your administration has increased U.S. cooperation with the Court, including facilitating the recent transfer of Bosco Ntaganda to the Hague. Since the UN Security Council acted under Chapter VII when urging all states to cooperate with the Court in Resolution 1593, and the Court has requested U.S. cooperation with President Bashir's case in 2009, 2010 and most recently on September 18, 2013, we ask that the administration consider the impact that this trip has on our broader commitment to international justice and accountability.

As Americans concerned by the ongoing atrocities in Sudan, we support your administration's thoughtful response to this unique diplomatic challenge. Along with the Sudanese diaspora, celebrity activists, human rights organizations, and student groups, we will be amplifying these efforts through our own public activism. The U.S. government's continued attention to this issue will be instrumental in finding a holistic solution to the challenges facing the Sudanese people.

Sincerely,

George Clooney and Don Cheadle, Not on Our Watch; Mia Farrow, UNICEF Goodwill Ambassador; John Prendergast and Omer Ismail, Enough Project; Tom Andrews, United to End Genocide; Randy Newcomb, Humanity United; Amir Osman, Sudan Democracy First Group; Ted Dagne; Bahar Arabie, Unite for Darfur; Jimmy Mulla, Voices for Sudan; Ruth Messinger, American Jewish World Service; Gabriel Stauring, iActivism; Eric Reeves, Smith College; Raymond M. Brown, International Justice Project; Faith McDonnell, Institute on Religion and Democracy; Michael Lieb Jeser, Jewish World Watch; Rabbi David Kaufman, Help Nuba; Eric Cohen, Act for Sudan; Esther Sprague, Sudan Unlimited; Sharon Silber, Jews Against Genocide; Eileen Weiss, New York Coalition for Sudan; Kimberly Hollingsworth, Humanity Is Us; Hannah Finnie, STAND.

HONORING RAFAEL ''CHAPITO'' CHAVARRIA ON HIS YEARS OF SERVICE TO THE PHOENIX MEXICAN AMERICAN COMMUNITY

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. PASTOR of Arizona. Mr. Speaker, I rise today to honor Mr. Rafael Chavarria on the upcoming documentary chronicling his culturally impactful life and career as a musician in the State of Arizona. Rafael Chavarria was born in April 1914, in Solomonville, Arizona.

For more than 60 years, Rafael Chavarria, affectionately known as ''Chapito'' by all who know him, contributed his style of music to the Hispanic community of Phoenix, Arizona, providing a cultural cohesiveness for Hispanics in Arizona at a time when many establishments openly discriminated against them.

Mr. Chavarria's illustrious career started in 1923 at the tender age of nine years old when he began playing with his father's band at weddings. Mr. Chavarria's style of music highlights the influences of Latin music and Mexican culture that he was exposed to when he was growing up in East Los Angeles during the 1930s. Mr. Chavarria's most important contribution to the genre was incorporating aspects of American swing and the jitterbug to the tropical rhythms that were popular in Mexico City during the 1940s and '50s.

Thanks to Mr. Chavarria's tireless efforts, genres of music from the waltz, polka, and bolero to the cha-cha, and rumba, among others, became popularized in Arizona.

Despite experiencing a childhood full of discrimination and segregation, when the country went to war in World War II, Mr. Chavarria, like many in his generation, served his country. He was drafted as a firefighter for the Army Air Corp in 1943 and served in the South Pacific—eventually earning the Good Conduct Medal, American Campaign Medal, Asiatic-Pacific Campaign Medal and the World War II Victory Medal for his service.

Through his music, Mr. Chavarria became one of most important cultural icons for the State of Arizona, serving as the catalyst that brought together the Arizona Hispanic community—helping to maintain their culture and arts.

Mr. Speaker, I rise today to honor Rafael ''Chapito'' Chavarria on his documental debut highlighting his contribution to the vibrant history of the Hispanic community in Arizona and ask my colleagues to join me in praising his commitment to his music, his family, and his community.

PROCLAIMING THE STATE OF NEVADA RECOGNIZE CHIEF MASTER SERGEANT KENNETH D. GRAY'S ACCOMPLISHMENTS IN SERVICE IN HONOR OF HIS RETIREMENT FROM THE UNITED STATES AIR FORCE ON SEPTEMBER 28, 2013

HON. MARK E. AMODEI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. AMODEI. Mr. Speaker, today I rise in recognition of the retirement of Chief Master Sergeant Kenneth D. Gray.

Ken Gray served for 26 years in the Air Force medical field achieving the rank of Chief Master Sergeant. During his service, he served several years overseas including two tours in Iraq. As a decorated officer, he received many awards including the Meritorious Service Award and the Air Force Commendation Medal.

Ken Gray has always had a mind for public service and I thank him for his duty to his community.

Mr. Speaker, I ask that our colleagues join me in praising the accomplishments of Chief Master Sergeant Ken Gray and recognize his achievements in service to our Nation.

HONORING CHIEF PETTY OFFICER MICHAEL A. NELSON

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. RIGELL. Mr. Speaker, I rise today to recognize and pay tribute to Chief Petty Officer Michael A. Nelson, United States Navy, on the occasion of his transfer from the U.S. House of Representatives Liaison Office for the Department of the Navy's Office of Legislative Affairs, while serving as Legislative Chief. I, and many other members of this chamber have had the pleasure of working with him over the past four years, and I am honored to commend Chief Nelson's achievements and recognize his service and devotion to our great nation.

Every day he served in direct support of not only the Navy's Office of Legislative Affairs, but every Member of Congress. His keen abilities in organization, interpersonal relationships, and communication were extremely critical to the successful accomplishment of the Navy's Office of Legislative Affairs mission of serving the U.S. Congress.

While serving in the Liaison office, Chief Nelson routinely turned broad guidance into action, which energized the Office of Legislative Affairs and Members of Congress alike. His actions allowed the Navy to engage Members of Congress and their staffs, directly facilitating the increased emphasis on improving congressional relationships.

During Chief Nelson's tour, he accomplished the full spectrum of the Navy's legislative mission. He exemplified the candor and knowledge that we have come to expect from the Navy and he played a key role in maintaining superb relationships between the Navy and the House of Representatives.

Throughout his tour, Chief Nelson effectively responded to several thousand congressional inquiries, many of which gained national level attention. During his time on Capitol Hill, Chief Nelson successfully planned, coordinated, and escorted over 50 international and domestic congressional and staff delegations. His detailed coordination with foreign government officials, U.S. State Department, and senior military officials ensured that each delegation was conducted professionally and flawlessly. His attention to detail and anticipation of requirements allowed Representatives to focus on fact–finding and gleaning new insights to make informed critical decisions to support the interests of the people of the United States. He has made lasting contributions to the House of Representatives and for that I am eternally gratefully.

I wish Chief Nelson continued success and fulfillment as he transitions to his next duty station. His loyal dedication to duty reflects the highest standards of Naval Service.

HONORING A.R. ''PETE'' GURNEY AND THE OPENING OF BUFFALO'S THEATRE SEASON, CURTAIN UP!

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to honor and congratulate playwright A. R. ''Pete'' Gurney as he returns to his hometown to serve as the 2013 Honorary Chairman of Curtain Up!, the 32nd annual celebration of the opening of Buffalo, New York's professional theatre season.

Born in Buffalo, New York, Mr. Gurney attended Williams College, graduating in 1952. After graduation, he nobly served our country as an officer in the United States Navy, where his writing skills were called into duty as his shows entertained fellow military personnel.

Following his discharge in 1955, he began his studies at Yale School of Drama where he wrote ''Love in Buffalo,'' the first musical ever produced at the school.

A gifted educator, Mr. Gurney shared his talents with students for many years, teaching literature at the Massachusetts Institute of Technology. Eventually, he moved to New York City to devote himself fully to his writing and the arts.

His first play, ''Scenes from American Life,'' was produced in New York in 1968. In 1970, it received its world premiere at Buffalo's legendary playhouse, Studio Arena Theatre.

The early 80's brought success with his play, ''The Dining Room,'' a comedy of manners influenced by his life on Lincoln Parkway in Buffalo. He continued to explore a wide range of familiar themes including rekindled love, family life, and confronting skeletons in the closet in other works including ''The Middle Ages,'' ''The Golden Age,'' ''The Perfect Party,'' ''Another Antigone,'' ''The Cocktail Hour,'' ''The Old Boy,'' ''The Fourth Wall,'' ''A Cheever Evening'' and ''Sylvia.''

''Love Letters,'' written in 1989, remains Mr. Gurney's most produced play with its two–character cast who sit side by side at a desk. The man and a woman who share their complicated, loving and lasting friendship through 50 years of correspondence has been brought to life by extraordinary actors, including Mr. Gurney himself.

Mr. Gurney is the recipient of a number of awards for his work, earning membership into the American Academy of Arts and Letters as well as the Theatre Hall of Fame.

More recently, several of Mr. Gurney's plays have been produced by the Flea Theater off Broadway where his latest work, ''Family Furniture,'' will appear this fall. His own family includes wife, Molly, four children and eight grandchildren.

Mr. Speaker, it is with great pride that I rise today to honor ''Buffalo's own playwright,'' A. R. Gurney. His authentic voice, crisp observations and creativity have become part of the fabric of the American theatre and we are sincerely grateful to welcome him home as the Honorary Chairman of the 2013 Curtain Up! Celebration.

RECOGNIZING THE LAUNCH OF THE GUAM WOMEN'S CHAMBER OF COMMERCE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the recent launch of the Guam Women's Chamber of Commerce, which was formally established on Sept. 4, 2013. Their mission is to promote the sustainable economic growth and development of women and to help them integrate into leadership positions; to create community awareness of the importance of women in the island's economic, social and cultural platform; to influence legislative policies on issues facing women; and to provide a business environment that pays competitive wages and benefits for women.

This Chamber's board members include some of the most successful business leaders and entrepreneurs in our community, such as its President, Lou A. Leon Guerrero, President and CEO of the Bank of Guam; Vice President Anita Borja Enriquez, D.B.A., Interim Senior Vice President of Academic and Student Affairs at the University of Guam; Treasurer Antoinette Sanford, President and co-founder of Sanford Technology Group, LLC (STG); and Secretary Denise Mendiola-Hertslet, the Program Coordinator for the Bank of Guam Women in Business Program and the Microcredit Training Program. Its founding members also include; Siska S. Hutapea, MAI, MRE; Vanessa Williams Ji, Esq.; Jackie Marati; Doyon Ahn Morato; and Dr. Mary Okada, the first woman President and CEO of the Guam Community College.

These women are leading the charge to strengthen our local economy by creating one driven and influenced by the equal participation of women in business, commerce and trade.

I commend President Lou Leon Guerrero and Vice President Anita Borja Enriquez for their leadership of this exciting new organization, and I look forward to working with the Guam Women's Chamber of Commerce in the coming years.

HONORING RON E. ARMSTEAD

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Ms. BROWN of Florida. Mr. Speaker, I rise today to honor a good friend on the eve of the 25th Anniversary of the Congressional Black Caucus Veterans Braintrust. Mr. Ron E. Armstead is the Executive Director of the Congressional Black Caucus Veterans Braintrust.

In addition to being the Executive Director of the Congressional Black Caucus Veterans Braintrust (CBCVB), he is a past consultant for former Secretary Jesse Brown's Veterans Administration's Advisory Committee on Minority Veterans. He has served as Executive Director of the CBCVB since its inception in 1988, first under Rep. CHARLES B. RANGEL (NY–13), a decorated Korean War combat veteran and Dean of the New York Congressional Delegation, and currently under myself and Representative SANFORD BISHOP, Jr. (GA–02), ranking member of Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Appropriations Committee.

Under his leadership the Veterans Braintrust has expanded from its small core group to become the premiere forum for policy debate between veterans and representatives of government in the country. As well as being a Navy veteran, Mr. Armstead holds a Masters Degree in City Planning from Massachusetts Institute of Technology (MIT), a license in social work (LSW) in the Commonwealth of Massachusetts, and is currently on an extended leave of absence from Howard University's School of Social Work Doctoral Program.

Mr. Armstead began his activist career at Boston State College in September 1975, as a campus organizer and later President of Student Government Association. During his time at BSC, he and several classmates incorporated the Veterans Benefits Clearinghouse, Inc. as an outgrowth of the Veterans Club on campus. His extensive background includes, but is not limited to issues of homelessness, mental health, social work, youth violence, affordable housing and community development.

I am pleased to honor Mr. Armstead on this, the 25th Anniversary of the Congressional Black Caucus Veterans Braintrust.

CONGRATULATIONS TO GREER'S BMW MANUFACTURING COMPANY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to congratulate the BMW Manufacturing Company in Greer, South Carolina, upon their recent achievement. Yesterday, hardworking team members completed a tremendous goal by producing the 2,500,000th car since it's opening nearly twenty years ago. The mineral white metallic BMW X5 is destined for a BMW dealership in San Antonio, Texas, where it will be sold to a very fortunate customer.

Over the years, the BMW facility has proven to be a great success for South Carolina. During my tenure in the South Carolina State Senate, I joined my Upstate colleagues to encourage BMW to build the four million square foot manufacturing facility, employing over 7,000 people in the region and investing billions into the Palmetto State's economy. I was honored to join my colleagues and community leaders from the upstate at the groundbreaking in September 1992. Dozens of parts suppliers are co-located across the Upstate creating thousands of more jobs. The facility launched sales of BMW Z3s, Z4s, X5s, and X6s while adding X3s for worldwide export.

South Carolina now is the leading exporter of cars in the United States. It fulfills the vision of Roger Milliken of Spartanburg who promoted the Jetport of Greenville-Spartanburg, and of Governor Carroll Campbell who worked with legislative leaders Senator Verne Smith of Greenville and Senator John Russell of Spartenburg coordinating with Ports Authority Chairman Bob Royall. All of South Carolina has benefited especially promoting the Port of Charleston.

TO AMEND THE INTERNAL REVENUE CODE TO QUALIFY HOMELESS YOUTH AND VETERANS FOR THE PURPOSES OF THE LOW INCOME HOUSING TAX CREDIT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce bipartisan legislation that will fix an error and enable homeless veterans and youth to pursue full time education while living in Low Income Housing Tax Credit financed housing.

Low Income Housing Tax Credits (LIHTC) have been a crucial foundation to incentivize the building of affordable low income housing. LIHTC housing has been invaluable in providing much needed shelter for those living in poverty or on the streets.

Unfortunately, a provision in the law is having unintended consequences. Currently, a homeless veteran or youth that wishes to pursue full time education must choose between an education and living in LIHTC housing. This is not a choice they should be forced to make, nor is this a policy America has ever supported.

Education is the cornerstone of American excellence and ingenuity and remains the best means to escape poverty. It is critical that we fix this defect in the law, and ensure that our youth are given every opportunity to reach their educational goals.

IN SUPPORT OF WORLD ALZHEIMER'S MONTH

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of the Alzheimer's Association and their efforts to end Alzheimer's disease.

My mother-in-law battled this illness, so my wife and I can speak from experience, and tell you first-hand, the devastating stages of the disease and its effects on family and friends.

This progressive, dementia disorder affects more than 4 million people nationwide and will affect as many as 14 million individuals by 2050.

Currently, there is no cure for Alzheimer's but researchers and organizations like the Alzheimer's Association are working together on treatments and hopefully, one day a cure.

I encourage you all to "GO Purple" to raise awareness and show your support to end Alzheimer's.

HONORING DIANA NYAD'S TRIUMPHANT SWIM FROM CUBA TO KEY WEST

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize a valiant, devoted woman. At age 64, Diana Nyad navigated the Florida Straits—a treacherous body of water between Cuba and Florida. However, Diana's journey wasn't accomplished by vessel; instead, she swam . . . 110 miles . . . without a shark cage.

Despite several failed attempts at accomplishing her goal, her passion, perseverance, and persistence never faltered. As the first person to accomplish this astonishing feat, Diana's display of tenacity and enterprise is worthy of acclaim.

Ms. Nyad's triumph is a true testament of the human spirit and an embodiment of the "anything is possible" philosophy. Her mantra, "find a way", is one elicited by a true role model.

I commend Ms. Nyad for her achievement, as she serves as an example to us all.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 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 $16,738,482,606,783.04. We've added $6,111,605,557,869.96 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 LIFE AND DEDICATED SERVICE OF MASTER SERGEANT NAVID GARSHASB

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life of Master Sergeant Navid Garshasb who passed away on September 4 after a long battle with brain cancer. Master Sergeant Garshasb was a proud resident of Navarre, Florida where he retired from the United States Air Force after courageously serving our Nation with honor and distinction.

Born in Shiraz, Iran, Master Sergeant Garshasb moved to the United States at the age of 12 and joined the Air Force eight years later. He started his military career as a member of the 834th Civil Engineering Squadron at Hurlburt Field. In the years to come, he would be stationed at bases in Michigan and Louisiana and even served on the Bossier City Police Department Reserve Officer Unit in Louisiana where he was named Reserve Officer of the Year.

Master Sergeant Garshasb realized his true calling when he returned to Hurlburt Field to serve as an Airborne Cryptologic Linguist with the 25th Intelligence Squadron. He used his fluency in six languages to assist the Federal Bureau of Investigation in the wake of the September 11, 2001 attack on the World Trade Center, and soon thereafter he was on his way to Afghanistan. In November 2001, after his aircraft crash landed on an embankment in Afghanistan, he helped save the lives of his fellow crewmembers by using his knowledge of languages native to the region. For his actions, he was awarded the Bronze Star for Valor and the Air Force Sergeants Association William H. Pitsenbarger Heroism Award, which recognizes the heroic acts of an enlisted member who saved a life or prevented serious injury. Master Sergeant Garshasb's actions throughout his career earned him numerous additional awards which further highlight his exemplary service to this Nation, and I am proud that he called Northwest Florida home.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life and service of Master Sergeant Navid Garshasb. My wife Vicki joins me in extending our most sincere condolences to Master Sergeant Garshasb's wife, Joani; their sons, Shahine and Andrew; and their entire family. He will truly be missed by all who were fortunate enough to have known him.

THE FAIRNESS FOR BENEFICIARIES ACT OF 2013

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce the Fairness for Beneficiaries Act of 2013.

Before Medicare beneficiaries can access skilled nursing facility ("SNF") care, they must have a preceding three (3) day inpatient stay at a hospital. Historically, this made sense. The goal was to ensure the use of SNF care was limited to certain circumstances where such care was medically necessary. The relatively arbitrary 3-day requirement was acceptable; medical developments and technology were such that beneficiaries usually would need 3 days of inpatient care prior to accessing SNF care.

I contend that times have changed. First, many Medicare beneficiaries are simply not medically appropriate for inpatient stays; they require direct admission to a SNF. Thus, the 3 day stay requirement imposes a burden—both physical and financial. We know inpatients can often acquire healthcare-associated infections ("HAIs") during their stay at a hospital. The potential for beneficiaries who may have compromised immune systems to acquire an HAI is substantially higher, compared with the rest of the population. One recent estimate projects the annual direct cost of HAIs to United States hospitals at $28.4 to $45 billion. Some of this financial burden could be avoided potentially if beneficiaries could bypass the inpatient setting and go directly to a SNF, when a physician certifies that SNF care is appropriate.

There is another reason that this legislation is of critical importance. The use of observation status by physicians has cause a substantial burden for patients. Medicare beneficiaries may go to a SNF thinking that because they had been sitting in a hospital bed for 3 days, that their SNF care would be paid for by Medicare—only to find that this is not the case because 1 or 2 of the days that they spent at the hospital were spent in observation status. Such patients are hit with substantial financial liability time and time again when they access

SNF care. This issue has directly affected my constituents and I am seeking to put an end to this problem by eliminating the requirement for a 3 day stay prior to beneficiaries accessing SNF care.

Finally, I recognize that some critics may say there is a substantial cost to this legislation and that the cost to the Medicare program is simply too great. I believe that some of the cost associated with this legislation could be offset. First, as described above, there is a potential savings in reducing some HAIs that Medicare beneficiaries acquire during the inpatient stay since the beneficiaries can now go straight to a SNF when medically indicated. Second, I note that there will be a decrease in the use of inpatient hospitals by this population when beneficiaries are ready to go straight to a SNF. Third, I note that beneficiaries deserve the best care that we can afford to them. As such, the right policy in this regard is to allow them to access SNF care where medically appropriate as certified by a physician. Finally, the legislation contains certain protections to protect against fraud, waste and abuse in the Medicare program relative to this benefit. First, a physician certification continues to be required prior to a beneficiary being able to access SNF services. Second, the legislation requires CMS to develop uniform requirements that will allow CMS and its contractors to audit to ensure that SNF care is appropriate.

For all of these reasons, the Fairness for Beneficiaries Act of 2013 is the right thing to do. I encourage my colleagues to support this legislation.

REMEMBERING CHARLES WILLIAM ''BILL'' MALONEY

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to celebrate the life of Charles William "Bill" Maloney and thank him for his service to country and community.

On September 6, with his loved ones at his side, Bill passed away peacefully at the age of 91.

A native of Kansas, Bill was surrounded by aviation from an early age. This would eventually influence his life long career in aviation. He entered the Army Air Corps during World War Two and flew C47 aircraft missions in the Pacific theater. After the war, he returned to the mainland and earned his undergraduate degree from Washburn University and then moved to Marietta, Georgia in 1952. There, he began a 36-year long career with Lockheed Martin. He would later graduate from Atlanta's John Marshall Law School in 1957.

Bill was a role model and community leader. He took pride in civic service and served on—and chaired—the Kennestone Hospital Board of Authority, the Marietta City Zoning Board, and the Marietta School Board. Furthermore, he was an active parishioner at St. Joseph's Catholic Church, where he and his wife, Dorothy, actively volunteered regularly.

His colleagues and friends will always remember Bill as someone who took pride in his profession, cared deeply about his community, loved his family, and enjoyed golfing with his friends.

Mr. Speaker, I extend my deepest condolences to Bill's children, grandchildren, and great grandchildren for their loss. It saddens me to know that the world is missing an honorable and dedicated man, but I am humbled to know that he is now in a better place.

HONORING JEFFREY MATTISON FOR HIS LIFETIME DEDICATED PUBLIC SERVICE

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. LANCE. Mr. Speaker, I rise today to honor Jeffrey Mattison of Franklin Township, New Jersey for his distinguished tenure as the Executive Director of The Arc of Hunterdon County. The Arc of Hunterdon County is a non-profit agency dedicated to helping individuals with intellectual and developmental disabilities and their families.

Under Jeff's leadership The Arc has expanded to now provide permanent residences to more than 100 individuals and additional services to daily residents and family members. Jeff's service included 12 years on the board shaping the direction of the organization. Jeff has also enjoyed a 28-year career in commercial lending, working for several Hunterdon County community banks.

Jeff's commitment to community service is also highlighted by his leadership roles with the New Jersey Bankers Association, Builders Association of Northwest New Jersey, Rotary Club of Flemington and the United Way of Hunterdon County. I congratulate Jeff for being recognized by the Raritan Township Republican Club with its Outstanding Community Service Award.

LETTER TO FBI DIRECTOR COMEY ON NEW INSPECTOR GENERAL REPORT FINDING FBI FIELD OFFICES VIOLATED PGLICY PROHIBITING NON-INVESTIGATIVE COOPERATION WITH CAIR

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2013

Mr. WOLF. Mr. Speaker, I submit for the RECORD the letter I sent to FBI Director James Comey today in response to troubling findings in a new report by the Justice Department's Inspector General (IG) detailing repeated violations by FBI field offices with regard to the bureau's longstanding policy prohibiting non-investigative cooperation with the Council on American-Islamic Relations (CAIR). I requested this investigation two years ago after learning of some of these violations.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2013.

Hon. JAMES COMEY,
Director, Federal Bureau of Investigation, Pennsylvania Avenue, NW, Washington, DC.

DEAR DIRECTOR COMEY: Two years ago, I wrote the Justice Department's Office of the Inspector General requesting an investigation into FBI field office compliance with the bureau's 2008 policy prohibiting non-investigative cooperation with the Council on American-Islamic Relations (CAIR). I was deeply concerned to learn of multiple occasions when several FBI field offices had continued to work with CAR despite the clear policy issued by the bureau.

This policy was initially implemented after CAIR was identified as an unindicted coconspirator in the trial of the Holy Land Foundation which, according to a Justice Department press release issued May 27, 2009, reported that ''U.S. District Judge Jorge A. Solis sentenced the Holy Land Foundation for Relief and Development (HLF) and five of its leaders following their convictions by a federal jury in November 2008 on charges of providing material support to Hamas, a designated foreign terrorist organization.'' The sentences ranged from 15 years to 65 years in prison. The release continued: ''From its inception, HLF existed to support llamas. . . . The government's case included testimony that in the early 1990's, Hamas' parent organization, the Muslim Brotherhood, planned to establish a network of organizations in the U.S. to spread a militant Islamist message and raise money for llamas. . . . The defendants sent HLF-raised funds to Hamas-controlled zakat committees and charitable societies in the West Bank and Gaza.''

Today, the department's inspector general, Michael Horowitz, released his final report, Review of FBI Interactions with the Council on American-Islamic Relations, which confirms the blatant disregard of bureau policy as well as multiple enacted Commerce-Justice-Science Appropriations reports with respect to interactions by the FBI with CAIR. Despite repeated efforts to communicate the policy to the field, this was undermined by conflicting guidance being inexplicably offered by the bureau's Office of Public Affairs as well as by outright violations from several field offices.

Specifically, the OIG report found that the former Special Agents-in-Charge (SAC) of the Chicago, Illinois, Los Angeles, California, and New Haven, Connecticut field offices violated the department's policy, despite numerous electronic communications articulating the policy as well as a mandatory meeting held in November 2008 with all SACs and Assistant Directors-in-Charge to communicate the policy in person. There should have been no confusion about this policy given the bureau guidance, Congressional direction and media coverage surrounding this directive.

Despite this direction, the OIG report makes clear that the leadership of several field offices knowingly ignored or selectively applied the policy to suit their interests. In one case documented in the report, the SAC of the LA field office wrote an e-mail to his staff explicitly noting: ''Please instruct your folks at this time that they are not to abide by the [October 24, 2008, Electronic Communication from the REDACTED], but that their direction in regards to CAIR will come from the LA Field Office front office.'' This is unacceptable and insubordinate behavior from a senior leader of the FBI.

What concerns me even more is that the OIG only reviewed five instances of reported violations of the policy, which could represent only a fraction of the overall number of violations that may have taken place at other field offices. The findings in the report suggest that the FBI may have a systemic problem with the violation of this important policy and does not reflect well on the bureau's compliance with other policies.

This documented failure to abide by FBI direction is intolerable. I ask that you immediately take action to ensure such a failure in policy coordination and management is not repeated, and advise me what specific actions you are taking to ensure FBI policy

with regard to interactions with CAIR is clear, unambiguous, and complied with by all FBI components.

Additionally, I am asking you to immediately remove any FBI agents or employees that knowingly violated this policy or offered conflicting guidance that undermined the policy—particularly the SACs of the Chicago, Philadelphia and New Haven Field Offices who approved and carried out actions that directly contravened established policy and law—and report to the Congress on what disciplinary actions are being taken. I would expect discipline to include, but not be limited to, separation from the FBI.

Please provide me with an update on both of these actions, including any disciplinary actions taken, by no later than September 30.

Best wishes.

Sincerely,

FRANK R. WOLF,

Chairman, Subcommittee on Commerce, Justice, Science, and Related Agencies

Daily Digest

HIGHLIGHTS

Senate passed H.R. 527, Responsible Helium Administration and Stewardship Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S6611–S6672

Measures Introduced: Ten bills and ten resolutions were introduced, as follows: S. 1526–1535, and S. Res. 241–250. **Pages S6646–47**

Measures Reported:

S. Res. 241, authorizing expenditures by the Special Committee on Aging.

S. Res. 243, authorizing expenditures by the Committee on Veterans' Affairs.

S. Res. 244, authorizing expenditures by the Committee on Commerce, Science, and Transportation.

S. Res. 245, authorizing expenditures by the Select Committee on Intelligence.

S. Res. 249, authorizing expenditures by the Committee on Finance.

S. Res. 250, authorizing expenditures by the Committee on the Budget.

S. 357, to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty. **Page S6646**

Measures Passed:

Responsible Helium Administration and Stewardship Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 527, to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and the bill was then passed (by 97 yeas to 2 nays (Vote No. 203)), after taking action on the following amendment proposed thereto: **Pages S6632–34**

Adopted:

Wyden Amendment No. 1960, in the nature of a substitute. **Pages S6632–34**

Hispanic Heritage Month: Senate agreed to S. Res. 246, recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States. **Page S6672**

National Health Information Technology Week: Senate agreed to S. Res. 247, designating the week of September 16 through September 20, 2013, as "National Health Information Technology Week" to recognize the value of health information technology in transforming and improving the healthcare system for all people in the United States. **Page S6672**

National Falls Prevention Awareness Day: Senate agreed to S. Res. 248, designating September 22, 2013, as "National Falls Prevention Awareness Day" to raise awareness and encourage the prevention of falls among older adults. **Page S6672**

Measures Considered:

Energy Savings and Industrial Competitiveness Act: Senate continued consideration of S. 1392, to promote energy savings in residential buildings and industry, taking action on the following amendment proposed thereto: **Pages S6620–27**

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 S6620**

Continuing Appropriations Resolution—Agreement: A unanimous-consent agreement was reached providing that when the Senate receives H.J. Res. 59, making continuing appropriations for fiscal year 2014, from the House, the measure be placed on the Calendar; with a motion to proceed to consideration of the joint resolution not in order until Monday, September 23, 2013. **Page S6632**

Hughes Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 11:15 a.m., on Tuesday, September 24, 2013, Senate begin consideration of the nomination of Todd M. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit; 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 nomination; and that no further motions be in order. **Page S6672**

Nominations Received: Senate received the following nominations:

Cynthia Ann Bashant, of California, to be United States District Judge for the Southern District of California.

Stanley Allen Bastian, of Washington, to be United States District Judge for the Eastern District of Washington.

Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona.

Jon David Levy, of Maine, to be United States District Judge for the District of Maine.

Steven Paul Logan, of Arizona, to be United States District Judge for the District of Arizona.

Douglas L. Rayes, of Arizona, to be United States District Judge for the District of Arizona.

Manish S. Shah, of Illinois, to be United States District Judge for the Northern District of Illinois.

John Joseph Tuchi, of Arizona, to be United States District Judge for the District of Arizona.

8 Coast Guard nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy. **Page S6672**

Messages from the House: **Page S6641**

Measures Referred: **Page S6641**

Executive Communications: **Pages S6641–46**

Executive Reports of Committees: **Page S6646**

Additional Cosponsors: **Pages S6647–48**

Statements on Introduced Bills/Resolutions: **Pages S6648–64**

Additional Statements: **Page S6641**

Amendments Submitted: **Pages S6664–71**

Authorities for Committees to Meet: **Pages S6671–72**

Record Votes: One record vote was taken today. (Total—203) **Page S6634**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:17 p.m., until 2 p.m. on Monday, September 23, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6672.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Deborah Lee James, of Virginia, to be Secretary of the Air Force, Jessica Garfola Wright, of Pennsylvania, to be Under Secretary for Personnel and Readiness, and Marcel J. Lettre II, of Maryland, to be Principal Deputy Under Secretary for Intelligence, all of the Department of Defense, Frank G. Klotz, of Virginia, to be Under Secretary of Energy for Nuclear Security, who was introduced by former Senator Kent Conrad, and Kevin A. Ohlson, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on the Budget: Committee ordered favorably reported an original resolution authorizing expenditures by the committee during the 113th Congress.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Jo Emily Handelsman, of Connecticut, and Robert Michael Simon, of Maryland, both to be an Associate Director of the Office of Science and Technology Policy, and Kathryn D. Sullivan, of Ohio, to be Under Secretary of Commerce for Oceans and Atmosphere, and Administrator of the National Oceanic and Atmospheric Administration, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

An original resolution authorizing expenditures by the committee during the 113th Congress; and

The nominations of Gregory Dainard Winfree, of New York, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation, and Christopher A. Hart, of Colorado, to be a Member, and Deborah A. P. Hersman, of Virginia, to be Chairman and a Member, both of the National Transportation Safety Board.

ALASKA WILDLIFE MANAGEMENT AUTHORITY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine wildlife management authority within the State of Alaska under the Alaska National Interest Lands Act and the Alaska Native Claims Settlement Act, after receiving testimony from Gene Peltola, Assistant Regional Director for the Office of Subsistence Management, Fish and Wildlife Service, Department of the Interior; Beth Pendleton, Regional Forester for the Alaska Region, Forest Service, Department of Agriculture; Craig Fleener, Alaska Department of Fish and Game Deputy Commissioner, and Rosita Worl, Alaska Federation of Natives, both of Juneau; Ana Hoffman, Bethel Native Corporation, Bethel, Alaska; Robert T. Anderson, University of Washington School of Law Native American Law Center, Seattle; and Jerry Isaac, Tanana Chiefs Conference, Fairbanks, Alaska.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported an original resolution authorizing expenditures by the committee during the 113th Congress.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Caroline Kennedy, of New York, to be Ambassador to Japan, who was introduced by Senators Gillibrand and Schumer, Anne W. Patterson, of Virginia, to be Assistant Secretary for Near Eastern Affairs, and Gregory B. Starr, of Virginia, to be Assistant Secretary for Diplomatic Security, all of the Department of State, after the nominees testified and answered questions in their own behalf.

POSTAL SERVICE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine reforming and renewing the postal service, focusing on maintaining services, reducing costs, and increasing revenue through innovation and modernization, including S. 1486, to improve, sustain, and transform the United States Postal Service, after receiving testimony from Patrick R. Donahoe, Postmaster General and Chief Executive Officer, and David C. Williams, Inspector General, both of the United States Postal Service; Ruth Y. Goldway, Chairman, Postal Regulatory Commission; Cliff Guffey, American Postal Workers Union, AFL–CIO, and Jerry Cerasale, Direct Marketing Association, Inc., on behalf of the Affordable Mail Alliance, both of Washington, D.C.; Jeanette Dwyer, National Rural Letter Carriers' Association, Alexandria, Virginia; John Beeder, American Greetings, Cleveland, Ohio, on behalf of the Greeting Card Association; and Seth Weisberg, Stamps.com, El Segundo, California.

HIGHER EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine promoting a system of shared responsibility, focusing on issues for reauthorization of the Higher Education Act, after receiving testimony from Paul E. Lingenfelter, State Higher Education Executive Officers, and Marshall A. Hill, National Council for State Authorization Reciprocity Agreements, both of Boulder, Colorado; Terry W. Hartle, American Council on Education, Washington, D.C.; and Susan D. Phillips, University at Albany/SUNY, Albany, New York.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 357, to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; and

The nominations of Cornelia T. L. Pillard, to be United States Circuit Judge for the District of Columbia Circuit, Landya B. McCafferty, to be United States District Judge for the District of New Hampshire, Brian Morris, and Susan P. Watters, both to be a United States District Judge for the District of Montana, and Jeffrey Alker Meyer, to be United States District Judge for the District of Connecticut.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported an original resolution authorizing expenditures by the committee during the 113th Congress.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported an original resolution authorizing expenditures by the committee during the 113th Congress.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

BUSINESS MEETING

Special Committee on Aging: On Wednesday, September 18, 2013, Committee ordered favorably reported an original resolution authorizing expenditures by the committee during the 113th Congress.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 3133–3156, were introduced.

Pages H5765–66

Additional Cosponsors: **Pages H5767–68**

Report Filed: A report was filed today as follows:

Supplemental report on H. Res. 352, providing for consideration of the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, and providing for consideration of motions to suspend the rules (H. Rept. 113–216, Pt. 2). **Page H5765**

Speaker: Read a letter from the Speaker wherein he appointed Representative Smith (MO) to act as Speaker pro tempore for today. **Page H5657**

Recess: The House recessed at 11:06 a.m. and reconvened at 12 noon. **Page H5663**

Chaplain: The prayer was offered by the guest chaplain, Bishop Jerry Macklin, Glad Tidings Church, Hayward, California. **Pages H5663–64**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H5664, H5721**

Continuing Appropriations Resolution, 2014—Rule for Consideration: The House agreed to H. Res. 352, the rule that is providing for consideration of H.J. Res. 59, making continuing appropriations for fiscal year 2014 and providing for consideration of motions to suspend the rules, by a yea-and-nay vote of 230 yeas to 192 nays, Roll No. 473, after the previous question was ordered by a yea-and-nay vote of 232 yeas to 193 nays, Roll No. 472.

Pages H5684–94

Nutrition Reform and Work Opportunity Act of 2013: The House passed H.R. 3102, to amend the Food and Nutrition Act of 2008, by a yea-and-nay vote of 217 yeas to 210 nays, Roll No. 476.

Pages H5694–H5721

Rejected the Gallego motion to recommit the bill to the Committee on Agriculture with instructions to report the bill back to the House forthwith with an amendment, by a yea-and-nay vote of 193 yeas to 230 nays, Roll No. 475. **Pages H5719–21**

H. Res. 351, the rule providing for consideration of the bills (H.R. 687), (H.R. 1526), and (H.R. 3102) was agreed to by a yea-and-nay vote of 231 yeas to 193 nays, Roll No. 474, after the previous question was ordered without objection. **Page H5694**

Restoring Healthy Forests for Healthy Communities Act: The House began consideration of H.R. 1526, to restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from National Forest System land, and to provide a temporary extension of the Secure Rural Schools and Community Self-Determination Act of 2000. Consideration of the measure is expected to resume tomorrow, September 20th.

Pages H5721–55

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–21, modified by the amendment printed in part B of H. Rept. 113–215, shall be considered as adopted in the House and in the Committee of the Whole and shall be considered as the original bill for the purpose of further amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources. **Page H5733**

Agreed to:

Daines amendment (No. 2 printed in part C of H. Rept. 113–215) that requires the Secretary to submit to Congress an annual report specifying for each Forest Reserve Revenue Area the annual volume requirement in effect for that fiscal year, the volume of board feet actually harvested, the average cost of preparation of timber sales, the revenues generated from such sales, and the amount of receipts distributed to each beneficiary county. Restricts the length of this report to one page; **Pages H5749–50**

Smith (MO) amendment (No. 4 printed in part C of H. Rept. 113–215) that puts a moratorium on the use of prescribed fires in the Mark Twain National Forest until the Secretary of Agriculture submits a report to Congress on the economic impacts of these fires. The amendment does not prohibit the use of prescribed fire as part of wildfire suppression activities; and **Pages H5751–52**

LaMalfa amendment (No. 7 printed in part C of H. Rept. 113–215) that streamlines the U.S. Forest Service's post-wildfire efforts by including reforestation, site rehabilitation and salvage operations as eligible to be conducted as a part of suppression efforts and adds funding flexibility for such work.

Pages H5754–55

Withdrawn:

LaMalfa amendment (No. 6 printed in part C of H. Rept. 113–215) that was offered and subsequently withdrawn that would have limited the Department of Justice efforts to seek damages beyond

actual damage to property, public lands and firefighting and restoration costs in states with laws limiting such damages. **Page H5754**

Proceedings Postponed:

Daines amendment (No. 1 printed in part C of H. Rept. 113–215) that seeks to protect forest reserve projects from delay by precluding Court-issued injunctions based on alleged violations of procedural requirements in selecting, planning, or analyzing the project; **Pages H5747–49**

McClintock amendment (No. 3 printed in part C of H. Rept. 113–215) that seeks to waive judicial review on any timber salvage project resulting from a wildfire occurring in 2013; and **Pages H5750–51**

McClintock amendment (No. 5 printed in part C of H. Rept. 113–215) that seeks to prohibit the U.S. Forest Service from removing any roads or trails unless there has been a specific decision, which included adequate and appropriate public involvement, to decommission the specific road or trail in question. **Pages H5752–54**

H. Res. 351, the rule providing for consideration of the bills (H.R. 687), (H.R. 1526), and (H.R. 3102) was agreed to by a yea-and-nay vote of 231 yeas to 193 nays, Roll No. 474, after the previous question was ordered without objection. **Page H5694**

Senate Messages: Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on pages H5669, H5694.

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages H5692–93, H5693, H5694, H5720, H5721. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:40 p.m.

Committee Meetings

U.S. PRESENCE IN AFGHANISTAN POST-2014: VIEWS OF OUTSIDE EXPERTS

Committee on Armed Services: Full Committee held a hearing entitled ''The U.S. Presence in Afghanistan Post-2014: Views of Outside Experts''. Testimony was heard from public witnesses.

DEFENSE DEPARTMENT'S POSTURE FOR SEPTEMBER 11, 2013: THE LESSONS OF BENGHAZI

Committee on Armed Services: Subcommittee on Oversight and Investigation held a hearing entitled ''Defense Department's posture for September 11, 2013: What are the Lessons of Benghazi?'' Testimony was heard from Gary Reid, Principal Deputy Assistant Secretary of Defense, Department of Defense; and Major General Darryl Roberson, USAF, Vice Director, Operations (J–3), Department of Defense, Joint Staff.

FUTURE OF UNION ORGANIZING

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor, and Pension held a hearing entitled ''Future of Union Organizing''. Testimony was heard from public witnesses.

TWO WEEKS UNTIL ENROLLMENT: QUESTIONS FOR CCIIO

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Two Weeks Until Enrollment: Questions for CCIIO''. Testimony was heard from Gary Cohen, Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight, Center for Medicare and Medicaid Services, Department of Health and Human Services.

KEYSTONE'S RED TAPE ANNIVERSARY: FIVE YEARS OF BUREAUCRATIC DELAY AND ECONOMIC BENEFITS DENIED

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled ''Keystone's Red Tape Anniversary: Five Years of Bureaucratic Delay and Economic Benefits Denied''. Testimony was heard from Representatives Daines; Poe (TX); Holt; and Senator Hoeven; and public witnesses.

TERRORISM RISK INSURANCE ACT OF 2002

Committee on Financial Services: Full Committee held a hearing entitled ''The Terrorism Risk Insurance Act of 2002''. Testimony was heard from Representatives Grimm; Capuano; King (NY); and Maloney; and public witnesses.

EXAMINING THE SYRIAN REFUGEE CRISIS

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''Examining the Syrian Refugee Crisis''. Testimony was heard from Anne C. Richard, Assistant Secretary, Bureau of Population, Refugees, and Migration, Department of State; and Nancy E. Lindborg, Assistant Administrator, Bureau for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development.

AN UNCLEAR ROADMAP: BURMA'S FRAGILE POLITICAL REFORMS AND GROWING ETHNIC STRIFE

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a hearing entitled ''An Unclear Roadmap: Burma's Fragile Political Reforms and Growing Ethnic Strife''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, and Emerging Threats held a markup on H. Res. 284, expressing the sense of the House of Representatives with respect to promoting energy security of European allies through opening up the Southern Gas Corridor. The resolution was forwarded, as amended.

ASSESSING THE NATION'S STATE OF PREPAREDNESS: A FEDERAL, STATE, AND LOCAL PERSPECTIVE

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled ''Assessing the Nation's State of Preparedness: A Federal, State, and Local Perspective''. Testimony was heard from Tim Manning, Deputy Administrator, Protection and National Preparedness, Federal Emergency Management Agency; and public witnesses.

DHS ACQUISITION PRACTICES: IMPROVING OUTCOMES FOR TAXPAYERS USING DEFENSE AND PRIVATE SECTOR LESSONS LEARNED

Committee on Homeland Security: Subcommittee on Oversight and Management Efficiency held a hearing entitled ''DHS Acquisition Practices: Improving Outcomes for Taxpayers Using Defense and Private Sector Lessons Learned''. Testimony was heard from Rafael Borras, Undersecretary for Management, Department of Homeland Security; Michele Mackin, Director, Acquisition and Sourcing Management, Government Accountability Office; Anne L. Richards, Assistant Inspector General for Audits, Office of Inspector General, Department of Homeland Security; and public witnesses.

OVERSIGHT OF THE FEDERAL BUREAU OF PRISONS

Committee on the Judiciary: Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing entitled ''Oversight of the Federal Bureau of Prisons''. Testimony was heard from Charles E. Samuels, Jr., Director, Federal Bureau of Prisons.

PATIENT PROTECTION AND AFFORDABLE CARE ACT, CONSOLIDATION, AND THE CONSEQUENT IMPACT ON COMPETITION IN HEALTHCARE

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing entitled ''The Patient Protection and Affordable Care Act, Consolidation, and the Consequent Impact on Competition in Healthcare''. Testimony was heard from public witnesses.

KEEPING HYDROPOWER AFFORDABLE AND RELIABLE: THE PROTECTION OF EXISTING HYDROPOWER INVESTMENTS AND THE PROMOTION OF NEW DEVELOPMENT

Committee on Natural Resources: Subcommittee on Water and Power held a hearing entitled ''Keeping Hydropower Affordable and Reliable: The Protection of Existing Hydropower Investments and the Promotion of New Development''. Testimony was heard from Kerry McCalman, Senior Advisor, Hydropower and Electric Reliability Compliance Office, Bureau of Reclamation, Denver, Colorado; and public witnesses.

EXECUTIVE BRANCH STANDARDS FOR LAND-IN-TRUST DECISIONS FOR GAMING PURPOSES

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing entitled ''Executive Branch standards for land-in-trust decisions for gaming purposes''. Testimony was heard from Kevin Washburn, Assistant Secretary for Indian Affairs, Department of Interior; Todd Mielke, County Commissioner, County of Spokane; and public witnesses.

REVIEWS OF THE BENGHAZI ATTACK AND UNANSWERED QUESTIONS

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Reviews of the Benghazi Attack and Unanswered Questions''. Testimony was heard from Thomas R. Pickering, Chairman of the Benghazi Accountability Review Board; Admiral Michael G. Mullen, USN (Ret.), Vice Chairman, Benghazi Accountability Review Board; and public witnesses.

DYSFUNCTION IN MANAGEMENT OF WEATHER AND CLIMATE SATELLITES—COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

Subcommittee on Oversight and Subcommittee on Environment held a joint subcommittee hearing entitled ''Dysfunction in Management of Weather and Climate Satellites''. Testimony was heard from David A. Powner, Director, Information Technology Management Issues, Government Accountability Office; Mary Kicza, Assistant Administrator, Satellite and Information Services, National Oceanic and Atmospheric Administration; Marcus Watkins, Director, Joint Agency Satellite Division, National Aeronautics and Space Administration.

PRIVATE SECTOR INITIATIVES TO EDUCATE SMALL BUSINESS OWNERS AND ENTREPRENEURS

Committee on Small Business: Subcommittee on Economic Growth, Tax and Capital Access held a hearing entitled ''Private Sector Initiatives to Educate Small Business Owners and Entrepreneurs''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Full Committee held a markup on H.R. 3080, the ''Water Resources Reform and Development Act of 2013''; H.R. 3095, 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; and H.R. 3096, 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''. The bills were ordered reported, without amendment.

TRIALS IN TRANSPARENCY: AN ANALYSIS OF VA COOPERATION WITH CONGRESS IN MEETING ITS OVERSIGHT RESPONSIBILITIES ON BEHALF OF VETERANS

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Trials in Transparency: An Analysis of VA Cooperation with Congress in Meeting its Oversight Responsibilities on Behalf of Veterans''. Testimony was heard from Joan Mooney, Assistant Secretary for Congressional and Legislative Affairs, Department of Veterans Affairs.

SOCIAL SECURITY DISABILITY INSURANCE FRAUD CONSPIRACY IN PUERTO RICO

Committee on Ways and Means: Subcommittee on Social Security held a hearing entitled ''Social Security Disability Insurance fraud conspiracy in Puerto Rico''. Testimony was heard from Patrick P. O'Carroll, Jr., Inspector General, Social Security Administration; and Beatrice M. Disman, Regional Commissioner, New York Region, Social Security Administration, New York.

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 20, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, Subcommittee on Readiness, hearing entitled ''Resetting the Force for the Future: Risks of Sequestration'', 9 a.m., 2212 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled ''Preparing Today's Students for Tomorrow's Jobs: A Discussion on Career and Technical Education and Training Programs,'' 10 a.m., 2175 Rayburn.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing entitled ''The Department of the Interior's proposal to use a Categorical Exclusion under the National Environmental Policy Act (NEPA) for adding species to the Lacey Act's list of injurious wildlife'', 10 a.m., 1324 Longworth.

Committee on Science, Space, and Technology, Subcommittee on Space, hearing entitled ''Infrastructure: Enabling Discovery and Ensuring Capability'', 9:30 a.m., 2318 Rayburn.

Next Meeting of the SENATE

2 p.m., Monday, September 23

Senate Chamber

Program for Monday: Senate will be in a period of morning business until 4 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, September 20

House Chamber

Program for Friday: Complete consideration of H.R. 1526—Restoring Healthy Forests for Healthy Communities Act. Consideration of H. J. Res. 59—Continuing Appropriations Resolution, 2014 (Subject to a Rule).

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