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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. COLLINS of New York).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 29, 2013.

I hereby appoint the Honorable CHRIS COLLINS 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.

BUILDING A NEW MIDDLE EAST—THE WORK OF A GENERATION

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

Mr. SCHIFF. Mr. Speaker, for nearly 3 years, the Arab Middle East, an enormous arc stretching from the Atlantic to the Indian Ocean, has been in turmoil. Restive millions, frustrated by a lack of economic opportunity, repressive politics, and a social structure often at odds with modernity, have taken to the streets demanding change. Their revolution hangs in the balance with the entrenched interests of the former regimes on one side and the stultifying religious rule on the other.

Faced with these daunting realities, the Obama administration may be in the midst of a strategic reevaluation of our role in the region—one that is far more modest in ambition, more tempered in expectation, and certainly more reliant on the use of its diplomatic, not military, resources.

This new approach stands in stark contrast to the effort by the George W. Bush administration to deliver a ''freedom agenda''—sometimes through the barrel of a gun—that would bring democracy to a region that has known mostly misrule. That doctrine, or its application, proved entirely unworkable, as the societies freed of their authoritarian shackles had nothing upon which to build. This is a lesson we may be bitterly learning in Libya as well.

These setbacks and the realization that democracy building is a generational undertaking must not lead us to disengage from the region. The forces freed by the Arab Spring will not be contained, and I still believe they can lead hundreds of millions of people to more representative forms of government, more economic opportunity, and, we must hope, more tranquility and peace within their borders.

The United States needs to help build institutions capable of supporting a transition in the Arab world in three dimensions: political, economic, and civil society. Unmet economic needs are the most pressing. At its heart, the Arab Spring is the expression of discontent of millions of idle, young Arabs, who have seen the economic opportunities that the outside world offers, but whose own economic realities are plagued by stagnation, mismanagement, and cronyism.

The cure is not outright assistance, which will do little to unleash or occupy long-term energies of Arab youth. It is investment that will allow this generation of Arabs to drag inefficient, antiquated, and highly statist economies in the 21st century. Since the ouster of Ben Ali and Mubarak, I have pushed for the creation of enterprise funds and other nimble vehicles that will allow us to direct resources at specific sectors that can help to drive economic growth, as well as improve the quality of life for ordinary people.

In coming years, these economies will need to produce sufficient jobs and wealth to both sustain workers and their families and to provide the economic conditions for sustainable political stability. But that cannot be an excuse to put off political reform now, because capital flows will not resume until investors have some confidence that their money is safe.

The experience of both Egypt and Tunisia serve to reinforce the inchoate nature of their political transitions. Both countries emerged from their respective revolutions with energized Islamist movements that were able to triumph over less well-organized secular parties—in large measure because the old governments had atomized their opposition and left political Islamist governments as the only viable alternative. In both countries, this experiment failed as a result of overreaching and a misreading of the people's wishes—a development that should ease the fears of those who saw a ''green wave'' sweeping across the Middle East.

The dysfunction in both Cairo and Tunis, and the Egyptian military deposing of President Mohammed Morsi in a coup, are a reminder that a democratic outcome is never assured or to be assumed. The United States must stand ready to assist Arab nations with the long-term institution-building and political spadework that are necessary preconditions for democracy.

In Tunisia, which is small, relatively prosperous, and not nearly as divided as some of its larger neighbors, prospects for a peaceful transition and

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transfer of power from the current Islamist government to a technocratic government that would oversee elections are alive, if not entirely well. But while a framework for the installation of a caretaker government remains, squabbling between the Islamists and the secular opposition has slowed the process and reintroduced uncertainty into Tunisia's fragile politics.

Political institution-building and creating a culture of good governance will require targeted assistance, training programs, and a lot of patience. Egypt and Tunisia may be a mess now but 10 years from now will not be the same as they are today, and we can play a role in helping to shape that future.

Think of some of the other countries that have democratized in recent years in Eastern Europe, Asia, and Latin America. The transitions have not been quick or smooth, and many of them are still ongoing. Amid the euphoria that accompanied the collapse of the Communist bloc in Eastern Europe, we were tempted to believe we were all witnesses to the ''end of history,'' as one academic put it.

The reality has been far messier vestiges of communist oppression still remain throughout the former Soviet Union and the Warsaw Pact.

These experiences hold an important lesson for the Arab states—that persistence pays and that democracy is possible, even where it had not existed previously. The United States must support these transitions, and we must be willing to use financial inducements and other levers to steer their political development in a direction that will best serve the Arab peoples and preserve regional and global peace. The partial cutoff of military aid to Egypt and the broader conversation it has sparked about how best to configure assistance may presage a new diplomatic strategy that is less reliant on military relationships devoted to the status quo and more supportive of civil society, economic and political reform.

This leads to the third area where the United States can play an important role—in trying to support the transition of Arab civil society from one that was imposed from above to one driven primarily by the needs and interests of its people. Free expression, women's empowerment and respect for minority groups are essential to the growth of democracy. Focusing assistance to groups in these areas can help to broaden the constituency for change and also give the young and disaffected an alternative to jihad.

Today's Arab twentysomethings face even greater challenges than the Europeans of 1990s. But President George H.W. Bush and his successor, Bill Clinton, both understood that the investment in Eastern Europe was one that would pay dividends for decades. They were right and it has. I believe that we have a similar opportunity to help the Arab people. It will take longer and there will be setbacks. But the alternative is to watch a generation succumb to despair—a despair that is likely to have negative consequences for us and for our allies. I prefer to bet on hope and work for change.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, at this point in our Nation's history, I believe both parties will acknowledge that we have major economic issues facing our country. As Congress just recently came to a temporary resolution which raised the debt ceiling by $230 billion, it is incredible to me that we still found $30 billion in aid to send to Afghanistan and $1.6 billion in aid to send to Pakistan.

Mr. Speaker, at a time when America is drowning in debt, this is completely unacceptable. And even more important than the money are the American lives that have been lost—six in the time the government was shut down and one the weekend after.

As we work to fix our national problems, we should be wise enough to follow the lead of the nations who have interfered in Afghanistan before us—England and Russia are only two examples—and stop wasting lives and money on a country that will never change. History tells us that it is time to bring our troops home.

I want to thank ABC News for their effort each Sunday morning during ''This Week with George Stephanopoulos'' to faithfully list the names of the Americans who have been killed in Afghanistan, just as they did during the Iraq war. It is with sadness that I report that they have added seven names to this list over the last 3 weeks.

Mr. Speaker, on the poster beside me are the faces of two little girls, Stephanie and Eden, whose father, Sergeant Kevin Balduf, from Camp Lejeune Marine Base, which is in my district, was killed in Afghanistan. He and Colonel Palmer, from Cherry Point Marine Air Station, also in my district, were trying to train the Afghans to be policemen. One of the trainees turned their pistol on Palmer and Balduf and killed both of them. So these little girls are standing at Arlington Cemetery with their mom holding their hands.

Perhaps more disheartening is the fact that two of the most recent deaths in Afghanistan also were an example of Afghans that we were trying to train killing Americans. We were just trying to help them.

Mr. Speaker, a few weeks ago, I spoke on the floor about an article I read, entitled, ''The Forgotten War'' by Ann Jones. I also will submit an article written by an Iraq war veteran named Jayel Aheram, who now attends the University of Southern California, which is entitled, ''Afghanistan War Must End Immediately.'' Both of these articles hold the same conclusion: the war in Afghanistan is a misuse of American youth, American money, and American military power.

It is time for the Congress of the United States to face the fact that we have our own problems here in America. To send over $600 billion to Afghanistan to build roads, schools, and utility plants so the Taliban can blow them up makes no sense.

It is time for little girls like these two to have their daddies at home and not in a coffin.

[From the Daily Trojan, Oct. 7, 2013]

AFGHANISTAN WAR MUST END IMMEDIATELY

(By Jayel Aheram)

Yesterday marked the 12 year anniversary of the war in Afghanistan. Americans have grown weary of the drawn-out conflict's undefined goals and increasingly unsustainable financial costs. According to a CBS News poll, support for the war in Afghanistan plummeted last year to its lowest with only 1 in 4 Americans agreeing that the United States is doing the right thing. President Barack Obama responded to this political reality when he announced last February that ''by the end of next year, our war in Afghanistan will be over.'' But will there really be an end to the Afghanistan war?

There were three ends to the war in Iraq: The first was in May 2003, when President George W. Bush announced, ''Mission accomplished,'' in an infamous speech aboard the USS *Abraham Lincoln* just two months after the invasion of Iraq. The second was in September 2010, when ''combat troops'' silently crossed the Iraqi border into Kuwait, an event Obama's MSNBC boosters were breathlessly proclaimed as the triumphant ''End of the Iraq War.'' The third was in December 2011, when the Iraqi parliament refused to grant further immunity to U.S. troops beyond 2011, finally forcing to U.S. troops' withdrawal from Iraq. If Iraq had three ''end of wars,'' how many will there be in Afghanistan? According to the Washington Post, a few thousand U.S. combat troops will likely remain in Afghanistan beyond 2014 to train and advise security forces. Despite this promise by Obama of the war's end, American presence in Afghanistan will merely add to the grim death toll after 2014.

According to Los Angeles Times, an American service member was killed last week in an ''insider attack''—incidents where Afghan allies attack the U.S. troops who train them. This recent event follows another from the weekend before in which three U.S. troops were killed. According to NATO, in 2011 and 2012, 97 coalition members were killed by their Afghan counterparts in these insider attacks. Even as the United States shifts its role from combat to advisory and training, deaths from insider attacks will most likely continue. Taliban leaders, including Mullah Muhammad Omar, have urged their sympathizers and members to continue to infiltrate the security forces and kill American trainers and Afghan trainees.

Bob Dreyfuss wrote in The Nation that military commanders believe in an ''insurgent math''—that is, for every civilian the U.S. military kills, 20 insurgents take their place. Approximately 6,841 civilians have been killed since the beginning of the Afghanistan war. Using this ''insurgent math,'' that would mean the U.S. military has created more than 120,000 insurgents who continue to threaten the lives of U.S. troops and Afghans loyal to the Karzai regime. These newly created insurgents have empowered the Taliban as evidenced by a recent article by the Associated Press, which reported that Taliban fighters have started an insurgent campaign of regaining lost territories as foreign troops depart. After 12 long years, $600 billion spent, more than 2,000 military deaths, 6,000 civilian deaths and tens of thousands of lives irrevocably altered, when will Americans muster the political will and courage to end America's longest war? Renaming the war is not progress, it is not

peace and it will certainly not stop American deaths.

HURRICANE SANDY 1-YEAR ANNIVERSARY

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

Ms. MATSUI. Mr. Speaker, as a member of SEEC, the House Sustainable Energy and Environment Coalition, I rise today to recognize the 1-year anniversary of Superstorm Sandy. Today, we remember those who lost their lives during this catastrophe and salute those who continue the rebuilding efforts.

One year ago, Sandy ravaged the east coast, producing devastating floods and widespread power outages, disrupting cellular phone networks and transit systems. As a whole, the region suffered over $65 billion in economic losses. Families lost their homes, their precious mementos, and reminders of their daily lives. Communities lost their businesses. Tragically, some individuals lost their lives.

While the east coast was the primary victim of Sandy, extreme weather knows no boundaries and other communities around the country are not immune from suffering the same fate. Floods, hurricanes, wildfires, and droughts are becoming all too common, all too intense, and all too costly. These events will continue to wreak economic havoc and uproot families, unless we take meaningful action to address climate change.

In California, climate change is increasing the frequency of extreme heat and prolonged drought, placing millions of Californians at greater risk of public health threats such as heat-related sickness, forest fires, and water scarcity.

At home, my constituents live under the constant threat of flooding, which is why I work relentlessly to strengthen our levees and upgrade our infrastructure. If extreme weather caused a levee to be breached in Sacramento, the damage would be similar to that experienced in New Orleans.

Mr. Speaker, events like Sandy can happen anywhere. They don't just threaten the coasts, but all communities in all States. Events like Sandy can happen at any time—and are happening with alarming frequency. This was not an isolated event that happens every decade.

We cannot continue to sit back and wait for the next disaster to happen before we take action. The time to act is not a year from now, not a month from now, not even a day from now. The time to act is today.

We must implement preventative measures to make our communities more resilient and be proactive in addressing climate change, the root cause of extreme weather events. Only then will we be able to safeguard the country from the destructive effects of extreme weather and ensure that the legacy of Sandy is one of action and not despair and procrastination.

COLLAPSE OF AMERICAN HEALTH CARE

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

Mr. MCCLINTOCK. Mr. Speaker, over the past few weeks, it has become obvious that we are watching nothing less than the collapse of the American health care system. Millions of Americans are losing their health plans and set adrift into a dysfunctional system where they cannot find comparable affordable policies.

Few are signing up on the ObamaCare exchanges. How few, we don't know. Because the numbers are so embarrassing, the administration refuses to report them. There are published reports that some 80 percent of the signups are pushed into the Medicaid system, which is itself nearing functional collapse as doctors simply opt out. Those who are able to keep their health plans are seeing their rates skyrocket to unaffordable extremes. Those few who can find affordable policies often discover they are losing their doctors.

□ 1015

Many employers are dropping their employee health plans or reducing salaries or cutting back on work hours or laying off workers while trying to cope with increased costs. A constituent of mine reports her employer cut her salary 23 percent as it tries to cope with ObamaCare costs.

The ObamaCare Web site is a monument to governmental incompetence. This is a Web site designed to sell a single product that has been under development for more than 3 years at a taxpayer cost of more than $600 million—more than was spent developing Facebook or Twitter—and it does not work.

But that is not the big problem.

The big problem is that, today, there are fewer people with health insurance—apparently, a lot fewer than before this program began less than 1 month ago. This is the disaster that Republicans tried to prevent or at least to delay, but that disaster is now unfolding before our eyes with dire consequences for millions of Americans.

With all its flaws, the American health care system was the finest in the world. It was the most innovative, the most advanced, the most adaptable, and the most responsive to the individual needs of patients, and now we are losing it.

The one question I keep hearing is: Well, what do the Republicans propose?

In fact, Republicans have had a comprehensive alternative for years. Spearheaded by Dr. TOM PRICE of Georgia and Dr. PHIL ROE of Tennessee and sponsored by the Republican Study Committee, this package would bring within the reach of all Americans health plans that they could choose according to their own individual needs of their own families, that they could own and that they could control, but this package has never passed the House, and it is high time that it did.

It extends the same tax breaks we currently give to companies to employees so they can afford to buy their own health care, again, according to their own needs.

It expands Health Savings Accounts so people can meet their needs with pretax income.

It restores to people the freedom to shop across State lines to find the best policies to suit their needs.

It restores flexibility so that health plans can accommodate people with preexisting conditions while expanding risk pools to provide for those conditions.

It attacks cost drivers like medical liability law that are making health care unaffordable.

It restores pricing flexibility to plans so that a healthy young person can again purchase catastrophic insurance for next to nothing.

It takes the best of the American health care system, preserves it, and corrects its flaws.

Now, I realize the Senate is likely to bury this reform as it has so many, but it is important that the House pass it so the American people can see that there is still hope to save what was once the finest health care system in the world and that it can be again as soon as this fever dream of ObamaCare finally breaks.

We have just been through a government shutdown because Democrats refused to even consider delaying the ObamaCare train wreck. They got their way, and that train wreck is now upon us. I believe, in coming months, the American people will recognize the urgent warnings that the Republicans tried so desperately to convey, and they will be looking for a way out. We need to blaze that trail now.

For that reason, I ask the House leadership to bring the Republican health care reforms to the floor, to get them to the Senate, and then let the American people decide.

Mr. Speaker, freedom works. It is time we put it back to work.

PERSONALIZE YOUR CARE ACT OF 2013

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

Mr. BLUMENAUER. Mr. Speaker, I started my day with my friend and colleague Dr. PHIL ROE, a Republican Congressman from Tennessee. We met with representatives from the American Academy of Hospice and Palliative Medicine. These dedicated professionals deal with helping patients and their families contend with some of the most difficult circumstances any of us

will ever face: loved ones in pain with difficult medical conditions at the end of life.

We were discussing legislation that Dr. ROE and I have cosponsored—the Personalize Your Care Act of 2013, H.R. 1173.

Despite widespread agreement in principle that individuals should be fully involved with decisions related to their health care, too often, this is not the reality. Most adults have not completed an advanced directive. If documents are completed, they are not regularly revisited and can be difficult to locate when needed. Because these issues are difficult to discuss, often surrogates feel ill-prepared to interpret their loved ones' written wishes. These shortcomings leave families and health care proxies faced with the burden of determining their loved ones' wishes in the midst of crisis, adding greater stress and anxiety.

One of the great misconceptions about advanced care planning is that it is a onetime event. Attempting to plan for all of the possibilities in a single document or within a single conversation is both overwhelming and impossible. For advanced care planning to be successful, it must become less about legal documentation and more about facilitating ongoing communication about the future care wishes among individuals, their health care providers and their families.

This approach recognizes that documents like advance directives and physician orders for life-sustaining treatment are not the end but the means—the tools—for documenting care preferences based on informed decisions that incorporate an individual's values, personal goals and current circumstance. This process not only provides higher quality care but personalized care. This is the right time to embrace this simple, commonsense reform.

I stepped out of a hearing going on in Ways and Means about the Affordable Care Act, which has basically become a contest, an ongoing soap opera, not an effort to fix the expensive health care system that too often delivers mediocre results. Instead, it is used as a political tug of war. The Personalize Your Care Act is a way out of this cul-de-sac. It is a way that we can come together to empower families, to know what they face, to understand their choices, to make their wishes known, and to assure their wishes are respected.

I strongly urge my colleagues to join Dr. ROE and me to cosponsor H.R. 1173, the Personalize Your Care Act, and to work with us to guarantee this important protection for all American families.

NSA AND THE SNOOP AND SPY CAUCUS

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

Mr. POE of Texas. Mr. Speaker:

> The administration puts forward a false choice between the liberties we cherish and the security we provide. No more illegal wiretapping of citizens, no more ignoring the law when it is convenient—that is not who we are. That is not what is necessary to defeat the terrorists. We will again set an example for the world that the law is not subject to the whims of stubborn rulers and that justice is not arbitrary. This administration acts like violating civil liberties is the way to enhance our own security. It is not.

Mr. Speaker, those were the words of Senator Barack Obama in 2007.

That was then. This is now.

The NSA, the National Spy Agency, as I call it, is continuing its stealth intrusion into the lives of not only Americans but of foreign leaders as well, whom Senator Obama once talked about. The NSA has been caught eavesdropping on the Germans, the French, and now new reports say 60 million phone calls in Spain were monitored by the NSA.

A bit more history about the NSA and its spying:

The Department of Justice stealthily seized information from 20 different Associated Press phone lines, including some in the U.S. Capitol—right up there. The Department of Justice stealthily seized phone records of Fox News reporter James Rosen, of his parents and of several Fox News phone lines. In the month of January of 2013 alone, 125 billion phone calls were monitored worldwide, and at least 3 billion of them were phone calls in America.

The NSA stealthily seized from Verizon Business Network Services millions of telephone records, including the locations, numbers and times of domestic calls. A secret government program called PRISM allowed the NSA to search photos, emails and documents from computers at Apple, Google and Microsoft, among many other Internet sources.

NSA and the Snoop and Spy Caucus say this spying on Americans and our allies is necessary to catch the terrorists. They even claim terrorist attacks have been prevented. If this is true, show the evidence. Prove it. Where are the terrorists who supposedly have been thwarted by these surveillance tendencies?

Even if it is true, which I doubt, it still violates the law. In my opinion, it violates the PATRIOT Act. The PATRIOT Act doesn't allow for this nonsense. It violates the constitutional right of privacy, Mr. Speaker. It violates the Fourth Amendment and the right of persons to be secure in their homes, papers and effects without government intrusion. Government cannot use the old Soviet-style, dragnet approach, hoping to catch a big fish while also catching the endangered species of freedom.

Those who argue otherwise say they must seize the whole haystack to find the needle in the haystack. Mr. Speaker, that is exactly what is prevented in the Fourth Amendment. I would like to quote the Fourth Amendment:

> The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

The Fourth Amendment specifically prohibits government from seizing the whole haystack to find the one needle.

Mr. Speaker, the American people have lost trust in government. It is time for Congress to intervene to prevent the invasion of privacy by government against the citizens. The Federal Government must stop redlining the Fourth Amendment.

According to an administration official, the President did not sign off on this stuff, and was unaware of the depth of the surveillance of foreign leaders.

Who did sign off?

Mr. Speaker, is there a shadow government in America that operates outside the law, outside the knowledge of the administration?

Sort of spooky, isn't it, Mr. Speaker?

Technology may change, but the Constitution does not. We can have security but not at the cost of losing individual freedom because, to quote the constitutional law professor:

> There should be no choice between the liberties we cherish and the security we provide.

And that's just the way it is.

TRADE AND KOREA

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

Ms. KAPTUR. Mr. Speaker, Politico recently reported that U.S. Trade Representative Michael Froman is pressing for another trade bill as soon as possible. This one is called the Trans-Pacific Partnership (TPP), to be signed with Asian Pacific countries, about a dozen of them. But whether it is the Obama administration, the Bush I or Bush II administration or the Clinton administration, the executive branch continues to push the same old failed trade model that puts foreign involvement and multinational interests ahead of America's workers and America's businesses. In fact, these deals have cost America millions and millions of jobs as our trade deficit continues to get worse.

This TPP proposal is particularly disturbing as a new trade deal. Because, if you look at the results of the first Obama administration trade deal, the Korean deal, you will see the proof is in the pudding that things didn't get better with our economy, they actually got worse. We were told with the Korean free trade deal that America would create 70,000 jobs here at home.

Guess what?

The fact is, in reality, with the Korean free trade deal, America has lost another 40,000 jobs as a result of that agreement alone. That is about 4,000

jobs lost each month because of the Korean free trade deal.

We were promised with the Korean deal that our economy would grow through increased exports by $10 billion to $11 billion.

Guess what?

In reality, U.S. exports to Korea have actually declined by roughly $800 million since the agreement took effect. Yes, that is a 20 percent decline. That translates into lost jobs and lost income.

America was told that if we signed the Korean trade agreement that, actually, our trade deficit would shrink.

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Well, guess what, the month the Korean trade agreement took effect, the U.S. trade deficit with Korea was $564 billion. It has nearly tripled to $1.6 billion, adding to the sea of red trade-deficit ink and more lost jobs.

We were told that America would actually level the playing field in the field of automotive trade if we passed the Korean free trade deal. I didn't vote for it. But guess what? Since the Korean agreement took effect, U.S. exports of motor vehicles to Korea have gone up monthly by, guess what, how much—44 cars—44 cars. That is it. At the same time, guess how many more cars the Koreans are shipping in here per month—20,000. All told, Korea has imported more than 1.5 million motor vehicles to the United States since the agreement took effect.

Meanwhile, America has only exported 34,000 cars—only 34,000. That is a 44 to one advantage on Korea's side. That doesn't sound like an agreement that is working to me. Why model the new TPP on that agreement. The Korean deal isn't working.

The sad thing is the American people have been told the same free-trade agreement lies for the past quarter century. All the lies that are contained in them have resulted in a sea of red ink that is costing us jobs. It is no surprise America has amassed a $17 trillion budget deficit when you have a $9 trillion accumulated trade deficit over the last 25 years. Too much of our economic powerhouse has been traded away.

Mr. Speaker, it is time for Congress to stop these bad trade deals. Focus on creating jobs inside our country. I call on Republican leaders to sideline the Trans-Pacific Partnership deal and bring up my bill H.R. 192, the Balancing Trade Act, as a start.

This legislation would require the administration to outline actions to balance the trade deficit with every single country with which we have a trade deficit—including Korea—country by country. America can then again begin to create jobs in this country at a level that the American people expect—to yield a vibrant economy here at home—and grow our middle class forward, not backward.

GOVERNMENT GLITCHES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the American people have become all too accustomed to government glitches, which result largely from government that has grown too large, too bureaucratic, and too difficult to navigate.

Every day, with a dedicated and compassionate staff, I assist constituents in navigating the frustrating and challenging bureaucracy of the Federal Government. On a daily basis, we attempt to problem-solve issues that citizens face when seeking resolution on issues with Federal agencies, agencies such as the Internal Revenue Service, the Environmental Protection Agency, Veterans Affairs, or FEMA, just to name a few.

The frustrations and difficulties created as unintended consequences of the Affordable Care Act have dramatically expanded how large and damaging government glitches can be. The Web site glitches are just icing on the cake; for over the last several years, the broken promises have continued to mount. One of the more glaring broken promises was reported yesterday when Americans found out they won't be able to keep the plan they have, despite what the President has been telling us.

Yesterday, NBC News aired a report that sources involved in the Affordable Care Act have admitted that:

> Fifty to 75 percent of the 14 million consumers who buy their insurance individually can expect to receive a ''cancelation'' letter or the equivalent over the next year because their existing policies don't meet the standards mandated by the new health care law.

One expert was reported as predicting that number could reach as high as 80 percent. All of the four NBC sources said that many of those forced to buy pricier new policies will experience ''sticker shock.''

While millions of Americans are being shocked by cancelation letters for their health insurance, the Obama administration has known of this government glitch for at least 3 years.

Mr. Speaker, the so-called Affordable Care Act has been anything but affordable. Prices continue to rise on insurance premiums, and the cost of care nationally continues to go up.

Mr. Speaker, this law was intended to expand access and quality. Yet in Pennsylvania, children are being forced out of the Children's Health Insurance Program, commonly known as PA CHIP, and into medical assistance. CHIP is serving our kids adequately through commercial products that are widely accepted by physicians. It is low-cost, market-based health insurance coverage. Moving these kids onto Medicaid has the potential to dramatically limit access to care.

Given the mounting evidence of glitches in ObamaCare's rollout, affordability, and individual choice, you have to wonder about what the future holds. From the missed deadlines, delays, and special waivers to, now, Web site crashes and Americans losing the plans they have, the outcomes we are encountering with this law are completely unacceptable.

Mr. Speaker, it is time for the administration to delay and fix all these glitches that are so evident in the Affordable Care Act. It is time for the Obama administration to do the right thing. The American people deserve as much.

IN CELEBRATION OF DIWALI

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

Mr. HONDA. Mr. Speaker, let me just be a little uplifting today.

I rise today to wish my friends and colleagues a happy Diwali. Diwali is this Sunday, November 3, and it signifies the start of the lunar new year. The festival of Diwali is a rich cultural history. It celebrates the victory of good over evil, light over darkness, and knowledge over ignorance.

Diwali is one of the biggest festivals for Hindus, celebrated with great enthusiasm and happiness. The festival is celebrated for 5 continuous days, where the third day is celebrated as the main Diwali festival or Festival of Lights. This holiday commemorates Lord Rama's return from 14 years of exile after defeating the demon King Ravan.

Different colorful varieties of fireworks are always associated with this festival. People shoot firecrackers to drive away evil spirits. On this auspicious day, people light up diyas lamps and candles all around their house. These lamps are kept on during the night and people clean their houses to welcome Lakshmi, the goddess of wealth, into their homes. Lakshmi is said to bring prosperity and happiness to people in the new year.

During Diwali, all the celebrants wear new clothes and share sweets and snacks with family members and friends. They perform the ceremonial Puja in the evening and seek divine blessings from Lakshmi. The festival of Diwali is never complete without the exchange of gifts. People present Diwali gifts to all near and dear ones.

Diwali is an official holiday in India, Nepal, Sri Lanka, Myanmar, Mauritius, Guyana, Trinidad and Tobago, Suriname, Malaysia, Singapore, and Fiji. This holiday is one of the most important holidays in Indian culture and a time for families to reunite and enjoy one another's company.

I ask my colleagues to join me in the celebration of Diwali, the Festival of Lights. Happy Diwali.

HONORING GEORGE BERRY, SR.

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

Mr. HARPER. Mr. Speaker, I rise today to recognize the craftsmanship of George Berry, Sr.

George's life has been dedicated to woodcarving. This interest began at a young age and developed into a lifelong pursuit. His artwork displays a passion for nature, particularly the wildlife of Mississippi.

George has not only been committed to his art, but also to sharing his gifts through teaching. He has become an important fixture within the local art community in Mississippi, and he has been recognized both within this community and outside of it with several distinguished awards. Through his passion for art and education, George Berry, Sr. has made a tremendous impact on many Mississippians and others throughout this country.

George was born in Vinita, Oklahoma; and at the age of 6, George was taught woodcarving by his father. He moved to Mississippi in 1972 to teach industrial arts at the Piney Woods School, a historically African American boarding school located in Rankin County, Mississippi. A year later, he became a charter member of the Craftsmen's Guild of Mississippi, a program created to promote folk art within the State.

After retiring from Piney Woods in 1984, George Berry has dedicated a majority of his time to woodcarving. Even so, he continues to spend a great deal of his time teaching others. George teaches weekly classes for the Mississippi Craftsmen's Guild and frequently instructs students at the Allison Wells School of Arts and Crafts in Canton, Mississippi. Additionally, he has taught at the John C. Campbell Folk School in Brasstown, North Carolina.

George Berry's preference in style is reflected in his large body of work. His realistic depictions of nature are the constant theme in his artwork. In particular, many of his wood pieces represent Mississippi wildlife with works such as catfish, deer, and hunting dogs. Beautiful sculptures of leaves and birds are other staples of his artwork. His skillful craft is a demonstration of the grace and rustic beauty that is found in nature.

This Mississippi craftsman has been recognized with many awards and honors. George Berry received a Folk Artist Fellowship from the Mississippi Arts Commission in 1999. In 2002, he was presented with the prestigious Governor's Award for Excellence in the Arts. The Craftsmen's Guild of Mississippi awarded him with their Lifetime Achievement Award in 2009. On October 18 of this year, I had the privilege of speaking at the celebration of the opening of the George Berry, Sr. Gallery of the Craftsmen's Guild of Mississippi, joining hundreds of family and friends in honoring George.

In addition to these awards, George Berry's work has been on display at several major festivals, including the Mississippi Arts Festival, Festival USA on the Strand, the Festival of Pennsylvania Folklife Bicentennial, and the Mississippi pavilion at the world's fair. His carved wood sculptures are on exhibit in a number of museums, including the Old Capital Museum in Jackson, Mississippi, and the Museum of Natural Science.

George has been featured in many national and regional publications, such as Southern Living and Mississippi Outdoors. These many accolades are a testament to this gifted artist.

So again, on behalf of the House of Representatives, I would like to congratulate and recognize Mr. George Berry, Sr. on his achievements as both an artist and as a teacher. For more than 50 years, George has used his God-given gift as a skillful craftsman to make beautiful pieces of art. Today, he continues to graciously share his knowledge and skill with many others.

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 10 o'clock and 42 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

Reverend Jack Hibbs, Calvary Chapel Chino Hills Church, Chino, California, offered the following prayer:

Almighty God and Father, if it be Your will that we be revived as a Nation, hear my prayer. I ask You to make us a thankful people, that we would bless You, the author of abundant mercies.

Enable us to display our gratitude for all Your goodness by endeavoring to fear and obey You. Bless us with Your wisdom in this House, success in our battles, and let our prosperity be tempered with generosity.

We pray that You would keep the United States in Your holy protection, that You would incline our hearts to cultivate a spirit of peace and obedience to both You and Your government, and that You would cause us to do justly and to love mercy and to walk humbly in that love that is characteristic of Your Son, the author of our blessed faith.

Grant us this prayer through Jesus Christ our Lord.

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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. QUIGLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. QUIGLEY 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

> S. 893. An act to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

WELCOMING REVEREND JACK HIBBS

The SPEAKER. Without objection, the gentleman from California (Mr. GARY G. MILLER) is recognized for 1 minute.

There was no objection.

Mr. GARY G. MILLER of California. Mr. Speaker, it is my honor to have my good friend and my pastor, Jack Hibbs, here with us today to give the opening prayer.

He is a senior pastor with Calvary Chapel Chino Hills. He has an incredible mission going on in California. Plus, he has a global ministry going on the radio. He does an amazing job in preaching God's word, and I am glad to have him here with us today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

CONSTITUENTS CONCERNED ABOUT OBAMACARE

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

Mr. WILSON of South Carolina. Mr. Speaker, constituents living across South Carolina's Second Congressional District have communicated very sincere concerns about the implementation of ObamaCare.

Sarah from North Augusta writes:

> People should not be punished because they grow old. One day, we will all be in their shoes . . . It is preposterous that the government will be the one to tell doctors what to charge for their services and what services can be provided.

Justin from Columbia writes:

> The full implementation of ObamaCare will be a disaster for America and the American people. Not only is it a direct assault on

our freedom, but it also puts the government in the middle of our health care decisions; it increases costs, and it will inevitably lead to a single-payer system.

As the rollout of ObamaCare continues to fail, Congress must act to address this problem now before it is too late and before every American family falls victim to this unworkable law which destroys jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

UKRAINE'S 80TH ANNIVERSARY OF MAN-MADE FAMINE AND GENOCIDE

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

Mr. QUIGLEY. Mr. Speaker, I rise today to commemorate the 80th anniversary of Ukraine's man-made famine and genocide.

The ''Great Man-made Famine'' was executed under Joseph Stalin's Communist rule in an effort to eradicate Ukrainian culture, education, and social institutions. Under Stalin's regime, the Ukrainian people were stripped of their land and grain and were herded onto collective farms where they were eventually left to starve to death. What was once the ''breadbasket of Europe'' became home to a forced famine that ultimately took the lives of over 6 million innocent men, women, and children.

But Stalin's attempt to squelch the spirit and history of the Ukrainian people failed.

This Friday, the Ukrainian National Museum in Chicago will remember those whose lives were taken by this man-made genocide. The museum will also, justifiably, celebrate the strong and vibrant people in the nation of Ukraine that thrives today.

PUTIN OPPRESSION OF AHISKA TURKS

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

Mr. KINZINGER of Illinois. Mr. Speaker, I was stunned to see Russian President Vladimir Putin disparage American exceptionalism a few weeks ago. Simply put, Mr. Putin's human rights record leaves much to be desired, including his treatment of Ahiska Turks. A distinct minority, they are severely persecuted by top Russian authorities in Putin's government solely for their ethnicity and religion.

During Mr. Putin's first term, the State Department designated Ahiska Turks as a group of special humanitarian concern. Since then, 12,000 Turks have resettled in America, including many in Illinois and in my district. However, 80,000 Ahiska Turks remain in Russia, and they routinely face discrimination and persecution in areas of their lives that we often take for granted. In an ethnic cleansing campaign, Stalin uprooted and resettled Ahiska Turks to central Asia from their ancestral lands in Georgia in 1944. Unable to return, they have since been perennial refugees in Central Asia and Russia.

This is the reality of Putin's Russia: in Russia, people are routinely and severely discriminated against, tortured, even killed, and are economically and financially repressed.

When given the freedom to chase the American Dream, these same Ahiska Turks have fulfilled their potential in less than a decade. I will let my colleagues make their own determinations about which nation is exceptional.

THE AFFORDABLE CARE ACT—A WINNER FOR SENIORS

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

Mr. COURTNEY. Mr. Speaker, the government announced yesterday good news for seniors: their Medicare part B premiums for 2014 will go up zero dollars and zero cents. It will stay at $104 per month. This is now the third year in a row that CMS Medicare part B premiums have defied the trustees' predictions and have come in lower than projected. It also defies the relentless campaign of misinformation that seniors have been subjected to that their Medicare part B premiums are going to go up.

Just on Friday, I was at a senior fair where a woman showed me a chain email that read that Medicare part B premiums for 2014 were going up to $247 a month—just a viral infection that has been out there and that I have been confronted with at senior centers over and over again. The facts are that they are going up zero. Medicare Advantage premiums have stabilized. Medicare part B premiums have stabilized. Prescription drug costs have gone down because of closing the doughnut hole.

In every respect, the Affordable Care Act since it passed in 2010 has been a winner for seniors, and it has helped strengthen the solvency of the program. Again, Medicare part B premiums are going up zero for 2014.

LEGION OF VALOR BRONZE CROSS RECIPIENT

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

Mr. DESJARLAIS. Mr. Speaker, I rise today to commend an exceptional young leader from Rutherford County in Tennessee's Fourth District. Elizabeth Ethridge recently received the Legion of Valor Bronze Cross for leadership, a testament to her strong work ethic and dedication to her Junior ROTC battalion.

An honor student at Smyrna High School, Elizabeth is exceptionally well-rounded. She is ranked in the top 10 percent of her class as well as of her JROTC grade. In addition to her service through JROTC, Elizabeth volunteers to give back to the community. Elizabeth is one of six Bronze Cross recipients, competing against cadets from more than 200 schools for this great honor. Last month, Elizabeth was presented with the award at the Rutherford County Board of Education meeting.

Elizabeth hopes to attend Vanderbilt University to study medicine and to one day join Doctors without Borders. I wish her the best of luck in her future endeavors, and I know she will continue to make our Fourth District proud.

PRESERVE THE FOOD STAMP PROGRAM

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

Mr. KILDEE. Mr. Speaker, this week, unfortunately, food stamps will be cut by $5 billion. We expected that. What is worse is that even deeper cuts could follow.

Conferees start negotiating a farm bill this week, and billions of dollars in cuts—in fact, $40 billion—have been proposed by Republicans in the House, which is 10 times the number of cuts passed in the bipartisan bill in the Senate.

Since I have been here in Congress, I have talked to dozens of people in my district who have come up to me and said, Thank you for fighting to preserve the food stamp program. I have never told anybody, they say, but I received food stamps at one point in my life, so thank you for fighting.

I am afraid that many Members of Congress simply don't know what it is like to be poor in America. These are real people—real human beings. The cuts that we contemplate here are not numbers on a piece of paper but are cuts that would literally take food out of the mouths of people who are hungry.

This is wrong. It cannot stand. I urge my colleagues to fight to preserve this important program.

FALSE PROMISES

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

Mr. HARRIS. Mr. Speaker, another day goes by, and the ObamaCare train wreck continues.

In 2009, President Obama promised, If you like your health care plan, you can keep it. It still promises that on the White House Web site and on the healthcare.gov Web site if and when you can get on that Web site.

Mr. Speaker, when are these false promises going to end? What do I say

to Gail in Maryland who wrote me this?

> I have been informed by Blue Cross & Blue Shield of Maryland that I cannot keep my current coverage and will have to choose a new policy. . . . I have to change my coverage and pay 53 percent more in premiums for coverage that is not as good. My husband and I . . . will now have to pay at least $330 more per month for less coverage.

Gail and her family will lose the plan they like and will have to pay almost $4,000 more per year for a plan that delivers less.

Mr. Speaker, American families deserve better than false promises.

BUILDING A BETTER BUDGET

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

Mr. VEASEY. Mr. Speaker, I want to talk to you today about the importance of responsible budget-making in our government. Budgets are moral documents that reflect our priorities as a Nation. For the sake of our economy, this Congress must turn back from the current brinksmanship and obstruction, and must return to the practice of negotiation and compromise.

The proposed budget and across-the-board spending cuts to domestic programs are continuing to slam families, children, seniors, veterans, and persons with disabilities in the congressional district that I represent. Impacts to Texas include $9 billion in cuts to SNAP benefits over 10 years, almost $32 billion in cuts to health care for Texas seniors, and the loss of over 5,000 jobs for our Texas educators.

We should focus on improving our education, on strengthening old infrastructure, on investing in advanced domestic manufacturing, and in paving the way for the future.

Let's show the American people that compromise and negotiation are not a thing of the past and that Washington can work together on their behalf. As elected leaders, we owe it to the American people to do the jobs we were sent here to do.

IF YOU LIKE YOUR HEALTH PLAN, YOU CAN'T KEEP IT

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

Mr. MESSER. Mr. Speaker, ''If you like your health plan, you will be able to keep your health plan.''

That is what the President said in 2009, but now NBC News is reporting that this administration knew for at least 3 years that that wasn't true.

Now millions of hardworking Americans in the individual market will not be able to keep their plans even if they like them. People across the Nation are experiencing sticker shock as they receive cancelation letters from their insurers and see their monthly premiums rise up to 400 percent. More people have received cancelation letters than have enrolled so far through all of the Affordable Care Act exchanges.

The Affordable Care Act has proven to be anything but. It is time for the President and my Democratic colleagues to work with us to suspend this flawed law and to work to fix it. We have to find a better way to deliver the reforms people really need because this law isn't working.

□ 1215

SUPPORT OUR VETERANS

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

Mr. HIGGINS. Mr. Speaker, this week the House will consider a number of bills to honor and support our veterans.

These are good bills, but they are not enough. A good and grateful Nation would also make sure a strong commitment is made to helping our veterans find work when they return home.

Mr. Speaker, the current unemployment rate for post-9/11 veterans is 10 percent; and among young veterans between the ages of 18 and 24, it is 22 percent. This is unacceptable. We owe it to our veterans to support programs like the not-for-profit Helmets to Hardhats, which partners with the Department of Defense, American businesses, and organized labor to help returning veterans prepare for work in the construction trades.

We must also be sure that veterans have the ability to get the educational benefits they have earned without being constrained by deadline, as my legislation, the Veterans Educational Flexibility Act, would do.

Along with the commitment to nation-building right here at home, we can create good American jobs that can't be outsourced and give back to those who have served our Nation.

DEBT AND SPENDING

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

Mr. HOLDING. Mr. Speaker, just a week after the debt ceiling was suspended, the Federal Government added $375 billion in new debt. Without a limit on spending until mid-February, the Federal Government continues to borrow more than it takes in and spend at an outrageous rate.

The fact is, Mr. Speaker, at a spending rate of $375 billion a week, U.S. debt would be over $22 trillion by the next debt ceiling deadline. This is unacceptable and unsustainable.

Mr. Speaker, the reason we have found ourselves in a fiscal rut is because of outrageous, frivolous government spending. We have to come to the table and do more to cut spending in the next debt deal. This includes comprehensive tax reform to make our Tax Code less burdensome and changes to our entitlement programs to ensure that they are working as they should for future generations.

American families know that they cannot spend limitlessly and never pay their bills. Our Federal Government should not be any different, and it is time to break our bad spending habits.

THE AFFORDABLE CARE ACT IS WORKING

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

Ms. HAHN. Mr. Speaker, the Affordable Care Act is more than a Web site; it is affordable, quality health insurance made available to everyone.

While my friends on the other side of the aisle like to keep talking about bad stories, there are some good stories about the Affordable Care Act, and I have one of them. It is Sarah and Joe, parents of two small children from Los Angeles, who have been working very hard every day to provide for their family while they were paying a high health care premium every month.

Just last month, they were paying $1,259 a month for COBRA. Last week, they got on the exchange, and they enrolled in a Blue Cross Silver 70 plan and are now paying more than $400 less a month—less a month. Sarah shared with us:

> We are a family of four with two young kids. Regular access to doctors is a must for us.

This plan does that.

The recent problems people have encountered on the Web site are unacceptable, and they are being fixed. Let's not allow these temporary glitches to overshadow the life-changing benefits that the Affordable Care Act is bringing to millions of American families like Sarah and Joe.

BUREAUCRATS, NOT PATIENTS, ARE THE FOCUS

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

Ms. FOXX. Mr. Speaker, people want to be able to trust their President.

When he said: If you like your plan, you can keep your plan, many Americans believed him. But keeping the insurance you liked was never a real possibility under ObamaCare.

By design, the law requires every single new health plan and any existing plan that has been altered over the past 3 years to satisfy the one-size-fits-all requirements of Washington's central planners. That means millions of Americans are losing their current coverage, even though many liked their plans—plans that were tailored to work for them—that meet their specific needs and fit into their family budgets.

Unsurprisingly, though, when placating bureaucrats is the rule, patients certainly can't be the focus.

The President did say: If you like your plan, you can keep your plan, but he simultaneously championed a law that replaced custom care with cookie-cutter care.

Millions are being booted from their health plans as a result.

SUPERSTORM SANDY 1-YEAR ANNIVERSARY

(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, 1 year ago today, New York City and the entire eastern seaboard were ravaged by Superstorm Sandy. Entire communities were shattered, families were torn apart, and lives were lost.

In New York City, the water level was so high it was covering cars. The Nation's largest and busiest mass transit system closed down for the first time in a century; 8½ million people lost their power and some still do not have it returned; and 125 Americans lost their lives.

The gratitude I feel for all those who helped their friends and neighbors is hard to express. There were a great number of heroes and heroines, and we sorely needed them.

On the Federal level, with the support of this body, FEMA has approved over $3.2 billion in funding for emergency work and over $1.4 billion in assistance to over 182,000 survivors. The Small Business Administration has approved $2.4 billion in low-interest loans. The National Flood Insurance Program has provided more than $7.9 billion to policyholders.

I would like to thank all of my colleagues and all those who stepped up to help during these difficult times. New York and others are deeply grateful.

OBAMACARE ROLLOUT III

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

Mr. WALBERG. Mr. Speaker, over and over and over again, the President told the American people: If you like your health plan, you can keep it.

If that were true, why then is Kaiser Health News reporting that ''health plans are sending hundreds of thousands of cancelation letters to people who buy their own coverage''? The Kaiser report goes on to say that some consumers are now being forced to ''buy more costly policies.''

If folks turn to the government for help—if they go to healthcare.gov—they will be met with so many bugs and glitches as to make signing up almost impossible.

Mr. Speaker, this is simply not fair. Nor is it fair that the President wants to find people who can't sign up using his own faulty Web site.

House Republicans want to promote fair solutions that create more jobs for all Americans. That is how we are going to get our economy growing.

UNIVERSITY OF NEVADA, LAS VEGAS

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

Ms. TITUS. Mr. Speaker, the annual Battle for Nevada between the University of Nevada, Las Vegas, and the University of Nevada, Reno, is not just a football game played once a year; it is a time-honored tradition that reflects the best of Nevada's sports rivalries. The victor not only wins bragging rights for a year, but also the coveted Fremont Cannon, which is painted in the winning school's colors.

For 8 long years, Reno has claimed these spoils. But this past Saturday, after a great game between Nevada's two outstanding universities, UNLV celebrated its first victory against the Wolf Pack since 2004 and the long-anticipated return of Fremont Cannon to Las Vegas.

Congratulations to UNLV's coach, Bobby Hauck, and all the Rebels for their 27–22 victory against UNR. You have made southern Nevada proud.

As part of a friendly wager placed on the game and in honor of Make a Difference Day, my colleague, MARK AMODEI from Nevada's Second District, and I will be performing a community service project wearing Rebels red.

Go Rebels.

SUPERSTORM SANDY 1-YEAR ANNIVERSARY

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

Ms. HANABUSA. Mr. Speaker, as a Member of the House Sustainable Energy and Environment Coalition, I rise today to recognize the 1-year anniversary of Superstorm Sandy and remember those who tragically lost their lives, as well as those continuing to rebuild from that destruction.

In the year since Superstorm Sandy ravaged the east coast, communities across the Nation have suffered through new extreme droughts, storms, wildfires, and flooding.

My home State of Hawaii is incredibly vulnerable to the effects of climate change. As you can imagine, a sea level rise is a real threat and concern for us. Earlier this year, Honolulu joined more than 70 other U.S. communities asking for the President to cut greenhouse gas emissions that are driving climate change and increasing Hawaii's risk of extreme weather events and sea level rise.

When I was in the Hawaii Legislature, I am proud to say that we passed a bill, and were one of the first States, to address the greenhouse gas emissions.

As we reflect on this somber anniversary, I remain committed to ensuring the people of Hawaii have the resources to prepare, respond, and recover from devastation. We must all remember it is climate change.

OBAMACARE

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

Mr. ROHRABACHER. Mr. Speaker, I hope that the American people have fully understood what has been going on here for the last 6 weeks.

The Republicans offered what? The Republicans offered to delay ObamaCare as a compromise position in order to have the continuing resolution to keep our government going. That compromise was rejected. We were called all kinds of names, and then we were told we were the ones that closed down government.

Take a look at what has happened. ObamaCare, this disaster that is taking place, the glitches, all of the problems, we know now ObamaCare wasn't even ready. The President and the country needed the extra time in order to perfect ObamaCare, but he would rather have closed it down—our government—rather than reach a compromise with the House of Representatives.

That is what this is all about. We had arrogance on the part of our Chief Executive unwilling to negotiate with the House. What was the House offering? Time to delay ObamaCare so it could work.

Now the American people have not only suffered a closure, but now are suffering from an ObamaCare that is not ready to be launched.

The SPEAKER pro tempore. The Chair will remind Members to refrain from engaging in personalities toward the President.

CONGRATULATING ASTRONAUT RICK MASTRACCHIO

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

Ms. ESTY. Mr. Speaker, I rise today to offer my congratulations and support to Astronaut Rick Mastracchio of NASA's best and brightest and a proud son of Waterbury, Connecticut.

Astronaut Mastracchio and two colleagues will launch on a mission to the International Space Station on November 6, bringing along a package of trackable geocaching tags from Waterbury Elementary students.

He will spend 6 months on the ISS, conduct several hundred experiments, and return to Earth in May.

Astronaut Mastracchio attended Crosby High School and received his bachelor of science degree in electrical engineering and computer science from the University of Connecticut.

He is a veteran of three space flights, having logged nearly 40 days in space.

He continues to be an inspiration for students back home in Connecticut and around the world.

We wish him the best of luck and a safe journey.

OBAMACARE ROLLOUT I

(Mr. CONAWAY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, just how unworkable is the Affordable Care Act, or the ''Unaffordable Care Act,'' as I am often corrected back home in District 11?

Let's take a look at some recent headlines about the launch of the new Web site:

The Orlando Sentinel called it a ''hit-or-miss proposition.''

CNN said:

Americans are still having a tough time.

Wow, what an understatement.

Yes, we all know about how the ObamaCare Web site—built with taxpayer dollars—is riddled with glitches.

But is a bad Web site the only problem Americans face? Not by a long shot.

How about those premiums that are shooting up all over America for affordable health care?

Last month's mediocre jobs reports show our economy is still struggling, and higher insurance costs will not help hardworking Americans solve those problems.

This is not what we were promised, but it is exactly what we are getting under the Unaffordable Care Act.

□ 1230

CONGRATULATING LINDENWOOD UNIVERSITY-BELLEVILLE ON 10TH ANNIVERSARY

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

Mr. ENYART. Mr. Speaker, I rise in support of the 10th anniversary of Lindenwood University's campus in Belleville, Illinois.

On November 3, 2003, Lindenwood acquired the 22-acre site at the old Belleville West High School. Fifty-two students enrolled in evening classes that semester. In the decade since, Lindenwood University-Belleville has grown into a strong and vibrant institution that contributes much to the richness of Belleville and to the higher education choices of southern Illinois. Today, Lindenwood has over 1,000 full-time students enrolled in a wide range of academic programs, with hundreds more in graduate, continuing education, and specialized programs.

This past spring, I had the high honor of addressing graduates at Lindenwood's first commencement exercises. I quoted Lindenwood University's mission statement to provide programs ''leading to the development of the whole person—an educated, responsible citizen of a global community.''

In its first decade, Lindenwood has done just that. I congratulate Lindenwood University-Belleville on its 10th anniversary and wish the entire campus community much continued success.

OBAMACARE ROLLOUT

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

Mr. SESSIONS. Mr. Speaker, more and more news continues to come to light about the poor workmanship that went into the Obama administration's Web site for ObamaCare. It is a problem and it is a mistake, and Americans are dealing with it all across America. The Associated Press reports that folks in the administration ''saw red flags for months,'' and The Washington Post said that bureaucrats insisted on plowing ahead despite this known failure that would lie ahead.

So, Mr. Speaker, we would ask a question: Why are the American people going to be required to be in a health care system other than the one that they chose? And the answer is because President Obama and Democrats passed a law years ago that is something that the American people do not want and were misled into. Premiums are skyrocketing, and some insurers are kicking people off their plan that they were on entirely.

Mr. Speaker, Republicans have a plan for the future, and it allows people to have their own doctor, their own insurance company, and to make their own decisions.

CLIMATE CHANGE

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

Mr. PERLMUTTER. Mr. Speaker, as a member of the House Sustainable Energy and Environmental Coalition, I rise today to recognize the 1-year anniversary of Superstorm Sandy and remember those who tragically lost their lives as well as those continuing to rebuild from the destruction.

My constituents in Colorado understand the pain that comes with extreme weather events, having recently suffered from devastating and historic flooding and fires. The flooding killed nine people, damaged or destroyed almost 18,000 homes and businesses across the State, damage to our roads and bridges is estimated to be $450 million, and our cities and counties saw over $170 million in infrastructure damage.

Yet floods were not the only severe weather events in Colorado this year. Numerous wildfires and droughts damaged and destroyed property and crops and took lives.

I applaud the President for putting forth his climate action plan in an effort to implement meaningful policies that are slowing the effects of climate change. Congress should take further action to minimize the impacts of these natural disasters and to better understand our weather patterns.

We will and we must work together to rebuild stronger and smarter to better prepare for future natural disasters that are becoming all too common because of the real impacts of climate change.

LET THE AFFORDABLE CARE ACT WORK FOR FAMILIES

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I want to share a letter I received from a constituent of mine named Mary Ann from Milford, Connecticut. She is suffering from cancer, and she wrote to me during the recent Republican government shutdown. She wrote:

I'm attaching a picture I snapped of the statement I received from my insurance company regarding my chemotherapy treatment of the month of July, which was one treatment.

Over $110,000.

I'm grateful I have insurance right now, but it's COBRA. It is expensive, and it runs out in 18 months. If the Affordable Care Act is not in place in 18 months, I will never be able to get insurance or treatment.

This is real for me. It is life or death for me, and I am grateful that President Obama is not willing to negotiate with my life as this Nation is held hostage by political terrorists.

Mr. Speaker, I receive calls and letters like this every single week. The Affordable Care Act is already making a profound difference for individuals and their families. Those on the other side of the aisle who talk about it is not necessary, they have health insurance. They have it.

Why is it that this body goes on to say ''no'' to health insurance for millions of Americans who are out there? This body needs to stop partisan political games and let the Affordable Care Act work for families. It is a matter of life or death.

CLIMATE CHANGE

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

Mrs. DAVIS of California. Mr. Speaker, as a member of the House Sustainable Energy and Environment Coalition, I rise today to recognize the 1-year anniversary of Superstorm Sandy and to remember those who tragically lost their lives, their homes, and so much of the communities that they knew.

The storm's crippling impacts still persist up and down the east coast. While we cannot blame climate change for any one event, all of these natural disasters taken together are undeniable evidence of a looming man-made disaster.

My constituents in California are also struggling to deal with climate change. In my State, 12 of the 20 most damaging wildfires occurred in the last 10 years, and crops have been decimated due to rising temperatures and water scarcity.

We need to ask ourselves: What have we learned from Sandy? What have we

learned from other disasters, and what can we do to prevent the next one?

This problem has no party. There is no more personal or more compelling issue. Climate change is a human problem, with the direst of consequences. It is time to put aside our partisan differences and start working together to address these issues.

PROVIDING FOR CONSIDERATION OF H.R. 992, SWAPS REGULATORY IMPROVEMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 2374, RETAIL INVESTOR PROTECTION ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 391 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 391

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 992) to amend provisions in section 716 of the Dodd-Frank Wall Street Reform and Consumer Protection Act relating to Federal assistance for swaps entities. 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 to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Agriculture and the chair and ranking minority member of the Committee on Financial Services; (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2374) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-23 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Financial Services; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative George Miller of California or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 3. Notwithstanding section 1002 of the Continuing Appropriations Act, 2014—

(a) a motion to proceed under such section—

(1) may be offered even if the committee to which a joint resolution has been referred has not reported or been discharged; and

(2) shall be in order only on the legislative day of Tuesday, October 29, 2013, or the legislative day of Wednesday, October 30, 2013; and

(b) a joint resolution under such section shall be debatable for one hour equally divided and controlled by the proponent and an opponent.

SEC. 4. On any legislative day during the period from October 31, 2013, through November 11, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved;

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Boulder, Colorado (Mr. POLIS), 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 may 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. Mr. Speaker, H. Res. 391 provides a structured rule for consideration of H.R. 2374 and a closed rule for consideration of H.R. 992. However, I think it is important to note that H.R. 992 is a closed rule by default because the Rules Committee did not receive any amendments despite Members having ample time to submit them. So we made sure that, in the interest of time, we are going to move forward on this important legislation.

Mr. Speaker, today's bills are technical in nature, but each carries very important policy implications designed to strengthen our Nation's financial services industry while simultaneously protecting consumers and providing more certainty for our economy.

First, H.R. 992, the Swaps Regulatory Improvement Act, amends section 716 of the Dodd-Frank Act to provide banks and their customers the flexibility to effectively manage risk better.

Today, many banks and bank customers, such as utility companies and agricultural co-ops, use swaps as an effective means to manage their businesses and to operate their cash flows in a safe and practical manner. Unfortunately, section 716 of the Dodd-Frank Act would require banks and their customers to shift these practices out of the traditional bank model and place them in newly created, capitalized, nonbank entities. Such a change to current business models would create unnecessary instability in domestic markets and potentially restrict access to these important financial instruments. Federal Reserve Chairman Ben Bernanke has said that such a move would ''weaken both financial stability and strong prudential regulation.''

H.R. 992 would allow banks and their customers to keep the majority of swaps transactions in-house and prevent needless financial instability. Additionally, it is important to note that, despite what my colleagues on the other side of the aisle may say, this legislation only permits traditional swaps to continue under the current operating structure. All structured swaps, such as an asset-backed security and other riskier investment vehicles, will be required to be housed in nonbank entities. I believe this legislation represents commonsense ideas that allow for greater financial flexibility for consumers while ensuring that investors are not subject to unnecessary risk.

□ 1245

The second bill, H.R. 2374, the Retail Investor Protection Act, aims to prevent potentially conflicting and costly definitions of fiduciary standards from being applied to broker-dealers and other financial service professionals. Currently, the Department of Labor is in the final stages of drafting a new definition of fiduciary standards for broker-dealers under the Employee Retirement Income Security Act known as ERISA. This new requirement would dramatically change a longstanding business model and potentially diminish the ability of everyday Americans to access quality investment advice, meaning, the broker that they choose.

At the same time, the Securities and Exchange Commission, known as the SEC, is considering adopting its own uniform fiduciary standard for broker-dealers pursuant to the Frank-Dodd Act. H.R. 2374 would prevent the Department of Labor from issuing any new fiduciary standards before the SEC finalizes its new rule. In other words, we would like for them to work together. This delay would prevent the two agencies from promulgating different and conflicting definitions that could prove difficult, if not impossible, for many financial service professionals to adhere to. Such a change in current business practices is a solution in search of a problem. Current suitability standards applied to broker-dealers did not play a role in the financial crisis of 2008, and Congress should not force American families to have to pay more not only for legal definitions they do not need, but against their own common sense.

Today, millions of Americans who save for retirement take advantage of many affordable investment options that broker-dealers provide. Changing fiduciary standards for broker-dealers

would increase costs and decrease access to important investment tools, especially for low- and middle-income families. I believe that H.R. 2374, as brought to the Rules Committee by the chairman of the Financial Services Committee, the Honorable JEB HENSARLING from Dallas, Texas, provides the certainty and flexibility that Americans need for retirement and to plan for their future and for their own children's education while promoting a safe and equitable marketplace.

I urge my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying legislation.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule, which is a closed rule for H.R. 992, the Swaps Regulatory Improvement Act. It only makes in order one amendment for H.R. 2374, the Retail Investor Protection Act, and it would allow for this political game that we like to play which is called the ''vote on the disapproval of raising the debt ceiling,'' which I will talk about a little bit more later.

What I truly object to here is the way that this body, this House, is only meeting for one full day this week. We came in yesterday evening around 6:30 p.m. We are meeting today and, it is my understanding, for about half the day tomorrow. Most people in this country, Mr. Speaker, work a solid 40-hour workweek. I don't know why Members of Congress in this House, the expectations would somehow be they work 10, 12, 15 hours a week, call it a week, and go home, when there are many important things that we could be doing.

Don't get me wrong, Mr. Speaker. What we are talking about today—and I agree with some of the bills under this rule and I disagree with others—is an honest day's work. We are discussing and debating important bills. Would that we were having these kinds of discussions for 5 days a week rather than 1 day a week, Mr. Speaker.

While I disagree with this approach to getting very little work done that is important to the people of this country, this bill does make in order H.R. 992, which I support. I think this bill is common sense. It modifies a revision of the Dodd-Frank bill, which many, including many of the bill's authors, like former Representative Barney Frank and Federal Reserve Chairman Ben Bernanke, regard as problematic. It corrects that.

Many economists and regulators have noted that, without this legislation, it is quite likely that certain swaps activity could be pushed out from the heavily regulated bank institutions, having the opposite effect of what many of us wanted to accomplish with the Dodd-Frank bill and increasing costs to financial institutions. In fact, if we don't pass this bill, it could make our financial system more susceptible to systemic risk and reduce our international competitiveness, according to former Chairman Bernanke.

I am confident that this bill will pass with a strong bipartisan coalition and does represent important work that this body will do.

The underlying bill, H.R. 992, also ensures that federally backed financial institutions can continue to conduct risk-mitigation efforts that serve commercial and hedging needs of their customers, while still prohibiting dangerous swaps that contributed to our economic collapse. I am pleased to join my colleagues from across the aisle in making this important fix, rather than repealing the law entirely.

I wish, Mr. Speaker, that the approach to ObamaCare and the Affordable Care Act was more analogous to this approach that we are having with Dodd-Frank. I think many of us who supported Dodd-Frank agree there are a number of changes that need to be made.

As far as I know, in the history of this institution, there has never been a perfect piece of legislation passed. It is regularly routine to have cleanup bills that improve and build upon what has been done. I wish that we could get there with the Affordable Care Act. I am a cosponsor of a number of bills that I think would improve the Affordable Care Act. I know that my colleagues from across the aisle are as well.

I think it is time to get past this discussion of trying to repeal ObamaCare and instead get to a discussion of: How do we make it work for our country? How do we make health care work for our country? How do we make health care affordable for our country and build upon the successes of the Affordable Care Act and address the shortcomings of the Affordable Care Act?

This rule also makes in order H.R. 2374, the Retail Investor Protection Act, which addresses pending rulemakings at both the Department of Labor and the Securities and Exchange Commission regarding the new fiduciary standards of care. Again, while the merits of this legislation are up for debate, under this rule the House majority only allowed consideration of one amendment for the two underlying bills. Instead, it is sending us home early with half a day of work tomorrow, Wednesday, rather than staying through the week and allowing further discussion of additional amendments and other important topics, like replacing our broken immigration system with one that works for our country.

More disappointingly, the light workload this week of a day and a half is emblematic of how the next 2 months are calendared for this House of Representatives. There are only 19 days left of work for this House before the end of the year. The House is only in session for 2½ days before we recess in a week. Again, I think that the American people expect and demand a minimum 40-hour workweek from the people that they hire to represent them here in Washington, and I think most people in this country have more than 19 days that they have to work in November and December. That is 2 full months, November and December. Yet, we only have 19 days over that 2-month period that this body will be in session.

Yet, there are critical issues that the American people are demanding that we act on. As an example, today is the 302nd day of 2013 that we have failed to bring to the floor a comprehensive immigration reform bill. Time is running short, and the need for a comprehensive immigration overhaul is growing every day. Even the United States Senate, hardly an institution that is prized for the speed with which it moves, has passed comprehensive immigration reform with more than a two-thirds majority.

Now, I am proud to be a part of a coalition of House Members, a bipartisan coalition, that has introduced a bill very similar to the Senate bill that has replaced some of the border security language with House border security language, H.R. 15, the Border Security, Economic Opportunity, and Immigration Modernization Act. This bill would create jobs, reduce our budget deficit, include a pathway to citizenship, unite families. It would help reflect our values as Americans in our immigration laws, grow the economy, create jobs for Americans here at home, and finally get real about enforcing our immigration laws.

Do you realize, Mr. Speaker, there are over 10 million people in this country illegally? When are we going to get serious about enforcing our laws and not making a mockery of them? This Nation is a Nation based on the rule of law. H.R. 15 reflects that commitment, as does the Senate immigration bill. It is time that we fix our broken immigration system rather than go home on a Wednesday and meet for 19 days in a 63-day period.

This is a bipartisan bill, H.R. 15. We have been joined by several Republicans—Representative DENHAM, Representative ROS-LEHTINEN. We encourage my colleagues, and I certainly invite my friend and colleague from Texas, to join us as cosponsors of this bill that will allow us to create enforcement, a pathway to citizenship, grow jobs, and finally resolve our broken immigration system.

Mr. Speaker, perhaps I am being paranoid, but it appears to me that perhaps leadership—Mr. Speaker, leadership, as you know, controls what we vote on here on the floor of the House. Leadership, of course, being my colleague, Mr. CANTOR from Virginia, and my colleague, Mr. BOEHNER from Ohio. Perhaps, Mr. Speaker, they fear that this bill would pass if it was brought to the floor. Yes, Mr. Speaker, this bill would pass if it was brought to the floor of the House. Twenty-nine Republicans have already publicly expressed

support for a pathway to citizenship. Many more Republicans, Mr. Speaker, have privately expressed support for a pathway to citizenship. It should hardly take courage to do so. Over 70 percent of the American people have expressed support for a pathway to citizenship.

Regrettably, the only action that this House has taken on immigration has been one vote, which voted to undo the deferred action program for childhood arrivals. It voted to deport DREAMers. Yes, the House of Representatives actually voted to do that. Fortunately, it didn't happen. The Democrats control the Senate and stopped it. The President likely would have vetoed it. It is his program that he started in the absence of this body acting. By the way, in the absence of the House of Representatives taking on immigration reform, I hope the President expands deferred action. What other tools does he have at his disposal to address our immigration system if this body, the law-making body, refuses to actually solve the immigration issue? If this body refuses to solve the immigration issue, the number of people here illegally will only increase, and this body, the House of Representatives, and the majority, the Republican Party, who won't allow us to vote on H.R. 15, will be responsible for more illegal immigration and having more people here illegally if we do not act now.

Mr. Speaker, just this week, nearly 600 conservative supporters of immigration reform will storm Capitol Hill from the faith community, the business community, the law enforcement community. An unprecedented coalition will be meeting with Republican members, and is meeting with Republican members, demanding that they take action. We are talking about Partnership for a New American Economy; the Bibles, Badges, and Business coalition for immigration reform; FWD.us; strong support from the technology and business community; and the U.S. Chamber of Commerce, Mr. Speaker.

Regrettably, the only immigration amendment that has passed this House has been to deport DREAMers. Again, thankfully, it didn't happen. The Senate and President were able to stop it. That is the only idea so far that has been proposed and, sadly, tragically, accepted by this body for dealing with DREAMers. We are talking about young people who grew up in this country, have been through American schools, football teams, cheerleaders, prom, got good grades, played by every rule they knew. They were brought here when they were 2 years old, 5 years old. Frequently, they don't even speak another language. They want to get back to our country if only we will let them. Yet, this House voted to eliminate the program that allows them to work in this country. It instead would deport them back to a country they don't know anybody in and don't speak the language of. We would be denying them the ability to be legally in the only country they know, to make our country stronger.

That is action. The majority party took action on an amendment. They passed the amendment to undo the deferred action program, but I refuse to believe that that is the action that Speaker BOEHNER had in mind when he said he wants to move forward and fix our broken immigration system. Regardless of what we do with the DREAMers, that is only a small part of our broken immigration system.

□ 1300

There are many adults that are working illegally in this country because we refuse to enforce or fix our immigration laws; and that will continue unless this House of Representatives chooses to change that.

The American people, Mr. Speaker, are fed up. That is why enormous majorities of Democrats and Republicans, of Independents, of men, of women, of every single breakdown that you have of the American people want to see the House of Representatives fix our broken immigration system, would like to see us pass the bill, H.R. 15, here in the House of Representatives, a bipartisan bill ready for the floor today and ready to be passed into law.

The House majority needs to move a bill to the floor that includes an earned pathway to citizenship, border security, enforcement of our laws, meets the needs of the businesses, the technology sector, the agriculture sector, other important sectors that rely on an immigrant workforce.

And, yes, we can count the votes, Mr. Speaker. We can help Majority Whip MCCARTHY with his job. The votes for a pathway to citizenship, I am proud to report back to my colleague from Texas, who I know is a member of Republican leadership, and my good colleague, Mr. SESSIONS, we can report back, and you can report back to Majority Whip MCCARTHY that at least 29 House Republicans have publicly endorsed the pathway to citizenship as a component of immigration reform, the principles that are included in H.R. 15 in the Senate bill, and many more Republicans have privately committed their support.

Yet we are hearing more and more about counterproductive measures that might be brought to the House. For instance, I have heard that there might be an effort to introduce the so-called SAFE Act in an immigration package, which would, essentially, turn undocumented immigrants into criminals overnight, creating an enforcement challenge.

If we can't enforce our current laws, can you imagine trying to enforce a set of laws where there are 10 million or 15 million criminals in our country?

Now, it is important also to distinguish, Mr. Speaker, when we look at our immigrant detention centers, and we are talking about people who are here illegally who have committed crimes, not just the civil violation of being here illegally, we join with our Republican colleagues in seeking deportation and punishment.

Whether somebody is here legally or illegally, whether they have paperwork or not, if they ever commit a crime that harms our community, we have no sympathy for them, and we seek their full punishment under the law.

But how can you enforce or punish people when you create a whole new class of criminals?

We can barely punish the criminals we have. We already incarcerate more people, as a percentage of our population, than any other Western industrialized nation. Clearly, incarcerating and deporting more not only is not the answer, but would be a tremendous burden to the American taxpayer.

Each deportation, Mr. Speaker, costs over $10,000 of your money. Over $10,000. Is that the solution?

Or should we make sure that people who are working here pay taxes?

Would you rather pay, Mr. Speaker, $10,000, or would you rather accept their checks to make sure that they are paying their fair share to reduce our budget deficit and reduce the tax burden on everybody else, to the tune of over $200 billion, which is how much, according to the scoring of the Senate bill, comprehensive immigration reform will reduce our deficit?

And we will be happy to work with the Republican majority to use that $200 billion to reduce the individual tax rate. It is an issue that I have talked about with my colleague from Texas (Mr. SESSIONS). We would love to bring down those marginal rates. Instead of 39.6 percent, let's get them down to 38, 35, I think, you know, however low we can get them and bring down rates for everybody else as well.

Mr. SESSIONS. Will the gentleman yield?

Mr. POLIS. I will address the question to my good colleague and friend from Texas. We might be able to use the $200 billion in immigration reform to bring down the individual or corporate tax rate. I will be happy to pose that question to my good friend.

I yield to the gentleman from Texas.

Mr. SESSIONS. I will answer the question quickly. We believe there should be no more than a 25 percent tax on any American for paying their taxes.

Mr. POLIS. Reclaiming my time, and in that mix of the pay-fors might be immigration reform. That won't get us fully there. That is $200 billion, and I would have to see the scoring on getting it down to 25; but that is a pay-for that I think would have support from my side of the aisle. There are other pay-fors that would as well.

Now, we are not willing to do this if it is going to increase the deficit, as we have talked about. If we just bring down tax rates for the people and that goes to the deficit, I think there would be problems on both sides of the aisle.

But if we can offset it with spending cuts, if we can offset it with immigration reform, if we can offset it by getting rid of loopholes for the oil and gas industry, I think we have a good, bipartisan way to discuss bringing down tax rates for all Americans going forward.

Immigration needs to reflect our values as Americans. It needs to bring people out of the shadows, enforce our laws, be good for American business, be good for labor, create jobs, and help make America more competitive.

Let me talk briefly, Mr. Speaker, about the overwhelming public support for immigration reform. Take my home State of Colorado as an example. More than three-quarters of Coloradans support comprehensive immigration reform with a pathway to citizenship for the people already here.

In California, there have been a number of polls. In the 21st District, represented by my friend and colleague, Representative VALADAO, 77 percent of voters support the Senate immigration bill, H.R. 15, comprehensive immigration reform.

In the 22nd District in California, represented by my friend and colleague, Mr. NUNES, over 74 percent support H.R. 15-style legislation.

Let's move to Nevada. In the Second District of Nevada, represented by my friend, Mr. AMODEI, 72 percent, Mr. Speaker, of voters support comprehensive immigration reform.

In the Third District of Nevada, represented by my colleague, Mr. HECK, over 74 percent.

I can go on and on; the point being, Mr. Speaker, that the American people are demanding action of this body.

H.R. 15 is simply common sense. Instead of going home after 1 day of work, let's bring it to the floor on Thursday, then pass it on Friday, Mr. Speaker. Let's get it done. Common sense.

If the House majority is serious about bolstering innovation, growing our economy, reducing our deficit, bringing down taxes, increasing prosperity for all Americans, a pro-growth agenda that they frequently lend lip service to, then put this immigration reform bill on the floor, and let the House work its will. It will pass.

We can attract investment and entrepreneurs and encourage them to create American jobs, reduce our deficit, bring down the tax burden and, guess what, help restore integrity to our entitlement programs, help make sure that people are paying in to Social Security and Medicare, and that they are solvent. We can accomplish that this week. Or, you know, if you really want to go home on Wednesday of this week, let's come back next week, instead of taking next week off, and we will pass immigration reform then.

I will be happy, and many Members from my side of the aisle would be happy, to cancel vacation plans for next week to come back and pass immigration reform; and I would encourage my colleague from Texas to encourage his leadership to do that.

It is time, Mr. Speaker. Frankly, it is past time. H.R. 15 improves border security, interior enforcement, resolves the issue of the 11 million people who are here illegally, improves our legal immigration system.

The bill makes sure that the Department of Homeland Security develops a comprehensive plan to protect our southern border, a plan that has passed unanimously by the House Homeland Security Committee, Democrats and Republicans joining together to actually get serious about our border security.

The American people are calling out for this body to take the moral high road, the economically beneficial path, for Democrats and Republicans to work together to bring a comprehensive immigration reform bill to the House before the end of the year.

So I can't support this rule today, Mr. Speaker. I can't support a rule that sends us home on Wednesday of a workweek. I can't support a rule that only gives us 19 more legislative days before the end of the year.

Mr. Speaker, I would love to be able to support a rule here on the floor of the House. And if my colleague from Texas and my colleagues on the Rules Committee are willing to bring forward a rule, bring forward H.R. 15 Thursday, bring it forward next week, I will be happy to stand here and proudly support that rule.

But until we reach that time, I will have to voice my opposition to the rule.

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

Mr. SESSIONS. Mr. Speaker, I appreciate the dialogue that the gentleman from Colorado is having. In fact, I have, for a long period of time, not only understood the plight of those who are perhaps in this country as undocumented people, but also I understood the plight of people who are trying to get a job in this country, Americans who are trying to find work.

And there are lots of things that we should have done on this. I would remind the gentleman that for 4 years the Democrat majority had this front and center as a promise that they would accomplish, and the Republican majority now is attempting to work through this issue.

We have had working groups. We have had Members who are very serious about how we work on a bipartisan basis; and I know the gentleman, Mr. POLIS, has been not only aware of that, but also understands the intricacies.

We need to be able to understand that there are still very dangerous people in this country, and the Senate bill did not even get close to understanding who is in this country that is dangerous, some 30,000 people who are special interest aliens who this government is watching. They would sneak right underneath the wire toward citizenship; that normally a person who comes into this country would have to go through a background check, and we would know who they are and we would transform them from a great member of another country to a proud American.

What we want to make sure is that we measure twice and saw once, and that is really what the Republican Party is trying to do.

Mr. POLIS. Will the gentleman yield?

Mr. SESSIONS. I will not. The gentleman had 18 minutes to get his message out, and I am going to take my few minutes to get this out.

And with great respect to the gentleman from Colorado, I do recognize not only his heart, but his brain is engaged in trying to make sure that we work together; that we do it on a bipartisan basis; that we see the future of hardworking people who are in this country; but that we also recognize that there must be a chance to protect this country and not give constitutional rights and the hard work in this country away, as the Senate bill does, gives it away, rather than having an earned citizenship to where people then have a chance to make our country stronger.

It is a big debate, and the gentleman is most eloquent in his enunciation of support of pushing all of us together. I stand with him. But we will keep working until we get it right.

We will, once again, measure three times and saw once.

Mr. Speaker, I yield 5 minutes to the gentleman from Bowling Green, Kentucky (Mr. GUTHRIE), a member of the Energy and Commerce Committee.

Mr. GUTHRIE. Mr. Speaker, I thank the chairman for yielding time to speak on an important issue that the Retail Investor Protection Act addresses.

Employee Stock Ownership Plans provide good jobs and secure retirements in my home State, the Commonwealth of Kentucky, and across the Nation. In fact, ESOPs had fewer layoffs during the recession than other businesses.

I have been joined by two dozen colleagues, from both sides of the aisle, on a bill to prevent the Department of Labor from imposing the fiduciary standard on appraisers of ESOP stock.

IRS law today requires that ESOPs get an independent appraisal in order to determine the value of the stock. On the other hand, fiduciaries are, by definition, not independent. Any rule that would define ESOP appraisers as fiduciaries would create a conflict with the IRS regulations; and by creating conflicting duties for appraisers, any Department of Labor rules in this area would substantially increase the cost of ESOPs and, in fact, could regulate them out of existence.

DOL's proposal would add costs to all parties and encourage needless litigation time and again. DOL has failed to sufficiently document the problems with ESOPs that they claim they are trying to remedy.

This is simply another example of this administration overreaching and

creating unnecessary burdens on business leaders for providing a great service to their employees.

I am pleased to stand in support of the rule and the underlying bill today because, if enacted, this bill will help protect ESOPs in the near term. By barring DOL from finalizing a rule on fiduciaries until after the SEC has acted, this bill will provide some temporary protection for ESOPs and their appraisers.

We must continue to defend business leaders and their employees from professional regulators whose ill-considered and counterproductive proposals are making it more difficult for hardworking Americans to achieve the American Dream.

And we have been working with both sides of the aisle; and this party, the Republican Party, on this side of the aisle wants to make sure Americans have the opportunity to achieve the American Dream. This bill does that; and, therefore, I support the rule and the underlying bill.

□ 1315

Mr. POLIS. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), my friend.

Mr. HOLT. Mr. Speaker, I want to join my friend from Colorado in lamenting the lack of legislative action on immigration and so many other issues.

I am sure the gentleman doesn't want to leave the impression that Members of Congress do nothing when we are not actually in session. However, the lack of number of days in session, the small number of days in session, is really symptomatic of the problem. It is an unwillingness to deal with the great issues of the day, be they immigration, appropriations and funding for government activities, reauthorizing the Elementary and Secondary Education Act to replace No Child Left Behind, providing workplace training and job creation, the transportation legislation and nutrition programs.

It is worth pointing out that only now—I mean right now, we are about to lose 13 percent in the SNAP program, the food stamp program. For all of those reasons, we should be working here in the Chamber and in committee and elsewhere.

Mr. Speaker, I rise today in opposition to the so-called Retail Investor Protection Act, which is one more attempt to delay and derail implementation of the Dodd-Frank Wall Street Reform law. The financial crisis should be all the evidence we need to know that stronger, not weaker, enforcement; tougher, not weaker, regulations are necessary.

Dodd-Frank is the law of the land. Yet, as with ObamaCare, the Republican agenda consists only of delay and repeal, with no solutions to, in this case, prevent a future economic meltdown.

I want to be clear that, in voting against this bill, I am not stating approval or endorsement of the U.S. Department of Labor's proposed fiduciary rule. In fact, since 2011, I have voiced concerns about how the proposed changes to the definition of ''fiduciary'' might lead to a reduction in financial education and access to investment advice.

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

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

Mr. HOLT. Americans are not well prepared for retirement. I have long believed that the more investment advice available to employees the better. They need more advice, not less; more encouragement to invest, not less.

I look forward to continuing to work with the Secretary of Labor to craft a rule to allow more Americans, not fewer Americans, to be better prepared, not less prepared, for retirement.

I thank the gentleman from Colorado for the time.

Mr. SESSIONS. Mr. Speaker, I am pleased to now yield 4 minutes to the distinguished gentleman from Gainesville, Georgia, Congressman COLLINS, a member of the Oversight and Government Reform Committee.

Mr. COLLINS of Georgia. Mr. Speaker, as I come here today, one of the things that I have been listening to—and my friend from across the aisle, from Colorado, we talk about things and substantive issues.

I have been in three committee hearings this morning, and a lot of it was going across the aisle, working on issues that work.

One of the things that just concerned me as I was listening to this as well is that the Republican majority is working toward finding solutions for bad bills. Now that doesn't mean that everything is delay, as it was just explained. But when you find something that is wrong, from where I am at, you fix it.

Mr. POLIS. Will the gentleman yield for a moment?

Mr. COLLINS of Georgia. I will yield at the end.

I rise in support of the rule and the underlying bills, especially H.R. 2374. You know, I rise because we must continue to look at this regulatory beast. It is strangling, really, what I feel American business and families are struggling with, the very same issues that really are across the aisle.

I have Democrat friends. I have Republican friends. The bottom line, when it comes to business, is that business has always been about making a profit, money. The gentleman understands that. The gentlemen and ladies on this side understand this.

We have got to get into a position in which the Federal Government is out of the way, except in the areas where it needs to be, so that businesses can flourish and businesses can thrive. I believe this is what we are looking at today.

The Federal agencies too often move forward with new and burdensome regulatory mandates without proving they are needed to correct harm in the marketplace. I call it, in some ways, a job protection.

They want to do good. I am not implying that the government employees are not hardworking, strong individuals. But many times, they are looking at their own job, and they are saying, What do I need to do to make sure that we are ''doing something?''—at the expense, many times, of the ones that are having to live with what they are doing.

So as I look into this today, I want to thank the gentlewoman from Missouri for putting forward legislation to ensure that families in my district and across the Nation are not harmed as they strive to pay for their kids' college or invest for the future.

Our Republican majority is working on bills like this that remove these kinds of issues. The SEC must explore all other options before moving to a fiduciary standard for brokers and dealers. Anything less is a disservice, really, to the individuals the SEC is supposed to protect.

But before I go, one of the things that I have advocated for in my short time here is that Congress has to take back its article I authority. We have got to get into our oversight. Passing bills and leaving it to a nameless, faceless executive agency is not what we need to be doing. When need be, Congress needs to be doing things like this, where we come in and say, No, let's take a break. Let's slow down. Is this really what the law intended? Is this really what the law meant? Is this what we are supposed to be doing?

Congress has a constitutional role. We have got to take that back. I think what we are doing here today—and I think having exchanges across the aisle, whether it be today or tomorrow or next week, when I will be back home actually working and talking to people and preparing for what really right now is crushing in our area, the implementation of the health care legislation is what we are getting—these are the kinds of things that we need to be talking about. When we do that, then we have real dialogue. We have real solutions. But Congress has got to take back its article I authority. We have let it go for years.

This is a small part. Even what my friend from Colorado is talking about, these are issues that need to be debated. We are debating.

The Judiciary Committee, on which I sit, has taken up several of these kinds of issues, and we did it this morning under patents and all kinds of things. This is what matters to the American people. They want to see us work. They want to see us be a part of it and not just simply here talking to the cameras and talking to each other. We have really got to be out listening and working our committees and doing things back home so that they understand that as well.

So when I look at this, I look at this as something powerful to move forward

on. I look at it as something that is a good rule. It is a good underlying bill.

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

Mr. SESSIONS. I yield the gentleman an additional 1 minute.

Mr. COLLINS of Georgia. I appreciate the chairman yielding.

This Republican majority was working in a bipartisan manner, giving us the ability to work like this. These are bipartisan pieces that we understand.

So I did promise, and I am good to my word. I yield to the gentleman from Colorado.

Mr. POLIS. I appreciate the gentleman from Georgia, and I appreciate his words, that there is a lot of important work going on. Committees are meeting. You mentioned the Judiciary Committee working on patents. It is a very important issue.

I just wanted to ask the gentleman, with all of the important work that is going on, why the House will be adjourning on Wednesday and not meeting next week as well?

Mr. COLLINS of Georgia. Well, I think as we go back here and if we really look at this—and you took the opportunity to discuss immigration and other things—I have to simply back up my chairman and go back to when the Democrats had the entire floor, they had everything that they wanted. They chose other priorities, strangling typically businesses and other ideas that right now we are having to deal with. The Republican majority is moving forward on getting the un-strangling back. I just have to go back and say, We will work on those things.

In support of our Republican majority, we are working for businesses and families who right now are struggling to put back jobs, but I do appreciate the question.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Mr. Speaker, part of this rule is addressing the debt ceiling. This Congress put the American people and our economy through the spectacle of 16 days of shutdown, with the culmination being the actual threat that we would not pay our bills; we would default. That is the second time we have done that in 2 years. There is some progress in this rule because it is going to allow Congress to vote to disapprove, but it can't pass unless it gets, in effect, the President's signature.

There is another way that we ought to do this. We ought to, once and for all, acknowledge that if this Congress, with Republican and Democratic votes, passes an appropriation that has an impact on the debt ceiling, that is the time of reckoning at the moment that appropriation is passed.

What we have done is a good deal hypocritical towards the people we represent. We will vote for spending on day one, and then on day two, when the bill comes due, we will vote against the debt ceiling increase that was required by the very vote we made. That is just not a stand-up way for a country to operate. We pay our bills.

The idea that we would have a debate, as we did in this Congress, where the premise of that debate was that it was actually an acceptable outcome that we would stiff our creditors, that we wouldn't pay the mortgage, that we might forsake the 1 million veterans who are coming home from Iraq and Afghanistan and not provide to them the services that we have all promised, that is just not right.

The damage we did with the debt ceiling debate and the threat to default was enormous both in August of 2011 and in October of 2013.

In August of 2011, consumer confidence dropped to a 31-year low. The third quarter gross domestic product increased barely at 1.4 percent. It led to, for the first time in the history of this country, us losing our AAA credit rating and suffering a downgrade from Standard & Poor's.

The loss of 0.3 percent of the fourth quarter growth rate translated into $24 billion of lost revenue. Household wealth collapsed by $2.4 trillion. While it is true that wealth has come back, the loss of that created an immense amount of insecurity, reduced consumer spending, and cost us jobs. The Peter Peterson Foundation indicated that the uncertainty that was created was something that contributed to $150 billion in lost output and 900,000 jobs.

The October 2013 shutdown and the threat of default was the biggest plunge in consumer confidence—bigger even than August of 2011—the biggest plunge since the Lehman Brothers collapse in '08. We must acknowledge something very simple: we must pay our bills.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman, my dear friend from Colorado, speaking most eloquently about the effects of 5 years of President Barack Obama.

I will remind this body that President Obama said he would not negotiate with House Republicans. In fact, the majority responsible for the bill that had to prepare our country for what we would do for moving our country forward with not only the CR but also the sequestration, House Republicans for months have spent time to make sure we did appropriations bills. Meanwhile, our friends on the Senate did zero appropriations bills.

House Republicans prepared us not to have the demise that we did, and our friends across the aisle did nothing to help us in this endeavor, not even to begin a negotiation. So, unfortunately, it turns out that it goes on someone's record.

I would like for the RECORD to reflect that House Republicans came up with ideas to avoid the government shutdown and to fund the government. We have done that for months, and we will continue to do that.

Mr. Speaker, at this time, I yield 4 minutes to the gentleman from Winfield, Illinois, Congressman HULTGREN, a member of the Committee on Financial Services and one of the cosponsors and lead sponsors of the bills that are on the floor today.

Mr. HULTGREN. I thank the gentleman from Texas, Chairman SESSIONS, so much for your work. I want to thank the entire Rules Committee for your important work as well.

Mr. Speaker, we have before us today a couple of deserving bills that redirect cumbersome and burdensome Federal regulation and, for a change, put customers first.

I am particularly interested in the fate of H.R. 992, the Swaps Regulatory Improvement Act. I introduced this bill in the 113th Congress and want to thank my bipartisan cosponsors Representative JIM HIMES and, also from the Agriculture Committee, Representative RICHARD HUDSON and Representative SEAN PATRICK MALONEY, who all have done great work in coming together in a bipartisan way to put together legislation that solves a real problem with the law that was passed a couple of years ago. We also owe a debt of thanks to former Representative Nan Hayworth, who carried this effort in the 112th Congress.

H.R. 992 may seem complicated, but the aim is simple: it is to save, for me, Illinois farmers and manufacturers, utility providers, hospitals, and small businesses from higher costs and greater uncertainty.

So much that I hear from my constituents—specifically from people who are looking to grow jobs, grow this economy—is the fear and the uncertainty that they are facing. It is not an uncertainty of whether they can do the job or whether they can provide a product or whether they can provide a service. They know they can do that. The uncertainty they are feeling is can they deal with what government is going to do to them if they grow their business and the greater uncertainty that has come from laws that have passed over the last couple of years.

One area that has created great uncertainty is this Dodd-Frank law that was passed a couple of years ago, and specifically, provision section 716 was supposed to really be focused at Wall Street. What we have seen is, it hurts Main Street, Main Street customers more than anything else, taking away options, raising costs, and raising uncertainty for, again, farmers and manufacturers, people who are providing a great product to our consumers in our districts.

□ 1330

So this legislation is important to bring back that certainty.

For me, as well, this is important. My history is I grew up in a family funeral home. I worked in helping people plan for their future certainly through that family business, but also as an investment adviser and as an attorney helping people.

In Congress, my hope is to continue to help people—and our Nation—plan

for the future and to fight for future generations to make sure we are going to be making good decisions for our kids and grandkids.

This is one of the areas where I see, throughout my lifetime, through our family business and the work that I have done, that trust relationships are important; and the trust relationships that our farmers and our manufacturers have been able to create with their local community banks are important.

Unfortunately, this law that was passed a couple of years ago forces those relationships to be broken so that you can no longer use the trusted financial bank or financial services provider in your local area to be able to help you plan for uncertainty in the future; but, again, they are pushed out into other entities that are less regulated and oftentimes offshore.

I am so excited about taking this step to bring certainty back, and ultimately, hopefully, as that confidence grows with our farmers and manufacturers and employers, our job creation will grow once again. Investment in hiring people is what we want. That is the number one priority that we are fighting for.

There will be time for further debate on this, but I ask my colleagues to adopt the rule for the reasons stated by Federal Reserve Chairman Bernanke in testimony before the House Financial Services Committee on February 27. He said: 716—the section that we are changing here—requires the push-out of certain kinds of derivatives. And it is not evident why that makes the company, as a whole, safer. And what we do see is that it will likely increase costs of people who use the derivatives and make it more difficult for the bank to compete with foreign competitors who can provide a more complete set of services.

This is an important change.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, we will offer an amendment to the rule that would allow the House to consider the Make It In America Manufacturing Act of 2013. To discuss the proposal, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Speaker, it is beyond time for Congress to focus on getting Americans back to work. If we want to get things back on the right track, we have to start making things again in this country.

Job creation should not be a Democratic issue or a Republican issue; it is an American issue. At some point, the gridlock in Washington needs to end and we need to take advantage of the opportunities we have to reinvigorate this critical sector of our economy.

That is why I urge my colleagues to defeat the previous question today, so we can consider the Make It In America Manufacturing Act, legislation that I have introduced that would facilitate the creation of unique public-private partnerships, bringing together Federal, State, local, and regional stakeholders to develop comprehensive manufacturing enhancement strategies and deliver targeted resources to strengthen the manufacturing sector, which has proven vital to our country's economy.

It will provide small- to medium-sized manufacturers with the resources they need to retool and retrofit their operations and train their workforce in order to transition to the manufacturing of clean energy, high technology, and advanced products. It would enhance the competitiveness of the industry, including through increased exports and domestic supply chain opportunities.

Mr. Speaker, it is time for Congress to work together to make things again so that Americans can make it again; and this is about strengthening the manufacturing sector, which helped build the middle class of this country, which helped build one of the strongest economies in the world. This would allow manufacturers who are beginning to see a resurgence, a revival, because of some market conditions. Because of the great innovations and the great quality of our workforce, it would allow us to strengthen this sector and grow jobs at a critical time for my State and for our country.

So I urge my colleagues to defeat the previous question so that we can consider the Make It In America Manufacturing Act, something we should be able to come together on that would create job growth in this critical sector of our Nation's economy.

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

I appreciate the gentleman speaking very clearly about getting manufacturer jobs, and that is why the Republican Party listens to the National Association of Manufacturers. They have a very specific list of things that they, as manufacturers, want as they try and make not only more jobs available in this country, but also as they want to make sure that investment and opportunity and keeping their companies alive is something that goes forward into the future.

That is why they oppose ObamaCare. That is why their number one issue is to say that they see a big government spending program, not just like ObamaCare, but also taxes on energy, which our friends on the other side of the aisle push every day, and higher taxes for investors and more and more and more Big Government.

So I do understand what manufacturers want, and it is directly related to the meetings that I have with people from Dallas, Texas, and all across this country who are in the business. They put their names on their doors. Manufacturers are awesome and important people to our economy.

Mr. Speaker, what we are really here to speak about are these two bills from the Financial Services Committee today.

H.R. 2374 is something that has been talked about. What it really boils down to is there are investment advisers, and investment advisers are those people in the marketplace that an individual customer would go to. That financial adviser has not only a higher standard on them, but they also have legal and regulatory costs to go with it. But they are to know the customers and the customers' needs and how old that customer is and what they are trying to achieve and to know about their family and their processes, and not to take risks where there shouldn't be any but to match the expectation of performance.

And then there is the broker-dealer. That broker-dealer is available in the marketplace. Maybe they are a $5 or $6 or $7 per trade person. It is somebody that you call up and you execute the agreement that you have from your investment adviser.

What we are trying to say here today—Mr. HULTGREN and others—we don't think that the regulatory burdens, including costs, including legal fees and other burdens, should be placed on the broker-dealers. They should be someone that has a lesser or different standard. They are simply the person that takes the order to effectively and cheaply get the order done that came from the customer as a result of their advice from the financial adviser.

How important is this? It is important enough because the U.S. Chamber of Commerce, that stalwart that stands for all business—not just manufacturers, but also customers—has said this about what Chairman HENSARLING is attempting to accomplish today. I quote from a letter that came from Bruce Josten, who is executive vice president of the Chamber, dated October 28, to all Members of the U.S. House of Representatives, asking them for support:

> Due to the increasing overlap between the Department of Labor and the SEC in the area of retirement plans and the related nature of each agency's fiduciary initiative, the Chamber believes that the two agencies should coordinate and work in a systematic manner, allowing the SEC to complete its rules first to avoid investor confusion, regulatory conflict, and one rule being usurped by the other.

Mr. Speaker, this is common sense. That is your U.S. Chamber that is speaking on behalf of all the people across this country saying let's not put ourselves into a circumstance where indecision that has been talked about today becomes a hindrance in the marketplace and where good rules and commonsense are able to flourish.

And that is what the Republican majority is attempting to do today. That is why H.R. 2374 means that what we are trying to do is to provide our ideas to a marketplace rather than having the Department of Labor go first and perhaps have one set of rules and then the Securities and Exchange Commission, who really should be the lead agency, come up with their own rules and regulations. Let's have them work together. And that is what we are

doing here. Common sense means asking government to work with itself between a regulatory body and a Cabinet-level position.

I believe that if we are successful on the floor today, we will see that white flag that comes up that says, well, this bill may not make it through the other body, like so many other bills that we have, but common sense should prevail. That is why Republicans are here today, and that is why the U.S. Chamber of Commerce stands up and says, This is what we see as the real issue in the marketplace.

I reserve the balance of my time.

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

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 gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, since this week is spoken for, that leaves us with 19 legislative days before the end of the session. Reportedly, I have read in the press, that House leadership is struggling to find ways to fill that time. Well, I have an idea.

Four weeks is more than enough time to pass immigration reform; and if we can't stay here on Thursday and Friday to do it, let's do it in the 19 days we have left. There is no reason at all for us to leave here in December, disappoint the American people, without taking action on an issue that is on Speaker BOEHNER's agenda and on Majority Leader CANTOR's agenda for over a year. Speaker BOEHNER and the House leadership can present a plan for votes on immigration reform before the end of the year.

Every week that Congress is in session until we pass immigration reform, I will be on the floor speaking about the cost of inaction. Immigration reform will create 750,000 to 900,000 jobs for Americans that are out of work.

My colleague from Texas mentioned that there are dangerous people that we don't know where they are in this country. That is true. By passing comprehensive immigration reform, we will make sure that we know where people who represent a threat to this Nation are. The people have to register. Enforcement of the law actually means something.

The Senate has acted and passed a bipartisan, comprehensive immigration bill last June. Meanwhile, the House of Representatives hasn't dedicated a single minute of legislative floor time to any immigration bill; and so, too, this week, this House is going home Wednesday instead of discussing immigration reform.

The price of inaction is too heavy a price to pay for the American people. The majority of this body—the Republicans who control the floor of the House—have a choice: they can sit back, twiddle their thumbs and watch the costs of our immigration problems go up for the American people, destroying more jobs and decreasing our deficit; or they can come to the table, start a serious discussion about immigration reform, bring a bill to the floor of the House and pass it, reduce our deficit, improve security, and create jobs for Americans.

Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. I urge a ''no'' vote on the rule, and I urge us to bring up immigration reform.

I yield back the balance of my time.

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

I appreciate the courtesy that the gentleman has afforded me with what I believe is his support of the bill, the underlying legislation, the importance to the marketplace, and perhaps more importantly, what we are trying to do here today, and that is to move forward with ideas that will help the American people.

I also know that the discussions that he wanted to have are really not what we are here to meet for today but are very, very important issues not only to the gentleman from Colorado, but I think every single Member of this body, and that is an intention that we give to understanding the legislation that could be attached to the immigration bill.

But the work that we are doing today is about what we have, which is here for a reason, and that is to make it easier for people back home to be able to make decisions about financial long-term issues and ideas, whether it is their retirement, whether it is about sending their kids to college, or whether it is about trying to take costs out of the marketplace to allow a consumer a better opportunity to come to a broker-dealer of their choice, to go to the financial adviser to work whatever they do and then to go to a marketplace that is cost-effective for them. That is why we are here today.

The bottom line is that the Dodd-Frank Act puts unnecessary rules and regulations on the entire industry. That takes away from the effectiveness and how nimble the marketplace can be. It takes away and adds cost to consumers who would wish to not only make a trade—they have already gotten the advice they need, and now what they are interested in is executing that trade without trying to receive, necessarily, someone who is trying to be careful about what they do.

□ 1345

So, Mr. Speaker, you know why we are here today. I urge my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying legislation.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 391 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

Sec. 6. Immediately upon adoption of this resolution the Speaker shall, 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. 375) to require the Secretary of Commerce and the Secretary of Labor to establish the Make It in America Incentive Grant Program, 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 among and controlled by the chair and ranking minority member of the Committee on Financial Services and the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill 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. 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 375 as specified in section 6 of this resolution.

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. SESSIONS. 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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 226, nays 193, not voting 11, as follows:

[Roll No. 563]

YEAS—226

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
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
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
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 (IN)

NAYS—193

Andrews
Barber
Barrow (GA)
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
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
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.
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
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Aderholt
Bass
Campbell
Cooper
Frankel (FL)
Herrera Beutler
Johnson (GA)
McCarthy (NY)
Rush
Sanford
Wasserman Schultz

□ 1409

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. FRANKEL of Florida. Mr. Speaker, on rollcall No. 563, had I been present, I would have voted "no."

The SPEAKER pro tempore (Mr. WOMACK). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 230, noes 188, not voting 12, as follows:

[Roll No. 564]

AYES—230

Amash
Amodei
Bachmann
Bachus
Barber
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
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
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 (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
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
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 (IN)

NOES—188

Andrews
Barrow (GA)
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
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
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
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Watt
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Aderholt
Bass
Campbell
Cooper
Cramer
Diaz-Balart
Herrera Beutler
McCarthy (NY)
Rush
Sanford
Wasserman Schultz
Waxman

□ 1418

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CENTRAL OREGON JOBS AND WATER SECURITY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2640) to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2640

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Central Oregon Jobs and Water Security Act''.

SEC. 2. WILD AND SCENIC RIVER; CROOKED, OREGON.

Section 3(a)(72) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(72)) is amended as follows:

(1) By striking ''15-mile'' and inserting ''14.75-mile''.

(2) In subparagraph (B)—

(A) by striking ''8-mile'' and all that follows through ''Bowman Dam'' and inserting ''7.75-mile segment from a point one-quarter mile downstream from the toe of Bowman Dam''; and

(B) by adding at the end the following: ''The developer for any hydropower development, including turbines and appurtenant facilities, at Bowman Dam, in consultation with the Bureau of Land Management, shall analyze any impacts to the Outstandingly Remarkable Values of the Wild and Scenic River that may be caused by such development, including the future need to undertake routine and emergency repairs, and shall propose mitigation for any impacts as part of any license application submitted to the Federal Energy Regulatory Commission.''.

SEC. 3. CITY OF PRINEVILLE WATER SUPPLY.

Section 4 of the Act of August 6, 1956 (70 Stat. 1058), (as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954)) is further amended as follows:

(1) By striking ''ten cubic feet'' the first place it appears and inserting ''17 cubic feet''.

(2) By striking ''during those months when there is no other discharge therefrom, but this release may be reduced for brief temporary periods by the Secretary whenever he may find that release of the full ten cubic feet per second is harmful to the primary purpose of the project''.

(3) By adding at the end the following: ''Without further action by the Secretary, and as determined necessary for any given year by the City of Prineville, up to seven of the 17 cubic feet per second minimum release shall also serve as mitigation for City of Prineville groundwater pumping, pursuant to and in a manner consistent with Oregon State law, including any shaping of the release of the up to seven cubic feet per second to coincide with City of Prineville groundwater pumping as may be required by the State of Oregon. As such, the Secretary is authorized to make applications to the State of Oregon in conjunction with the City to protect these supplies instream. The City shall make payment to the Secretary for that portion of the minimum release that actually serves as mitigation pursuant to Oregon State law for the City in any given year, with the payment for any given year equal to the amount of mitigation in acre feet required to offset actual City groundwater pumping for that year in accordance with Reclamation 'Water and Related Contract and Repayment Principles and Requirements', Reclamation Manual Directives and Standards PEC 05–01, dated 09/12/2006, and guided by 'Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies', dated March 10, 1983. The Secretary is authorized to contract exclusively with the City for additional amounts in the future at the request of the City.''.

SEC. 4. FIRST FILL PROTECTION.

The Act of August 6, 1956 (70 Stat. 1058), as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954), is further amended by adding at the end the following:

''SEC. 6. Other than the 17 cubic feet per second release provided for in section 4, and subject to compliance with the Army Corps of Engineers' flood curve requirements, the Secretary shall, on a 'first fill' priority basis, store in and release from Prineville Reservoir, whether from carryover, infill, or a combination thereof, the following:

''(1) 68,273 acre feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011, and up to 2,740 acre feet of water annually to supply the McKay Creek lands as provided for in section 5 of this Act.

''(2) Not more than 10,000 acre feet of water annually, to be made available to the North Unit Irrigation District pursuant to a Temporary Water Service Contract, upon the request of the North Unit Irrigation District, consistent with the same terms and conditions as prior such contracts between the District and the Bureau of Reclamation.

''SEC. 7. Except as otherwise provided in this Act, nothing in this Act—

''(1) modifies contractual rights that may exist between contractors and the United States under Reclamation contracts;

''(2) amends or reopens contracts referred to in paragraph (1); or

''(3) modifies any rights, obligations, or requirements that may be provided or governed by Oregon State law.''.

SEC. 5. OCHOCO IRRIGATION DISTRICT.

(a) EARLY REPAYMENT.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within Ochoco Irrigation District in Oregon, may repay, at any time, the construction costs of

the project facilities allocated to that landowner's lands within the district. Upon discharge, in full, of the obligation for repayment of the construction costs allocated to all lands the landowner owns in the district, those lands shall not be subject to the ownership and full-cost pricing limitations of the Act of June 17, 1902 (43 U.S.C. 371 et seq.), and Acts supplemental to and amendatory of that Act, including the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.).

(b) CERTIFICATION.—Upon the request of a landowner who has repaid, in full, the construction costs of the project facilities allocated to that landowner's lands owned within the district, the Secretary of the Interior shall provide the certification provided for in subsection (b)(1) of section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(c) CONTRACT AMENDMENT.—On approval of the district directors and notwithstanding project authorizing legislation to the contrary, the district's reclamation contracts are modified, without further action by the Secretary of the Interior, to—

(1) authorize the use of water for instream purposes, including fish or wildlife purposes, in order for the district to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon State law;

(2) include within the district boundary approximately 2,742 acres in the vicinity of McKay Creek, resulting in a total of approximately 44,937 acres within the district boundary;

(3) classify as irrigable approximately 685 acres within the approximately 2,742 acres of included lands in the vicinity of McKay Creek, where the approximately 685 acres are authorized to receive irrigation water pursuant to water rights issued by the State of Oregon and have in the past received water pursuant to such State water rights; and

(4) provide the district with stored water from Prineville Reservoir for purposes of supplying up to the approximately 685 acres of lands added within the district boundary and classified as irrigable under paragraphs (2) and (3), with such stored water to be supplied on an acre-per-acre basis contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and the State's issuance of water rights for the use of stored water.

(d) LIMITATION.—Except as otherwise provided in subsections (a) and (c), nothing in this section shall be construed to—

(1) modify contractual rights that may exist between the district and the United States under the district's Reclamation contracts;

(2) amend or reopen the contracts referred to in paragraph (1); or

(3) modify any rights, obligations or relationships that may exist between the district and its landowners as may be provided or governed by Oregon State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. 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 under consideration.

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

There was no objection.

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

H.R. 2640, sponsored by our colleague, Mr. WALDEN of Oregon, is an important step towards restoring water and power abundance and jobs to a rural area that has been devastated by Federal logging restrictions.

This bill is a reflection of years of negotiation, and it is identical to the bill this Chamber passed last year without opposition. Its supporters include those who would normally be water adversaries in most parts of the West. Municipalities, irrigators, the Warm Spring tribes, utilities, organized labor, and an environmental organization have all come together to support this legislation.

I want to commend my friend, the gentleman from Oregon (Mr. WALDEN), for his good work to bring all these parties together and urge adoption of this legislation.

I reserve the balance of my time.

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

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

Mr. GRIJALVA. Mr. Speaker, H.R. 2640, as my colleague described, does several things, including providing water and economic certainty to the City of Prineville and the Ochoco Irrigation District. The legislation also outlines how reclamation is to operate and manage the Prineville Reservoir through the first fill provision and removes some flexibility on reclamation's part to mitigate and adapt to changing conditions.

We do not fully support the first fill provision but understand that there are ongoing negotiations that look at providing the certainty that the city needs while protecting the environment. Stakeholder-driven processes are the best way to address local needs.

We look forward to working with our colleagues in the Senate and on the other side of the aisle to ensure that all of the needs are met and protected.

I reserve the balance of my time.

Mr. YOUNG of Alaska. I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. I thank Chairman YOUNG, and thank you for your help on this, and Chairman HASTINGS as well. Mr. GRIJALVA, thank you for your comments, and I want to thank Representative DEFAZIO for his work on this, among many others.

Mr. Speaker, as was pointed out, in 2012 this bill passed the House unanimously, and I am glad to see this legislation is once again before this Chamber. The legislation is a collaborative effort between the City of Prineville, Crook County, local farmers, the Deschutes River Conservancy, the Confederated Tribes of Warm Springs, among others. I am grateful for their efforts in creating and moving this legislation forward. This bill we have before us will create jobs in central Oregon and will remove government red tape.

This is actually a photo of Bowman Dam. This is what we are talking about. When the ''wild and scenic'' designation was passed by Congress, they sort of arbitrarily and temporarily, at the time—this was decades ago—placed the wild and scenic designation line right here in the yellow stripe of the road. Now, I have told people that the only thing wild and scenic about a dam is if you are falling over the face of it and tumbling down, then it might be wild and scenic.

What we seek to do is move this boundary off the center of this dam and go down about a quarter of a mile where the river really becomes natural. As a result of that, then we are pretty well convinced that a company will come in and add clean, renewable hydropower through a generation facility on the dam. The result of that, then, is the water will come out with less gasification so it will be better for fish.

So we will get about 50 construction jobs for 2 years, good-paying construction jobs for 2 years as they install this hydropower facility. We will get enough hydroelectricity to light, I think it is, 500 homes. So you get clean hydropower and you get construction jobs. The water will come out from a different place and actually be better for the fish going forward, and all we do is move the scenic boundary down to where, frankly, probably everyone would agree, it should have been, not on the center line at the top of the dam where cars drive over it, but rather down about a quarter of a mile.

In addition to that, this facility, about 20 miles upriver from Prineville, is a reclamation project that holds about 80,000 acre-feet of uncontracted water. That is part of the discussion: What do you do with that uncontracted water? This is rare in the Federal Government to have a facility where all of the water hasn't been determined. That is an issue that can be dealt with down the road. We don't deal with that here other than to make sure that Prineville has access to that 6 percent, about 5,100 acre-feet, of water.

And why is that important? Because the City of Prineville, right now, is constricted. They don't have enough water. And this is a small, rural community with high unemployment in the county. We would make sure that they get about 5,100 acre-feet of water. They would pay fair market price for the value of the water, and that extra water would allow the city to not only meet its residential needs, which it cannot do today, but also allow it to engage in more economic development, which it desperately needs to do.

This water issue came to our attention initially because Facebook was planning, and has since constructed, a data center which they have now doubled in size. Apple is also constructing a data center there. Both of them need water for cooling. They have been able

to be more efficient about how they do that, but they still need water. And others will.

Because the city would access the water through the ground and not from directly behind the dam, the water actually flows downstream in excess of about 20 miles, which is better for the fish to have that much more water going and released down the dam, and then the city would, through their underground pumps, pump the water out. In dry years, particularly in the winter, this higher release requirement would benefit fish and wildlife, including the Blue Ribbon trout fishery below Bowman Dam. And as I said, it fixes this problem with the wild and scenic designation and creates 50 jobs.

Additionally, the bill expedites the McKay Creek restoration project. This is something we worked closely with the Warm Springs tribal leaders on because it would increase water flows for redband trout and summer steelhead. This project has long been supported by the Warm Springs tribes and the Deschutes River Conservancy, and so I want to thank both Warm Springs and Deschutes Conservancy for their work on this issue and on, especially, McKay Creek. It is a very good, commonsense conservation project.

So this is a good, commonsense, job-creating bill. It is the culmination of years of work in a collaborative effort.

I want to thank the mayor of Prineville. Mayor Roppe has testified before the committee on a couple of occasions. Judge McCabe has been terrific in helping us, as have been many others as we have moved this forward.

So this is a jobs bill that doesn't cost the government anything. It is a good, clean water bill that helps the community provide jobs and take care of its citizens, and it resolves a longstanding issue that has been a problem for this area. Actually, this debate has gone on since Mark Hatfield was in the Senate back in the 1970s. So I appreciate the committee's diligent efforts on this and the bipartisan way we are moving forward on this piece of legislation.

With that, Mr. Speaker, I ask for your unanimous support of this bill.

Mr. YOUNG of Alaska. I thank the gentleman for his presentation. He has done an excellent job.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

Mr. YOUNG of Alaska. I have no further speakers.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 2640.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1430

ALASKA NATIVE TRIBAL HEALTH CONSORTIUM LAND TRANSFER ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 623) to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 623

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alaska Native Tribal Health Consortium Land Transfer Act''.

SEC. 2. CONVEYANCE OF PROPERTY.

(a) DEFINITIONS.—In this section:

(1) ANTHC.—The term ''ANTHC'' means the Alaska Native Tribal Health Consortium.

(2) PROPERTY.—The term ''property'' means the property described in subsection (d).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, but not later than 90 days after that date, the Secretary shall convey to ANTHC all right, title, and interest of the United States in and to the property for use in connection with health and related programs. The Secretary's conveyance of title by warranty deed under this section shall, on its effective date, supersede and render of no future effect any quitclaim deed to the property described in subsection (d) executed by the Secretary and ANTHC.

(c) CONDITIONS.—The conveyance of the property under this Act—

(1) shall be made by warranty deed;

(2) shall not require any consideration from ANTHC for the property;

(3) shall not impose any obligation, term, or condition on ANTHC; and

(4) shall not allow for any reversionary interest of the United States in the property.

(d) DESCRIPTION OF PROPERTY.—The property (including all improvements thereon and appurtenances thereto) to be conveyed under this Act is described as follows: Tract A-3A, Tudor Centre, according to plat no. 2013-43, recorded on June 20, 2013 in Anchorage recording district, Alaska.

(e) ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of Federal law, ANTHC shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination, including any oil or petroleum product, any hazardous substance, hazardous material, hazardous waste, pollutant, toxic substance, solid waste, or any other environmental contamination or hazard as defined in any Federal or State law, on the property on or before the date on which the property was conveyed by quitclaim deed.

(2) EASEMENT.—The Secretary shall be accorded any easement or access to the property as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(3) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this Act, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

H.R. 623 transfers by warranty deed a 2.79-acre parcel of federal land located in Anchorage, Alaska, from the Indian Health Service to the Alaska Native Tribal Health Consortium. This consortium is a nonprofit authorized by Congress to render health services to Alaska Natives under a contract with the Indian Health Service.

The land has been used for parking to accommodate nearby facilities run by the consortium and the Indian Health Service. It will be used to construct a patient housing facility, thereby expanding its capacity to offer vital health services for Alaska Native patients, some of whom travel great distances from rural areas to receive care.

Following a subcommittee hearing on the bill in May, the Indian Health Service administratively conveyed the land to the consortium by quitclaim deed. H.R. 623 remains necessary because transferring the land by warranty deed provides cleaner title to the property than by quitclaim deed.

The bill was also referred to the Committee on Energy and Commerce. The chairman of that committee, Mr. UPTON, has kindly foregone action on the bill in the interest of expediting it for consideration on the House floor. I thank him for his cooperation and have an exchange of letters memorializing our agreement. CBO estimates that H.R. 623 would have no significant impact on the Federal budget and would not affect direct spending on revenues.

H.R. 623 is non-controversial, and I hope the House will pass it.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 1, 2013.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN HASTINGS, I write concerning H.R. 623, Alaska Native Tribal Health Consortium Land Transfer Act, which was ordered to be reported out of your Committee on July 31, 2013. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 623 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce is not waiving any of its jurisdiction, and the Committee will not in any way be prejudiced with respect to the appointment of conferees

or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding, and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of H.R. 623 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, October 10, 2013.

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

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 623, the Alaska Native Tribal Health Consortium Land Transfer 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 Energy and Commerce will forego action on the bill.

The Committee on Natural Resources concurs with the mutual understanding that by foregoing consideration of H.R. 623 at this time, the Committee on Energy and Commerce 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 Energy and Commerce 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.

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

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

Mr. GRIJALVA. Mr. Speaker, the Alaska Native Tribal Health Consortium was established in 1997 to provide health services to Alaska Natives. Based in Anchorage, the consortium now serves over 130,000 patients from all over the State.

H.R. 623 conveys 2.79 acres of Federal land in Anchorage, Alaska, to the consortium. The parcel will be used to construct patient housing for visiting patients, allowing continued growth so that the Anchorage facilities can meet the health care needs of more and more people from rural Alaska. Some patients travel long distances to access health care facilities in Anchorage. H.R. 623 helps ensure that traveling patients are not burdened with finding their own accommodations. This is an important component of making sure that all Native Alaskans have access to equitable health care.

I am happy to report that the Indian Health Service transferred the parcel in question by quitclaim deed on June 20 of this year.

While the consortium is now able to start planning and preparation for patient housing, H.R. 623 transfers the parcel to the consortium by warranty deed. This removes future complications and guarantees there will be no hiccups in the development of additional patient housing at the Anchorage site.

We support H.R. 623 and urge its passage by the House today.

I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I want to thank the gentleman for commenting on this bill and supporting it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 623, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 330) to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 330

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Distinguished Flying Cross National Memorial Act''.

SEC. 2. DESIGNATION OF DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL IN RIVERSIDE, CALIFORNIA.

(a) FINDINGS.—Congress finds the following:

(1) The most reliable statistics regarding the number of members of the Armed Forces who have been awarded the Distinguished Flying Cross indicate that 126,318 members of the Armed Forces received the medal during World War II, approximately 21,000 members received the medal during the Korean conflict, and 21,647 members received the medal during the Vietnam War. Since the end of the Vietnam War, more than 203 Armed Forces members have received the medal in times of conflict.

(2) The National Personnel Records Center in St. Louis, Missouri, burned down in 1973, and thus many more recipients of the Distinguished Flying Cross may be undocumented. Currently, the Department of Defense continues to locate and identify members of the Armed Forces who have received the medal and are undocumented.

(3) The United States currently lacks a national memorial dedicated to the bravery and sacrifice of those members of the Armed Forces who have distinguished themselves by heroic deeds performed in aerial flight.

(4) An appropriate memorial to current and former members of the Armed Forces is under construction at March Field Air Museum in Riverside, California.

(5) This memorial will honor all those members of the Armed Forces who have distinguished themselves in aerial flight, whether documentation of such members who earned the Distinguished Flying Cross exists or not.

(b) DESIGNATION.—The memorial to members of the Armed Forces who have been awarded the Distinguished Flying Cross, located at March Field Air Museum in Riverside, California, is hereby designated as the Distinguished Flying Cross National Memorial.

(c) EFFECT OF DESIGNATION.—The national memorial designated by this section is not a unit of the National Park System, and the designation of the national memorial shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

H.R. 330 designates the memorial located at March Field Air Museum in Riverside, California, as the Distinguished Flying Cross National Memorial in honor of current and former members of the Armed Forces who have been awarded the Distinguished Flying Cross.

This national memorial will not be a unit of the National Park System, and the designation does not require or permit any expenditures of Federal funds.

I urge my colleagues to support H.R. 330, which has passed the House as part of the most recent Department of Defense authorization bill, as well as a stand-alone bill in the 112th Congress by a vote of 392–1.

I reserve the balance of my time.

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

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

Mr. GRIJALVA. H.R. 330, designates the memorial at the March Field Air Museum in Riverside, California, as the Distinguished Flying Cross National Memorial.

The memorial to recipients of the U.S. Air Force's Distinguished Flying Cross was dedicated on October 27, 2010, and since then, it stands as a proud symbol of remembrance and honor for all members of the U.S. Armed Forces who have demonstrated heroism or extraordinary achievement.

The Distinguished Flying Cross is the oldest military award for aviation, but there is no national memorial to recognize the sacrifice and commitment of these brave men and women.

We support H.R. 330 and urge its passage by the House today.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield as much time as he may consume to the gentleman from California (Mr. CALVERT), the author of the bill, an outstanding Member from California.

Mr. CALVERT. I thank the gentleman from Alaska.

Mr. Speaker, I rise in support of H.R. 330, a bill to designate a national Distinguished Flying Cross memorial in Riverside, California.

The memorial honors all current and former members of the Armed Forces who have been awarded the Distinguished Flying Cross.

For the past two Congresses, the House has overwhelmingly passed this bill, and today I stand again in support of H.R. 330, which would designate the memorial at March Field Air Museum as the Distinguished Flying Cross National Memorial.

The legislation is supported by the Distinguished Flying Cross Society, the Military Officers Association of America, the Air Force Association, the Air Force Sergeants Association, the Association of Naval Aviation, the Vietnam Helicopter Pilots Association, and the China-Burma-India Veterans Association. I would like to point out that the language in the bill specifically states that the designation shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial. Funds have been and will continue to be raised through private means for these purposes.

Distinguished Flying Cross recipients have received the prestigious medal for their heroism or extraordinary achievement while participating in aerial flight while serving in any capacity within the United States Armed Forces. There are many well-known people that have played a vital role in the history of military aviation that have received the award. This renowned group includes Captain Charles L. Lindbergh, former President George H.W. Bush, Brigadier General Jimmy Doolittle, General Curtis LeMay, Senator JOHN MCCAIN, Senator George McGovern, Jimmy Stewart, and Admiral Jim Stockdale, just to name a few.

The March Air Reserve Base, which hosts the C–17As of the 452nd Air Mobility Wing, is adjacent to the location of the memorial at March Field Air Museum. Visitors are able to witness active operational air units providing support to our troops around the world, which is an appropriate setting that honors the many aviators who have distinguished themselves by deeds performed in aerial flight.

I would like to thank those who have worked tirelessly to ensure this memorial was built and is properly designated in honor of the distinguished aviators who have served this great Nation. In particular, I would like to recognize Jim Champlin; his late wife, Trish; Distinguished Flying Cross Society's president, Chuck Sweeney; and the society's historian, Dr. Barry Lanman, who was instrumental in this effort.

Again, I hope you will join me in supporting the designation of the Distinguished Flying Cross National Memorial at the March Field Air Museum and H.R. 330.

Mr. GRIJALVA. Mr. Speaker, I yield as much time as he may consume to the gentleman from Riverside, California (Mr. TAKANO), an original sponsor of this legislation.

Mr. TAKANO. I thank the gentleman from Arizona for yielding time.

Mr. Speaker, I rise today to support the Distinguished Flying Cross National Memorial Act, which would designate the Distinguished Flying Cross Memorial currently under construction at March Air Field Museum in Riverside County as a national memorial.

Established by Congress in 1926, the Distinguished Flying Cross has been awarded to tens of thousands of Americans and gives recognition to members of our Armed Forces for heroism in aerial flight. This legislation could not be more important as there is no national memorial for these brave men and women. I believe that it is our duty to properly honor our heroes for their service.

In addition to its bipartisan support, this legislation also has the backing of countless veterans and military organizations, including the Distinguished Flying Cross Society, the Military Officers Association of America, the Air Force Association, the Air Force Sergeants Association, the Association of Naval Aviation, and the Vietnam Helicopter Pilots Association.

I was proud to introduce this legislation with my Republican colleague from the Inland Empire, Representative KEN CALVERT, and hope we can continue to work together on issues such as this because our region has deep military roots.

I would also like to express my gratitude to California Senators BARBARA BOXER and DIANNE FEINSTEIN, along with Senator BILL NELSON of Florida, who introduced the Senate version of this bill.

Let's honor these heroes, Mr. Speaker, and pass the Distinguished Flying Cross National Memorial Act.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 330.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LAKE HILL ADMINISTRATIVE SITE AFFORDABLE HOUSING ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2337) to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2337

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lake Hill Administrative Site Affordable Housing Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term ''County'' means Summit County, Colorado.

(2) LAKE HILL ADMINISTRATIVE SITE.—The term ''Lake Hill Administrative Site'' means the parcel of approximately 40 acres of National Forest System land in the County, as depicted on the map entitled ''Lake Hill Administrative Site'' and dated June 2012.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 3. CONVEYANCE OF FOREST SERVICE LAKE HILL ADMINISTRATIVE SITE, SUMMIT COUNTY, COLORADO.

(a) CONVEYANCE AUTHORITY.—Upon receipt of an offer from the County in which the County agrees to the condition imposed by subsection (c), the Secretary shall use the authority provided by the Forest Service Facility Realignment and Enhancement Act of 2005 (Public Law 109–54; 16 U.S.C. 580d note) to convey to the County all right, title, and interest of the United States in and to the Forest Service Lake Hill Administrative Site.

(b) APPLICATION OF LAW.—

(1) TREATMENT AS ADMINISTRATIVE SITE.—The Lake Hill Administrative Site is considered to be an administrative site under section 502(1)(A) of the Forest Service Facility Realignment and Enhancement Act of 2005 (Public Law 109–54; 16 U.S.C. 580d note).

(2) EXCEPTION.—Section 502(1)(C) of that Act does not apply to the conveyance of the Lake Hill Administrative Site.

(c) COSTS.—The County shall be responsible for processing and transaction costs related to the direct sale under subsection (a).

(d) PROCEEDS.—Proceeds received from the conveyance pursuant to subsection (a) shall be available, without further appropriation and until expended, for capital improvement and maintenance of Forest Service facilities in Region 2 of the United States Forest Service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

H.R. 2337 authorizes the Forest Service to convey approximately 40 acres of the White River National Forest to Summit County, Colorado.

The parcel, sandwiched between Interstate 70 and a local highway and largely isolated from the rest of the White River National Forest, would be utilized by Summit County to construct affordable workforce housing. This conveyance would benefit both the county and the Forest Service by eliminating the agency's management over this isolated parcel.

I urge my colleagues to support this legislation and reserve the balance of my time.

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

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

Mr. GRIJALVA. Mr. Speaker, H.R. 2337 conveys the approximately 40-acre Forest Service Lake Hill administrative site in the White River National Forest to Summit County, Colorado. The Forest Service has established that the site has lost its national forest character and is severed from the rest of the White River National Forest.

Summit County will use the site to construct workforce housing, a need identified by the county. Summit County will cover all costs associated with the conveyance, and the Forest Service will be able to use any proceeds to address regional forest management issues.

H.R. 2337 is a great example of the Federal government working with local governments to identify and solve common problems.

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Congressman POLIS is to be commended for his leadership in addressing the needs of his constituents using a commonsense, practical solution. We support the legislation and urge its passage.

Mr. GRIJALVA. Mr. Speaker, I yield as much time as he may consume to the gentleman from Colorado (Mr. POLIS), the sponsor of this legislation.

Mr. POLIS. Mr. Speaker, I want to thank the chair and the ranking member for their hearing, as well as the support of this bill.

For those of us who represent areas of the country where the Federal Government is a major landowner, it is absolutely critical to be able to work with this body to have the flexibility we need to meet the needs of our community.

This legislation is the product of a community-driven effort in Summit County where they were able to take a look at the 40-acre parcel, saw that it no longer had the characteristics of wildlife habitat or recreation, but it was ideally situated for housing for a community, which is a real need in Summit County.

People who work in our thriving mountain communities need to be able to live near where they work, to be able to get their cars and vehicles off the road. For families to be able to afford to live in the area, it is an absolutely critical need that the Summit County Commissioners, as well as our municipalities, as well as others, have come to the table around finding a real-life solution.

This bill is the first step. H.R. 2337 conveys a 40-acre parcel in the White River National Forest, known as the Lake Hill site, to Summit County for fair market value. Summit County will pay for all of the administrative costs associated with the conveyance.

As a result, the Congressional Budget Office estimates that this bill has no cost. In fact, proceeds from the sale will support much-needed U.S. Forest Service facility improvements and maintenance, which is absolutely critical to be able to do their job as stewards of our Federal lands, which is one of our main economic drivers for jobs, as well as a quality lifestyle in Summit County.

This bill had input from a variety of local stakeholders, received broad community support from the towns of Dillon and Frisco, from Summit County, from local environmental organizations and businesses.

In July, the House Natural Resources Committee approved the bill by unanimous consent; and our Senators, MARK UDALL and MICHAEL BENNET, have introduced a companion bill, S. 1305, which, hopefully, will be considered in committee in the weeks ahead.

This Lake Hill site was selected for sale because the property no longer has national forest character. The parcel is isolated from other U.S. Forest Service land. It sits between an interstate to the north, a highway to the south, and condominiums to the west.

The parcel was heavily logged and has unsightly infrastructure. As a result, it is no longer suitable for wildlife habitat or recreation purposes, but it is ideally suitable for additional housing to reflect the needs of our growing community.

Fortunately, Lake Hill can provide a great community purpose. Affordable housing availability is a critical problem in Summit County. Increasingly, families that work in Summit County are having a harder and harder time living in Summit County.

During the winter, approximately one-third of the Summit County workforce has to commute into the county, sometimes 45-minute, hour-long commutes, because local housing prices are too high for many people who work in the community to be able to afford to live there. In fact, nearly 40 percent of Summit County residents are paying more for housing than they can afford.

There is also a substantial housing gap in the face of a growing population. Over the last decade, the number of seniors increased faster in Summit County than any other county in Colorado. Latino households have doubled during the last decade, now comprising 15 percent of the county's population.

There is a real need for affordable housing options to meet the demands of our growing workforce and the needs of our economy, a need that will only become more urgent over time.

A lot of work remains to be done to put together the community partnership to look at the design elements and how this will work for the community, but this critical step can only occur here in the United States Congress, which is the transference of the Lake Hill site.

It will be a perfect setting for affordable housing. The property is located in the heart of Summit County, between the towns of Frisco and Dillon, and near free public transit that is already available.

This bill is a win-win. It adds affordable housing options, while providing funding for the U.S. Forest Service to improve Forest Service administrative facilities.

I urge my colleagues to support this essential legislation that contributes to the well-being of Summit County and our greater community.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 2337.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RETAIL INVESTOR PROTECTION ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 391, I call up the bill (H.R. 2374) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, 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 391, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–23 is adopted, and the bill, as amended, is considered read.

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

H.R. 2374

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Retail Investor Protection Act''.

SEC. 2. STAY ON RULES DEFINING CERTAIN FIDUCIARIES.

After the date of enactment of this Act, the Secretary of Labor shall not prescribe any regulation under the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) defining the circumstances under which an individual is considered a fiduciary until the date that is 60 days after the Securities and Exchange Commission issues a final rule relating to standards of conduct for brokers and dealers pursuant to the second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o(k)).

SEC. 3. AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.

The second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o(k)), as added by section 913(g)(1) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.), is amended by adding at the end the following:

''(3) REQUIREMENTS PRIOR TO RULEMAKING.—The Commission shall not promulgate a rule pursuant to paragraph (1) before—

''(A) identifying if retail customers (and such other customers as the Commission may by rule provide) are being systematically harmed or disadvantaged due to brokers or dealers operating under different standards of conduct than those standards that apply to investment advisors under section 211 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–11); and

''(B) identifying whether the adoption of a uniform fiduciary standard of care for brokers or dealers and investment advisors would adversely impact retail investor access to personalized investment advice, recommendations about securities, or the availability of such advice and recommendations.

''(4) REQUIREMENTS FOR PROMULGATING A RULE.—The Commission shall publish in the Federal Register alongside the rule promulgated pursuant to paragraph (1) formal findings that such rule would reduce the confusion of a retail customer (and such other customers as the Commission may by rule provide) about standards of conduct applicable to brokers, dealers, and investment advisors.

''(5) REQUIREMENTS UNDER INVESTMENT ADVISERS ACT OF 1940.—In proposing rules under paragraph (1) for brokers or dealers, the Commission shall consider the differences in the registration, supervision, and examination requirements applicable to brokers, dealers, and investment advisors.''.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 113–253, if offered by the gentleman from California (Mr. GEORGE MILLER) or his designee, which shall be considered read and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD on H.R. 2374, currently under consideration.

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

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, at a time that the American people demand and deserve that Democrats and Republicans work together to fix real problems in our Nation, today this body has the opportunity to do just that.

Today the House will consider H.R. 2374, the Retail Investor Protection Act. The bill has strong support from both Democrats and Republicans. In fact, it passed the Financial Services Committee earlier this year on a strong bipartisan recorded vote, including half—half—of our committee's Democrats.

H.R. 2374 will ensure that hardworking families and individuals throughout our country who are trying to save for their retirements, save for their children's college education, saving for their first home are not harmed by confusing, costly regulations coming out of Washington.

Mr. Speaker, all Americans know that a flood of Washington red tape has hurt our economy. That is why tens of millions of our fellow countrymen remain either unemployed or underemployed. Unfortunately, even more regulations are on the way.

Specifically, today, Mr. Speaker, we are here speaking about the Securities Exchange Commission and the Department of Labor, which are headed toward proposing two massive and inconsistent rulemakings that are going to hurt the ability of retail investors to get financial advice that they need for their portion of the American Dream.

Mr. Speaker, retail investors are not big-time professionals on Wall Street. Retail investors had no role in causing the financial crisis, and they should not be punished for it which, regrettably, this rulemaking could do.

Rather, retail investors are ordinary, hardworking citizens from all of our congressional districts who buy and sell securities for themselves, their families and their futures, not for a company.

And in this struggling economy, when people who need help most, what are the SEC and the Department of Labor planning to do? They are planning to make it harder and more expensive for these Americans to get the financial advice that they both want and need.

Perhaps even more incredibly, the SEC, the Securities and Exchange Commission, is moving forward with this new regulation even though the agency has failed to provide any evidence that it would better protect investors.

So the Securities and Exchange Commission apparently is going to regulate first, ask questions later. This makes no sense for millions of struggling Americans trying to save for the future.

Mr. Speaker, again, we know that millions of middle class families are sitting around their kitchen tables struggling to save and invest in order to make ends meet. Every day, millions of them turn to financial professionals for advice.

Yet here comes from Washington regulations that will make that advice either unavailable or unaffordable, so fewer Americans will get the advice they need. That is unfair.

Let me provide you just a couple of examples, Mr. Speaker. Under the current suitability standard, an investor can have an account with a low-cost, online broker with whom he or she can both make trades and get investment advice.

Due to technological advances and the relatively low costs associated with operating an online platform, these brokers can offer trades and investment advice for as little as $7.

But should a fiduciary standard be applied to these online brokers, the impact on investors could be one or all of the following: higher fees per trade, higher fees for investment advice, or brokers may simply stop providing this investment advice to less affluent customers altogether. That is not fair.

Take the example of the single mother who supports her mother and wants to save for her daughter's college education. She has finally saved enough money to open up an IRA with $2,000 in savings.

But we know that should these rules continue to be promulgated, with these new Washington regulations, well, this lady may just be told she now needs $25,000 in order to open up the very same account.

Again, Mr. Speaker, patently unfair.

How about a middle-aged father who works with a financial professional. He wants the professional to get him access to products and ideas, instead of managing his investment portfolio for him. He wants to trade individual bonds, but potential regulations might not allow the financial professional to offer him bonds on a principal basis.

So the result? The father either gets worse execution prices or ends up paying a whole lot more for his investments.

Fortunately, one of our colleagues has stepped up to the table. The gentlelady from Missouri (Mrs. WAGNER) has introduced a commonsense bill, the Retail Investor Protection Act, and I and the rest of the committee who have voted for it congratulate her for her great work.

This bill would require the SEC to first consider the potential impacts its proposed regulation will have on investors, especially those with low and moderate incomes who would lose access to personalized investment advice that they need.

Second, the bill would require coordination between the SEC and the Department of Labor. These Washington agencies will have to sequence their rulemakings, with the SEC going first, so there will be no inconsistent rules that end up confusing and costing investors.

The Retail Investor Protection Act that we are debating today will avoid regulatory conflict between the SEC and the Department of Labor. It is as simple as that.

Mr. Speaker, even the SEC itself acknowledges that the cost of its regulation could ultimately be passed on to retail investors in the form of higher fees or lost access to services and products—yet, again, unfair.

It is not what Americans need. It is not what they deserve, especially as our economy remains in the throes of the weakest, slowest nonrecovery of the last 70 years.

Mr. Speaker, I urge my colleagues to pass this bipartisan bill, again, a bipartisan bill that passed with half of the Democrats on the Financial Service Committee choosing to support this commonsense legislation. H.R. 2374 will help struggling American families get the financial assistance they want and deserve.

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

□ 1500

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

I strongly oppose H.R. 2374, the bill inappropriately entitled the Retail Investor Protection Act. Quite the opposite. H.R. 2374 hinders the Labor Department and the Securities and Exchange Commission from protecting the average retail investor when they save for retirement.

For the last 2 years, the Labor Department has been updating an outdated rule regarding the fiduciary responsibility owed to employee benefit plans under the Employee Retirement Income Security Act of 1974, ERISA, and for Individual Retirement Accounts, IRAs, under the Tax Code.

Today retirees are more likely to rely on 401(k)s than IRAs and are less likely to have defined benefit plans from their employers. At the same time, financial products have become increasingly complex. The cost of rules governing the rights of investors and the responsibilities of advisers are more than 35 years old. DOL is attempting to modernize these rules in order to reflect the changing nature of the retirement marketplace.

Given these realities, it is necessary for the Department to make sure that the professionals offering retirement advice have a duty to put their clients' interests first before their own or, at the very least, tell their customers that they may be conflicted.

At the same time, the SEC is considering moving forward on a rulemaking that would impose a uniform fiduciary standard of conduct for broker-dealers and investment advisers consistent with the Dodd-Frank Act. This would ensure that whatever the business model, if an individual is providing personalized investment advice about securities to a retail customer, they would have a duty to put that customer's interests before their own. This is particularly important as many retail customers are unaware of the differences in the standards of care that various professionals owe them.

Both agencies have been making progress with their rules, collecting the necessary data and responding to stakeholder concerns about preserving access to investment advice, particularly for individuals with small accounts.

Given these facts, H.R. 2374 is the wrong approach. This legislation makes it significantly more difficult for both the SEC and the Department to move forward.

First, the provision requiring the SEC to do a new study, another study documenting that investors are being systemically harmed or disadvantaged under the existing standard, creates a high hurdle for the Commission to overcome. The purpose of this provision is to impose further roadblocks before the Commission can take any action, providing another avenue for industry to sue the SEC.

Secondly, H.R. 2374 would prohibit the Labor Department from modernizing the fiduciary duty standard under ERISA and the Tax Code until the SEC issued their rule. This provision would represent a historic abrogation of the Department's unique authority, and in spite of whatever pressing need for an updated rule.

Finally, H.R. 2374 seems premised on the faulty notion that the Department and the SEC are not coordinating when, in fact, staff have regular ongoing SEC-DOL staff meetings; in addition, leadership meetings, as well as a memorandum of understanding to share information on retirement and investment matters.

On behalf of millions of consumers, retirees, and investors, several organizations, including the AARP, the Consumer Federation of America, the AFL–CIO, and Americans for Financial Reform all oppose this legislation. A coalition of financial planning professionals wrote that H.R. 2374 is a backdoor attempt to undermine investor protection provisions in Dodd-Frank. In addition, SEC Chair White said in a letter to the committee that H.R. 2374 would make it difficult for the Commission to adopt such a rule.

Simply put, H.R. 2374 just goes too far. The bill holds the Labor Department hostage while throwing out roadblocks for the SEC. Mr. Speaker, for these reasons, I urge a ''no'' vote on this bill.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Minnesota (Mr. KLINE), the distinguished chairman of the Committee on Education and the Workforce.

Mr. KLINE. I thank the gentleman for yielding.

Mr. Speaker, it has been 4 years since the recession ended, yet economic growth is still anemic, job creation remains sluggish, and wages are flat. With each passing day, countless Americans feel they are falling further behind. In these difficult times, working families shouldn't need to fear yet another regulatory scheme that will make it more difficult to rebuild their retirement savings. That is why I support the Retail Investor Protection Act, legislation that will force the Department of Labor to hit the brakes on sweeping changes to the way workers save for retirement.

For many Americans, investing in a retirement plan can be confusing and, frankly, intimidating. Workers want to know their hard-earned dollars are managed wisely and in a way that could lead to financial security in their retirement years.

Investment professionals provide a crucial service to those who want to plan for their retirement yet lack the time and expertise to manage an investment portfolio. All investment advisers should be well trained, adhere to the highest ethical standards, and promote the best interests of their clients. Rules governing the actions of particular investment advisers, also known as fiduciaries, have helped provide workers with certainty for decades. However, since 2010, the Labor Department has tried to expand the definition and duties of a fiduciary and, in the process, diminished that certainty.

While we support looking for ways to modernize current fiduciary regulations, the Department's recent proposal threatens to drive up costs, restrict investment opportunities, and harm efforts to educate workers about responsible retirement planning.

Despite bipartisan concerns, Department officials are still pursuing this flawed approach behind closed doors. H.R. 2374 will force the Department of Labor to abandon this misguided effort and help ensure any future attempt to redefine ''fiduciary'' promotes the retirement security of America's workers.

I want to thank Representative WAGNER, Chairman HENSARLING, and members of the House Financial Services Committee for their strong bipartisan leadership on this important issue.

I urge my colleagues to support the Retail Investor Protection Act.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH), a member of the Financial Services Committee.

Mr. LYNCH. I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in opposition to H.R. 2374, the so-called Retail Investor Protection Act. Despite its innocuous-sounding title, the intent of this bill is not to protect investors, but to protect an outdated system that systematically weakens the average American's retirement savings protections.

When Americans sit down across the table from a financial adviser and entrust their retirement nest egg, they expect the advice they receive to be

the best financial advice for them. That is why when Congress created the Employee Retirement Income Security Act in 1974, it did so with the express purpose of protecting employees and their dependents through robust disclosure requirements and fiduciary standards of care.

But the quality of advice they receive is often dependent on whether their adviser is an investment adviser or a broker-dealer, a distinction which is really a reflection of an accident of chance that retail investors typically are not aware of and do not fully understand.

Moreover, as employers have come to back away from defined benefit pension plans to defined contribution plans like 401(k)s, average workers more often are on their own to weigh advice received directly from their financial adviser about how best to invest their retirement. The result is a retirement savings system in which many workers often are unaware that they are turning over their savings to advisers who may have no legal requirement whatever to act in the worker's best interest.

This bill before us today will make it harder for the Department of Labor and the Securities and Exchange Commission to protect workers' retirement savings at a time when expanding and strengthening those retirement savings and protections has never been more important.

The average Social Security beneficiary receives about $1,200 per month, or just under $15,000 per year, representing just 41 percent of required pre-retirement income. With the cost of services for retirees—such as health care, food, and other essentials—continuing to go up, it is more important than ever that Americans have robust retirement savings to supplement the modest benefit that Social Security now guarantees.

Unfortunately, this bill before the House today takes us in the opposite direction in order to protect its status quo. That is why AARP opposes this bill. That is why the AFL–CIO opposes this bill. That is why the Consumer Federation of America opposes this bill. That is why Americans for Financial Reform opposes this bill. That is why I will vote ''no'' on this bill, and I urge my colleagues to do the same.

Mr. HENSARLING. Mr. Speaker, it is now my pleasure to yield 6 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the sponsor of the legislation and an outstanding freshman member of our committee who has led on this issue.

Mrs. WAGNER. Mr. Speaker, I first want to thank Chairman HENSARLING and Chairman GARRETT for their leadership in bringing this bill to the floor today. I also want to thank my Financial Services Committee colleagues on both sides of the aisle for their work and support of this bill.

Mr. Speaker, in recent weeks, we have been caught up in a fierce debate over the imperiled balance sheet of our Nation. It goes without saying that for a Nation that is $17 trillion in debt, getting our Federal balance sheet under control remains of extreme importance for future generations of Americans.

We must also keep in mind these days that it is not just the Federal balance sheet that is upside down. Indeed, the household balance sheet of American families is under some of the greatest stress we have seen in decades. Median household income has declined by $2,400 since the previous recession ended in June of 2009. Millions of Americans remain out of work, and an alarming number of our fellow citizens have flat-out given up on their search to find a job. Recent studies have shown that an alarming percentage of Americans do not have adequate savings set aside for their retirement. The fact is that many families in Missouri and all across the country are struggling just to make it to the 15th and the 30th of every month, let alone finding the ability to put something away for retirement or for a rainy day.

Regrettably, despite all of these economic challenges, two Federal agencies are on a path towards making it even harder for our fellow citizens to save and invest money for the future. At issue are attempts by the Department of Labor and the SEC to increase the liability of financial professionals that provide services to hardworking families all across our country. These new rules are likely to impose tremendous new burdens on Main Street businesses and will take choices away from hardworking families who understand better than anyone else what investments are in their ''best interest.''

For example, when the Department of Labor originally proposed the new ''fiduciary'' rules in 2010, it was pointed out by several commentators and by Republicans and Democrats in Congress that the likely result would not have been enhanced investor protection. Rather, scores of low- and moderate-income Americans would have suddenly found themselves unable to work with a financial professional and unable to make investments that would help them achieve financial security for their future.

Similar dynamics are at play with the SEC. Without providing any evidence of investor harm, the SEC is heading towards a rulemaking that could disrupt the valuable relationship that Americans have with their financial professionals. Perhaps most concerning, these two agencies appear to be on a collision course with one another and could end up issuing two very different and conflicting rules.

Recently, the SEC issued a 72-page request for information to support a rulemaking, but nowhere, nowhere in this request did the SEC mention the Department of Labor's fiduciary project or its effect on the SEC's work. So despite the claims we have heard from both agencies, it doesn't appear that there is much coordination going on at all. This suggests that we are heading toward a situation where rules come into conflict with one another, creating a great amount of confusion and cost for businesses and retail investors.

That brings us to H.R. 2374, the Retail Investor Protection Act, which passed the House Financial Services Committee in June by a bipartisan vote of 44–13. To those who are just tuning in to this debate, it may help to understand exactly who it is we are talking about when we use the term ''retail investor.''

''Retail investor'' could describe two young working parents that are trying to figure out ways to save for that first home. It could describe a single mother who has scraped together $1,000 to open up an IRA or an educational account for her child. Or it could describe a new dad looking to set up an insurance policy for his family.

□ 1515

It is these Americans that will be hurt the most by overbearing and misguided rules that prohibit them from making investments they both want and desperately need.

So the underlying legislation is quite simple. First, it requires that the Department of Labor wait for the SEC to act before issuing new fiduciary rules. I would note that a recent letter from 10 Democratic Senators to the Office of Management and Budget made this very same request.

Second, the legislation requires that the SEC identify whether investors are being harmed or disadvantaged under current regulations. In other words, the SEC would have to identify a problem it is trying to address. The SEC would also have to identify whether new rules would restrict investor access to financial products and services and show that any final rule would actually reduce any confusion investors have over standards of conduct within the industry.

In short, this bill brings much-needed checks and balances to a regulatory process gone bad.

We must remember what is at stake here. Americans invest trillions of dollars through IRAs, education accounts, and other investment vehicles. The Retail Investor Protection Act would require that Federal agencies act in the best interest of all investors and would go a long way towards preserving access to financial services for Americans of all income levels.

I thank my colleagues again for their support, and I urge passage of the bill.

CHAMBER OF COMMERCE
UNITED STATES OF AMERICA,
Washington, DC, October 28, 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 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, strong supports H.R. 2374, the ''Retail Investor Protection Act.'' The Chamber believes that ensuring retail investors have continued access to their choice of financial products and services that best meet their needs will help meet investment objectives, secure retirement security, and bolster long-term economic growth.

If enacted, the Retail Investor Protection Act would require that the Securities and Exchange Commission (''SEC'') complete a rulemaking on fiduciary standards for broker dealers before the Department of Labor (''DOL'') finalizes its rule redefining a fiduciary under the Employee Retirement Income Security Act, as the two agencies have shown to work at cross-purposes on their fiduciary initiatives. Due to the increasing overlap between the DOL and SEC in the area of retirement plans and the related nature of each agency's fiduciary initiative, the Chamber believes that the two agencies should coordinate and work in a systematic manner, allowing the SEC to complete its rules first to avoid investor confusion, regulatory conflict, and one rule being usurped by the other.

H.R. 2374 would also require that before the SEC promulgates new rules expanding the fiduciary standard in the retail investor context, it must first (1) identify any issues with the current fiduciary structure; and (2) identify whether uniform fiduciary standards for broker dealers and investment advisors would have any adverse impact, resulting in reduced products and services for retail investors. These are all common sense measures that would ensure the appropriate balance in investor protection while mitigating potentially harmful consequences.

The Chamber also opposes an amendment expected to be offered by Rep. George Miller and Rep. John Conyers, which would completely undermine the intent of a provision in H.R. 2374 by giving DOL free reign to promulgate rules without prioritization and consideration of the SEC's fiduciary initiative. Moreover, the Miller-Conyers Amendment would also deprive owners, directors, and shareholders of the ability to manage a business by authorizing the DOL to set compensation for investment advisors and financial services providers, thus shifting some securities oversight away from the SEC and to the DOL.

The Chamber strongly supports the Retail Investor Protection Act and opposes the Miller-Conyers Amendment. The Chamber may consider including votes on, or in relation to, this bill and the Miller-Conyers Amendment in our How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President.

NATIONAL ASSOCIATION
OF PLAN-ADVISORS,
Arlington, VA, September 25, 2013.

Congresswoman ANN WAGNER,
Re ASPPA Support of H.R. 2374, the Retail Investor Protection Act

Cannon House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN WAGNER: On behalf of the 6,700 members of the National Association of Plan Advisors (NAPA), I would like to express our support for H.R. 2374, the Retail Investor Protection Act. We commend you for your leadership on this important issue.

As you know, both the Department of Labor (DOL) and the Securities and Exchange Commission (SEC) have indicated they are moving forward with proposed rules that would expand ''fiduciary'' responsibilities to more investment professionals. NAPA is especially concerned that these proposed regulations could increase costs and limit availability of products and advice for retail investors, especially those with low or moderate incomes. Additionally, NAPA is concerned that the regulations could result in retail investors not receiving assistance from their trusted investment professionals based on whether their accounts are after-tax retail accounts or tax-favored IRAs.

Your legislation includes two provisions that NAPA especially supports. First, it prohibits the DOL from issuing any new fiduciary rules until sixty (60) days after the SEC finalizes its rule. Second, it requires the SEC to identify whether expanded fiduciary standards would result in less access to investment products and advice for retail investors and to submit formal findings that any final rule would reduce retail investor confusion about standards of care that apply to brokers, dealers and investment advisors.

Again, thank you for your leadership on this issue. We look forward to working with you on passage of this important legislation in both the House and the Senate.

Sincerely,

BRIAN H. GRAFF, ESQ., APM,
Executive Director/CEO.

SEPTEMBER 30, 2013.

Hon. ANN WAGNER,
House of Representatives, 435 Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE WAGNER: On behalf of the Association for Advanced Life Underwriting (''AALU''),[1] thank you for all of your hard work on H.R. 2374, ''The Retail Investor Protection Act of 2013.'' This bipartisan legislation, which you introduced and led through the Financial Services Committee, will help ensure that any rulemaking undertaken by the Secutities and Exchange Commission (''SEC'') to modify the standards of conduct and other regulatory requirements applicable to brokers, dealers, and investment advisers[2] is sufficiently supported by empirical information and focused principally on remedying the identified problem of investor confusion without raising costs and reducing choices for investors.[3]

The SEC is considering whether to engage in a rulemaking that would impose a ''uniform fiduciary duty'' on all brokers, dealers, and investment advisers providing personalized investment advice about securities to retail customers. The sole impetus for such a rule is the SEC's concern about investor confusion over the roles and legal obligations of financial professionals. The SEC appears to be operating from a presumption that the regulatory regime governing brokers and dealers is disproportionately responsible for creating this investor confusion and is seeking to address it by imposing a broad principles-based fiduciary duty on broker-dealers, breaking with eighty years of rules-based regulation.

The problem of investor confusion does not dictate a regulatory solution of this sort. There is no evidence to suggest that such a rule would provide consumers with better or clearer information about the roles and obligations of the financial professionals that serve them, nor is there reason to believe that it would enable consumers to make better-informed investment decisions.

Indeed, because, as the SEC has acknowledged, a ''pure fiduciary duty'' is unworkable in the context of the broad activities of a broker-dealer, any new fiduciary duty imposed on the industry will include exceptions for various types of activities—leaving investors even more confused as to what the legal obligations of their financial professionals might be. For this reason, the AALU has urged the SEC to directly address the problem of confusion through enhanced disclosure, not to do so through an entirely new regulatory approach that purports to apply uniformly to financial professionals—when, in practice, it does not.

H.R. 2374 would build into the rulemaking process important safeguards to ensure that the SEC adequately justifies any rule prescribed to improve investor confusion and that it appropriately tailors such a rule in a way that remedies the identified problem, but does not adversely affect consumers in the process of doing so. Specifically, the legislation requires the SEC to identify, prior to any rulemaking, if: current differences in the legal and regulatory obligations of brokers, dealers, and investment advisers actually produce harmful outcomes for retail customers—and—whether the adoption of the ''uniform fiduciary duty'' as proposed by the SEC could in fact have an adverse impact on consumers by limiting access to investment advice, raising costs, and adding to investor confusion.

Should the SEC proceed with a rulemaking, H.R. 2374 would require the SEC to publish alongside a proposed rule formal findings that demonstrate how the rule would reduce investor confusion. Finally, the legislation imposes a stay on the promulgation of conduct regulations by the Department of Labor (''DOL''), which is currently considering a rulemaking that would redefine the term ''fiduciary'' for purposes of the Employee Retirement Income Security Act of 1974 (''ERISA''). This provision would allow the SEC to freely carry out the congressional objective underlying Section 913 of the Dodd-Frank Act[4] without concern over any potential interference from the DOL, which, through its anticipated rulemaking, may or may not encroach upon marketplace activity traditionally governed by the securities laws and overseen by securities regulators.

If enacted, H.R. 2374 will ensure a thorough fact finding by the SEC and, if necessary, will result in regulation targeted to address the problem originally contemplated by Congress when it provided the SEC with this rulemaking authority. We believe that such an outcome would greatly benefit investors.

Again, we thank you for introducing H.R. 2374 and we look forward to working with you and your staff as the 113th Congress continues.

Sincerely,

DAVID J. STERTZER,
Chief Executive Officer.

[1] The AALU is a nationwide organization comprised of more than two thousand life insurance agents and professionals primarily engaged in sales of life insurance used as part of estate, charitable, retirement, and deferred compensation and employee benefit services. The AALU is organized behind a mission to promote, preserve and protect advanced life insurance planning for the benefit of our members, their clients, the industry and the general public.

[2] Pursuant to Section 913(g)(1) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (''Dodd-Frank Act'').

[3] For additional information on the AALU's support of H.R. 2374, see Legislative Proposals to Relieve the Red Tape Burden on Investors and Job Creators: Hearing Before the H. Subcomm. On Capital Mkts. and Gov't Sponsored Enters, of the H. Comm. on Fin. Servs., 113th Cong. (2013) (statement of Ken Ehinger, President and CEO, M Securities, Inc.), available at *http://financialservices.house.gov/UploadedFiles/HHRG-113-BA16-WState-KEhinger20130523.pdf.*

[4] Namely, an evaluation of the need for a new standard(s) of conduct and harmonization of the regulation of brokers, dealers, and investment advisers—and, if warranted by the SEC's findings, the promulgation of rules to establish new requirements.

INDEPENDENT INSURANCE AGENTS & BROKERS OF AMERICA, INC.

September 30, 2013.

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

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: On behalf of the Independent Insurance Agents & Brokers of America (IIABA or the Big ''I''), I write today in support of H.R. 2374, the ''Retail Investor Protection Act'' introduced Rep. Ann Wagner (R–MO). With over a quarter of a million agents and employees nationwide, the Big ''I'' is the largest association of insurance producers in the United States.

The IIABA is greatly concerned that agents, brokers and the consumers they serve would be adversely affected by the establishment of a universal fiduciary standard of care. An expansion of the fiduciary duty promises to create undue compliance burdens and increased liability for our small business membership, thereby increasing costs for consumers and restricting access to quality investment advice for those most in need. Furthermore, simultaneous and possibly overlapping rulemakings by the Department of Labor (DOL) and the Securities and Exchange Commission (SEC) have the potential to create confusion in the marketplace and even more liability concerns for marketplace participants.

Rep. Wagner's bill would create a number of important checks and balances on the rulemaking process to ensure that consumers are not harmed by an expansion of the fiduciary duty. First, it would require the DOL to wait until 60 days after the SEC finalizes any fiduciary rule before issuing its rule. The measure would also require the SEC to determine that any new mandate would not harm consumers or restrict access to investment advice, and would require the completion of a cost-benefit analysis.

The IIABA thanks you for scheduling H.R. 2374 for consideration this week and urges all members to support this important legislation.

Sincerely,

CHARLES SYMINGTON,
Senior V.P. of External & Government Affairs.

UNITED STATES SENATE,
Washington, DC, August 2, 2013.

Hon. SYLVIA MATTHEWS BURWELL,
Director, Office of Management and Budget, Washington, DC.

DEAR DIRECTOR BURWELL: We write with regard to the work the Securities Exchange Commission (SEC) is currently undertaking to implement Section 913 of the Dodd-Frank Act, and its intersection with the work the Department of Labor (DOL) is currently engaged in to redefine the term ''fiduciary'' under the Employee Retirement Income Security Act of 1974 (ERISA). We remain very concerned that uncoordinated efforts undertaken by the agencies could work at cross-purposes in a way that could limit investor access to education and increase costs for investors, most notably Main Street investors.

The fundamental purpose of Section 913 of the Dodd-Frank Act is to provide for the establishment of a uniform fiduciary standard that applies equally to Broker-Dealers and Registered Investment Advisors for the benefit of investors when personalized investment advice is provided. While it is unclear what the Department of Labor's re-proposal in this area will look like, the Department's 2010 proposal could have caused all Broker-Dealers that service Individual Retirement Accounts (IRAs) to be ERISA fiduciaries, which would have as a practical matter eliminated access to meaningful investment services for millions of IRA holders.

We believe that Congress clearly intended that a single standard should apply to retail accounts, including retirement accounts, based on the specific guidelines enumerated in Section 913. We are concerned that while the SEC is proceeding in accordance with its Congressional mandate, the DOL seems poised to issue a regulation that could directly conflict with the SEC's work.

Given the Office of Management and Budget's role in coordinating and streamlining Agency regulations, we write to make you aware of the potential conflict between these regulations. We would also encourage you to promote regulations that are workable and encourage, rather than limit professional investment education and guidance. We believe that, at a minimum, the Department of Labor should not issue final regulations in this area until the SEC has completed its work and that any regulation the DOL ultimately may propose should be carefully crafted so that it does not upend the SEC's work.

We urge you to review any regulation proposed by the DOL to be sure it does not undermine the SEC's implementation of a fiduciary standard for the benefit of retail investors. We know that you share our goal of ensuring that any regulations issued in the area are consistent rather than working at cross-purposes and we look forward to working with you in furtherance of this goal.

Sincerely,

JON TESTER,
United States Senator.
CLAIRE MCCASKILL,
United States Senator.
TOM CARPER,
United States Senator.
MARK BEGICH,
United States Senator.
BEN CARDIN,
United States Senator.
MARK WARNER,
United States Senator.
KAY HAGAN,
United States Senator.
AMY KLOBUCHAR,
United States Senator.
MARK PRYOR,
United States Senator.
KIRSTEN GILLIBRAND,
United States Senator.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON), cochair of the Progressive Caucus, a member of the Financial Services Committee, and Democratic whip.

Mr. ELLISON. I want to thank the ranking member, Congresswoman WATERS, for the time, and I thank the chairman.

We have a crisis in our country, and the crisis has to do with retirement. This retirement crisis is huge. We literally have about $6.6 trillion between what people have for retirement and what they need for retirement.

And so the Labor Department is doing what makes sense: making sure that when a person representing themselves as a financial adviser is going to a person who wants to retire—rollover a 401(k) or whatever—they are getting the best advice for them, and if the adviser is making money off the products they are pushing, that that would not be all right.

But you know what? The Labor Department is not even done with the rule. They are still writing it. But before they ever do, this shoddy piece of legislation is going to try to interrupt that process. This bad piece of legislation is going to interrupt the Department of Labor as they are pulling together a rule to protect retirees.

We have a record amount of more than $10 trillion invested in retirement accounts, and yet median retirement account balances are about $45,000. That is a huge gap. Part of the reason this amount is so low is due to the high fees and hidden commissions. An annual fee of 1 percent could lower the amount of an account by 21 percent over more than 30 years.

I am grateful to the Department of Labor for their efforts to come together to do a good plan. Too often, workers leave jobs and are contacted by people who urge them to rollover their 401(k) investment into an IRA. Too often, workers do not know that these callers are salespeople who can put investors into accounts with high fees and hidden commissions, yet this bill would not protect the public from such rip-offs. Investors lose 3, 4, or 5 percent of the value of their savings without even knowing about it.

This bill, H.R. 2374, is harmful. It prevents the Department of Labor from taking steps to ensure advisers do not have conflicts of interest. Why would anybody want to say, yes, have all the conflicts of interest you want as you are messing with our retirees' accounts?

Taking the unprecedented step to stop an agency midprocess in protecting workers is bad. That is why AARP, the National Council of La Raza, the Consumer Federation of America, and many, many people representing Americans oppose it.

This antigovernment rhetoric and all this stuff about government regulation we hear all the time is the same rhetoric that led to the shutdown that undermined the interests of American workers. Let's just shut this bill down. It is not good.

STATEMENT OF ADMINISTRATION POLICY

The Administration strongly opposes passage of H.R. 2374 because it would derail important rulemakings underway at the Securities Exchange Commission (SEC) and the Department of Labor that are critical to protecting Americans' hard-earned savings and preserving their retirement security.

H.R. 2374 prohibits Labor from issuing a rule to protect investors until the SEC engages in and completes further study of the effect of a rulemaking on retail investors. The bill ignores the fact that significant work has already been conducted in both agencies and that the agencies have included and continue to include the public, industry, and numerous stakeholders in their rulemaking processes. Moreover, the two agencies are already working closely to avoid conflicting requirements for the regulated community, and this legislation would hamper effective coordination between the two agencies. The bill would hinder efforts to protect consumers from conflicts of interest among brokers, dealers, financial advisors, and others whose incentives may be misaligned with investors, potentially leading to deceptive and abusive practices.

The Administration is committed to ensuring that American workers and retirees are

able to receive advice about how to invest their money in safe, secure, and transparent financial products that is free from harmful conflicts of interest. These ongoing rulemakings are designed to protect trillions of dollars in retirement savings of millions of workers and retirees by ensuring that paid advisors and other entities do not place their own financial interests over those of their customers. This legislation would place an unnecessary obstacle in the way of these efforts to prevent such harmful conflicts of interest, which hurt businesses, consumers, and retirees and their families.

If the President were presented with H.R. 2374, his senior advisors would recommend that he veto the bill.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee, Dr. ROE, a distinguished member of the Education and the Workforce Committee.

Mr. ROE of Tennessee. I thank the chairman.

Mr. Speaker, I rise in support of the Retail Investor Protection Act and preserving access to financial advice to all Americans.

The Department of Labor's efforts to redefine the fiduciary standards is classic Washington. It is a solution in search of a problem. The DOL has yet to present tangible evidence—beyond anecdotes—that workers are being hurt by current law, nor has the Department conducted a sufficient cost-benefit analysis.

This is not to say that the fiduciary standards must never be changed. All of us, Republicans and Democrats, want to strengthen workers' retirement security and perhaps need to modernize the longstanding fiduciary standard; but instead of working with Congress, the Department of Labor has single-mindedly pursued a course that would actually drive up the cost of retirement planning and restrict access to important investment advice. Millions of Americans could potentially be left to prepare for retirement on their own. How on Earth could this be a good thing?

The 2007 recession wreaked havoc on the retirement savings of American workers. We should work together on responsible solutions that will help workers enjoy their retirement years with financial security and peace of mind.

I am privileged to serve as chairman of the Subcommittee on Health, Employment, Labor, and Pensions, and that is precisely what we are trying to do in the area of multiemployer pension reform. The subcommittee has convened numerous bipartisan hearings to closely examine the problems plaguing the multiemployer pension system and potential solutions. In fact, we held such a hearing earlier today. Will we all agree on every point? Of course not. However, we remain committed to working together on real solutions that will promote the best interests of American families.

I hope the Department of Labor will reconsider its ill-conceived approach to revising Federal fiduciary standards and work with Congress, interested stakeholders, and other Federal agencies to strengthen the retirement security of hardworking Americans. Until the Department does what is right and changes course, I urge my colleagues to support the Retail Investor Protection Act.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlelady from New York (Mrs. CAROLYN B. MALONEY), who serves as the ranking member on the Subcommittee on Capital Markets and Government Sponsored Enterprises of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. I thank the ranking member for yielding and for all her hard work, and I thank the chairman.

Mr. Speaker, I rise in opposition to H.R. 2374. The bill would require the Securities and Exchange Commission to conduct yet another cost-benefit analysis of a fiduciary duty rule, apparently in the attempt and hope of derailing a new fiduciary duty rule to protect consumers. The Securities and Exchange Commission has already completed a lengthy study on whether or not to propose a fiduciary duty rule for brokers. That study included an extensive cost-benefit analysis.

So, my colleagues, outside of trying to derail a new consumer safeguard, what could possibly be the purpose of requiring the SEC to do yet another cost-benefit analysis on the exact same issue again? How about we just take the first one and make two copies?

The rule also prohibits the Labor Department from even proposing a rule until 60 days after the SEC finalizes its final rule. And what is the harm, my colleagues, in allowing an agency—in this case, the Labor Department—to release the proposed rule for public discussion, for public input? Since when has Congress been afraid of a debate?

If my colleagues believe that the proposed rule gets it wrong, then they have every opportunity to say so, as does the public, as do businesses, and that is exactly what the public comment period is for. That is what happened the last time the Labor Department proposed a fiduciary rule; there were questions raised. They have recalled it to reconsider it, and they are withdrawing that proposal and working on a new one.

If the SEC has a better idea for a fiduciary duty rule, then let's debate that one and have that released, but preventing an agency from even putting out a regulatory proposal for public debate is flat-out dead wrong.

This bill would delay and possibly derail important rulemaking at the Securities and Exchange Commission and the Labor Department to protect retirement security and investor protection rights. This is a transparent attempt to slow down the rulemaking process and possibly derail the whole rulemaking process for protections for consumers.

For these reasons, I urge my colleagues to vote ''no.''

Mr. HENSARLING. Mr. Speaker, I am now pleased to yield 3 minutes to the gentleman from New Jersey (Mr. GARRETT), chairman of the Financial Services Subcommittee on Capital Markets and GSEs.

Mr. GARRETT. Mr. Speaker, I thank the chairman for advancing this bill to the floor. I also congratulate the sponsor of the bill, Mrs. WAGNER, for leading forward with a piece of legislation that has, at its heart, to work in a bipartisan manner to protect American investors big and small, senior citizens, and regular people across this country who are concerned about their investment, concerned about what they pay for their advice and for their transactions. So I commend both of them for moving this legislation along.

The other side of the aisle likes to get engaged with name-calling, like ''shoddy,'' ''bad,'' ''rip-off,'' and throw out numbers which, I guess, are just sort of pulled out of the air when they say, If it is 1 percent for this, how much over 30 years? If it is a commission of X, I don't know, how much is it over 40 years?

I always wonder when I hear comments from the other side of the aisle if they really actually sit and read the bill or do they just pull these numbers out of a hat. But I did hear one of their comments which went to the point of trying to help investors, which is: How do we help Americans, and how do we do it in a bipartisan manner?

Well, this was one of the most bipartisan bills that we have ever had coming out of our committee. Over half of the Democrats on the committee said they are going to stand with Americans, stand with investors. I will share some of those.

Mr. SHERMAN voted ''yes''; Ms. MOORE said ''yes,'' stand with Americans; Mr. PERLMUTTER said ''yes''; Mr. HIMES said ''yes''; Mr. PETERS said ''yes.'' Messrs. CARNEY, FOSTER, KILDEE, DELANEY, Mrs. BEATTY, and Mr. HECK, to name just a few, joined with Republicans to work in a bipartisan manner to stand with Americans and stand with American investors, realizing that, at the end of the day, part of the problem in Washington is too many agencies that are not communicating with each other. Lack of communication is one of the problems that we have seen in this country in the last few weeks and months.

All we are suggesting is that the various agencies, like the SEC and the Department of Labor, actually coordinate and work together for investors. How will they do that? Well, the SEC, is principally charged with the responsibility of looking at the areas of broker-dealers and investment advisers. And you know there is a difference on how they are treated right now, and there is a reason for that. They have been treated differently for eight decades, I guess, or so.

The SEC will be looking at this. As the gentlelady from New York has indicated, there is a study outstanding right now. They are getting comments

in already for that study. We are saying let's make sure we hear all the information, collect all the data, and before we go forward, let's have communication between these two agencies.

Let the SEC take the first step here. Nothing in here prevents them from taking any final actions or final steps. Nothing in this bill prevents the investor from being protected as these various agencies see fit.

All we are really asking for is the SEC, the agency principally charged with this, to take the first action, make sure they have the data, then work in harmony with the Department of Labor, and at the end of the day, we will be helping the American investors in a completely bipartisan manner.

□ 1530

Ms. WATERS. Mr. Speaker, I yield 4 minutes to the gentleman from California, Congressman GEORGE MILLER, who is the ranking member on the Committee on Education and the Workforce.

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

Mr. GEORGE MILLER of California. I thank the ranking member for all of her work on this legislation and for her yielding me the time.

Mr. Speaker, I rise in opposition to H.R. 2374. This bill is very bad news for working families. It protects the loophole in the law that allows conflicted brokers and advisers to rip off ordinary Americans who are trying to save for their retirements.

The 2008 financial crisis wiped out trillions of dollars of Americans' retirement accounts. Working families now need help in rebuilding those nest eggs, and they need better protection for their savings. The SEC and the Labor Department have moved to provide these protections, proposing to close the harmful loophole, but this bill would scuttle those efforts. Here is what is at stake.

Millions of Americans are putting money aside every day in their 401(k)s and in their IRAs to save for retirement. They have to make these investment choices, and Wall Street is more than happy to advise, but some of those advisers and brokers have conflicts of interest, often undisclosed conflicts of interest. The brokers know about their conflicts of interest, and the brokerage houses know about their conflicts of interest, but the person who is handing over his hard-earned retirement funds doesn't know about the conflicts of interest. The workers think they can trust this investment advice.

But what they don't know is that their advisers may get paid more for, in fact, in actual cases, steering them into high-cost funds with the worst performing of the family of funds. It is very good for the family of funds, but it is very bad for that individual worker who is now handing over his retirement nest egg. That product might have higher fees than other products. It might underperform compared to other products. In other words, the product is not in the worker's best interest, but it certainly is in the broker's best interest.

The SEC and the Labor Department are trying to close this loophole that allows this rip-off to continue to happen, and it is, indeed, a rip-off of ordinary Americans. I know my friend from New Jersey doesn't like the term ''rip-off,'' but that is what is happening to these hardworking American families. Multiple studies—not conjecture—have found that these conflicts of interest cost these retirees, these workers, very real money.

In 2009, the GAO found that, when a pension consultant has conflicts of interest, a defined benefit retirement plan underperforms by 130 basis points. If a conflicted broker in the defined contribution world recommends funds at a similar rate of underperformance, a 40-year-old worker who rolls over his $20,000 401(k) balance into an IRA will see his retirement savings cut by a third over 30 years. If he normally earns 6 percent returns, he would now only be making a 4.7 percent return. The bottom line is he is $35,000 poorer by the time he reaches 70. Thank you for that conflicted advice.

This year, researchers found that the funds recommended by conflicted brokers in 401(k) plans underperformed by an average of 3.6 percent. That translates into workers losing $1 billion every month from their retirement funds because of these conflicts of interest. As a result, consumers are getting bad advice and are putting their retirement savings at stake.

Where do those figures come from?

They come from the founders of the Vanguard funds, who worked out the differences between these funds, conflicted funds, and other funds. That is why the Dodd-Frank law directs the SEC to transition brokers to a fiduciary standard, and, separately, the Department of Labor is trying to align the protections as well.

Brokers need to either act solely in the best interests of investors or otherwise disclose who they work for and how they are paid, but some on Wall Street have cried out, claiming that they will not be able to offer investment advice, especially to working people, if they cannot offer conflicted advice. They can't tell you how to invest your money unless they can offer you conflicted advice wherein they are getting paid more to offer you a substandard product. With the knowledge of that and the higher fees, they somehow can't make money. Let's remember that 75 percent of the brokers can't beat the S&P 500 that is on automatic pilot.

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

Ms. WATERS. I yield the gentleman an additional 1 minute.

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding.

Mr. Speaker, is that what they are really saying? Is that what American workers want to know—if I don't give you money, for which you can keep secret conflicts of interests that you have with the investment of my money, I have to give you my money anyway if I am looking for this investment? That is absolutely wrong.

The American worker deserves better than that. These people work hard to make the decisions to try to save, to add to their 401(k)s, and you want to talk about, oh, we should educate them about the value of a 401(k) and about the value of an IRA. You can educate them until the cows come home, but if they know that somebody is stealing their money because someone can conceal a conflict of interest, all of that education won't make a damned bit of difference because the fact of the matter is they've worked too hard to hand over their money to those conflicted advisers.

That is what this bill is about. This bill would continue those conflicts, make every effort to delay and stop this rulemaking—or we change the law, we go forward, we protect working families, we protect the retirees, and we make sure that the financial marketplace is free of these conflicts of interest.

Again, I thank the gentlewoman for all of her effort on this legislation.

Mr. HENSARLING. Mr. Speaker, I am pleased now to yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY), the chairman of the Financial Services Subcommittee on Oversight and Investigations.

Mr. MCHENRY. I want to thank the committee chairman as well, Mr. HENSARLING, for yielding to me, and I want to thank my colleague ANN WAGNER from Missouri for putting together this very wise bill.

Mr. Speaker, I would say to my Democrat colleagues on the other side of the aisle who are speaking out with loud voices that the only rip-off here is when retail investors and the American people have two different government agencies writing rules. When they are not coordinating with each other and when they are not talking to one another, they are not writing rules that work together. In fact, you could be a retail investor and be complying with the Department of Labor's rules but could be running counter to the Securities and Exchange Commission's rules if this coordination is not done as required by this legislation.

So the Retail Investor Protection Act is just that. It protects retail investors. It reconciles uncoordinated efforts between the Securities and Exchange Commission and the U.S. Department of Labor, and it says that they have to work together and also use a cost-benefit analysis when they are writing these rules.

I think that is a very wise thing. In fact, the court system has agreed that it is a wise thing, and 44 members of the House Financial Services Committee thought it was a wise thing, while only 13 opposed passing this out.

Also, we have 10 Democrat United States Senators who have written to the Office of Management and Budget, making an identical request as this bill to the SEC, stating that the SEC act first in writing these rules before they come together.

So, today, it is not only a bipartisan vote but also a bicameral vote, both the House and the Senate. I would ask my colleagues to support this bipartisan bill coming out of Financial Services in order to make sure that our government agencies actually coordinate when they write rules. Let's actually protect retail investors and do that first.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia, Mr. BOBBY SCOTT, who is on the Judiciary Committee and who is the ranking member on its Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Mr. SCOTT of Virginia. I thank the gentlelady for yielding.

Mr. Speaker, I rise in opposition to H.R. 2374, the so-called Retail Investor Protection Act. H.R. 2374 delays the Department of Labor's rulemaking process that would protect investors from unscrupulous investment scams.

Now, in past generations, pension plans were what were called ''defined benefit plans'' in which there were defined benefits. You would look at the number of years, your last salary, and the multiple, and you could calculate what your pension would be. But more and more we are seeing defined contribution plans in which the employer just makes a contribution, and the final benefit would be whatever happens to the money over the years with the investment advice that you would be given. The trend has had a profound impact on ultimate retirement benefits and security.

Two people investing the same amount—for example, $100 a month over 30 years—could see very different retirement savings over that same period of time based on the investments they chose. Those investment choices could be the difference between a savings at the end of $100,000 or as much as $500,000 depending on which strategies were used. Now, most employees are not sophisticated investors, and therefore they need advice on what investment strategies should be used. How much should be in stocks? how much in bonds? how much in mutual funds, and which mutual funds? They seek advice.

The rule that the Department of Labor introduced in 2010 and will most likely reintroduce this fall simply requires that an investment adviser provide advice as a fiduciary responsibility to the investor, consistent, therefore, with the best interest of the investor, not with what would ultimately be most profitable to the adviser. That is, he has a duty to give primary consideration to the investor, not to his own profit. There are a lot of different products. A lot of mutual funds have extremely high fees when comparable funds—even better funds—have lower fees. Often the adviser will push products that are totally inappropriate for the investor, which is compromising the investor's retirement security in the long run but which is maximizing the profits for the adviser.

The bill we are considering today will allow investments to be sold which are laden with conflicts of interest and would immunize advisers who give self-serving, unscrupulous advice from any liability. There is an apparent belief that investment advice that is self-serving and full of conflicts of interest is better than no investment advice at all. That is absolutely absurd. There is nothing wrong with those selling investment products to be required to give primary consideration to the investors they are purporting to advise.

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

Ms. WATERS. I yield the gentleman an additional 1 minute.

Mr. SCOTT of Virginia. Mr. Speaker, the bill that we are considering today would delay the rulemaking that would take the necessary steps to protect employees and retirees who are currently being taken advantage of by investment advisers who are giving this unscrupulous advice.

Millions of Americans look to financial advisers for advice. There is nothing wrong with requiring them to have a fiduciary responsibility to those they are advising. It is about time that we make sure the investors are getting the good advice that they deserve. Therefore, we should defeat this bill.

Mr. HENSARLING. Mr. Speaker, I now yield 2 minutes to the gentleman from Virginia (Mr. HURT), the vice chairman of the Financial Services Subcommittee on Capital Markets and GSEs.

Mr. HURT. Thank you to the chairman of this committee, and thank you to the sponsor for your leadership on this issue.

Mr. Speaker, I rise today in support of the Retail Investor Protection Act.

Fifth District Virginians and Americans across the country are working hard to save for their futures, whether it be for their retirements or college tuitions for their children. Unfortunately, these hardworking Americans are being faced with the prospect of increased costs and fewer choices for the financial products that they currently rely on for their investments.

Currently, the Department of Labor and the Securities and Exchange Commission have indicated they will move forward with rulemakings to make changes to the fiduciary standards that would decrease the availability of financial advice for retail investors and increase the cost of financial advice for retail investors.

We must protect the ability of these Americans to choose the financial professionals who best meet their investment needs, and this bill is an important step in that direction. The Retail Investor Protection Act ensures that retail investors, including many American families, are not affected by unnecessary regulations that have been put in place without sufficient economic analysis or regulatory coordination.

I urge my colleagues to join me in supporting this important bill so that Washington does not stand in the way of Americans' ability to seek the best financial advice for their needs.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS), who is an expert on retirement savings. He is the ranking member on the Education and the Workforce Subcommittee on Health, Employment, Labor, and Pensions. He is also the cochair of the Steering and Policy Committee.

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

Mr. ANDREWS. I thank my very good friend for yielding.

Mr. Speaker, so you are in the lunchroom at work. This guy comes in from the investment house, and he shows 18 slides about the red fund—smiling people who are on fishing trips and on European vacations. They are really happy people.

□ 1545

He shows one slide about the blue fund at the very end and finishes his presentation. The red fund looks pretty good. What he doesn't tell you is that he gets 2½ percent of every dollar you put into the red fund, but ½ of 1 percent of every dollar you put in the blue fund. He neglects to mention that. So people rush and put their money in the red fund.

Now, should his interest be aligned with you or should his interest be aligned with his own interest? That is the question that is raised by this bill.

The Department of Labor is writing a rule that for the first time would say that that person standing in front of you in that room has a fiduciary obligation to the person listening, that is to say that he has to put the interest of the listener ahead of his own financial interest.

Self-interest is the malignancy that brought the U.S. economy to its knees 5 years ago. People who made mortgage transactions and insurance transactions benefited them and not the people they are supposed to be representing. To permit the cancer of self-interest to invade the second most important asset people have in their lifetime, which is their pension, would be an enormous mistake. That is a mistake that this Department of Labor rule is trying to avoid. This bill is a mistake because it rolls back those efforts and protections for the American people.

John Bogle, the founder and patron of Vanguard, has estimated that nearly 30 percent of people's pension funds have evaporated because of unnecessary fees. If people want to choose a high-fee plan, that is their choice; but

they should make that choice only after receiving the advice that is fiduciary, that is directed to their own best interest, from a competent professional.

The Department of Labor rule promotes that result; this bill undercuts that result. For that reason, we should oppose this bill.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), another distinguished member of the Financial Services Committee.

Mr. LUETKEMEYER. Mr. Speaker, I would like to thank Chairman HENSARLING for all his fine work on this issue, as well as other financial services issues.

I also would like to thank my good friend and neighbor in Missouri, Mrs. WAGNER, for introducing this legislation and all her hard work on it. What she is trying to do here is propose legislation that tries to solve a problem that we have got in the situation here with these two agencies—DOL and SEC—trying to coordinate and propose a regulation which they don't seem to be willing to do or do it in the right way.

As usual, when the bureaucracy tries to propose things, there always are unintended consequences of those actions and those rulings. We have here some of those unintended consequences, which Mrs. WAGNER in her legislation is trying to mitigate.

This proposal has the potential to drive up the cost and availability of investment services and products for investors, particularly those with low and moderate incomes. I will give you an example. I recently spoke to a broker-dealer in rural Missouri who I represent, who is one of only a handful of small brokers in a two-county radius. If the Department of Labor rule moves forward, he, like many other small broker-dealers, will have no choice, because of the way this rule is written or being proposed, that they will stop offering his services to clients, and many Missourians are going to be without or have limited access to financial products and advice.

This hurts not only the big investors, but this hurts the small investors. As I said earlier, you are talking about the low- and moderate-income folks and, particularly, one of the most basic investments that we have, which is the IRA. How basic can you get to not allow people to be able to utilize an IRA if this goes into force?

So it is important today that we take this action. I, again, thank the gentlelady from Missouri for her efforts, and I urge my colleagues for support.

Ms. WATERS. Mr. Speaker, I would like to inquire as to how much time we have remaining on this side.

The SPEAKER pro tempore. The gentlewoman from California has 5½ minutes remaining. The gentleman from Texas has 5 minutes remaining.

Ms. WATERS. I am prepared to close. However, I will reserve the balance of my time if the chairman has other Members that he would like to put forth at this time.

Mr. HENSARLING. We have one more speaker, and then we would allow the gentlelady to close.

Then I believe I have the right to close, Mr. Speaker. Is that correct?

The SPEAKER pro tempore. The gentleman is correct.

Mr. HENSARLING. At this time, Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Mr. Speaker, I have been sitting here for the past 45–50 minutes watching the debate. It strikes me that with all of the financial terms and with some of the heated rhetoric—and it has been heated—I never thought I would see the day where enlightened self-interest was called a cancer in this Nation. I wonder what Alexis de Tocqueville would think about that. But in any event, with all of that, Mr. Speaker, it strikes me that we have lost sight of what we are talking about. We are talking about a bill, what the bill specifically does, and why.

Let's talk first about why we are here. We have a situation where Dodd-Frank has given authority to the SEC to make some rules. The Department of Labor also thinks it has the authority to make rules in the same area.

I hope we can all agree that there is a potential for conflict there. We all know what it is. We have seen it a hundred times before. We don't want the SEC to come out and say that you can't do X and have the Department of Labor come out the next week and say, but you have to do X.

There are hundreds of examples like that in the Federal Government, and this bill is simply trying to address that. How is it trying to do that? What does the bill do?

Number one, it asks the two agencies to work together. Someone please tell me how that is a bad thing—and a cancer of all things—on this Nation.

It then requires the two agencies to actually try and figure out if there is a problem—to ask them to identify a problem before they come up with a solution. Again, I think this makes a good bit of sense. The questions that we require them to ask in this bill are pretty simple: Are investors being systematically harmed? Would new rules limit people's access to investment advice? What are the costs and benefits of the rule?

How is this controversial? And I would suggest to you, Mr. Speaker, that it is not. That is the reason that it came out of committee on a bipartisan basis, the reason it is going to pass today on a bipartisan basis, and the reason that it has the bipartisan basis that it does in the Senate.

Too often I think we get sidetracked by coming in here and giving big speeches, and perhaps sometimes I am as guilty of that as anybody else. But today we have completely lost sight of why we are here. I hope we can come together and pass this bill this afternoon.

Ms. WATERS. I yield myself such time as I may consume.

Mr. Speaker and Members, H.R. 2374 is yet another attempt by Republicans to prevent our regulators from doing their job, this time protecting the average retail investor when they try to save for retirement.

Under this bill, the Securities and Exchange Commission would have to navigate new obstacles to harmonize the standard of care broker-dealers and investment advisers have when providing investment advice. The Department of Labor would have to wait possibly forever to update its rules protecting 401(k) and IRA plan participants.

H.R. 2374's restrictions put additional work in the way, stopping brokers from SEP dealing when selling investment products to Main Street.

Several studies have demonstrated that Americans do not understand that a broker does not necessarily have the investor's best interest when pushing financial products. The line between advisers and brokers has blurred over the last few decades, and this bill makes it harder to bring clarity for investments.

Mr. Speaker and Members, this administration has taken a strong stand against this bill. Let me read to you from the letter that they have sent to us, and I would like to offer this for the RECORD:

> The administration strongly opposes passage of H.R. 2374 because it would derail important rulemakings under way at the Securities and Exchange Commission and the Department of Labor that are critical to protecting Americans' hard-earned savings and preserving their retirement security.

They further say:

> H.R. 2374 prohibits Labor from issuing a rule to protect investors until the SEC engages in and completes further study of the effect of a rulemaking on retail investors.

Of course, there is a lot said here, but I think this says it all:

> The bill would hinder efforts to protect consumers from conflicts of interest among brokers, dealers, financial advisers, and others whose incentives may be misaligned with investors, potentially leading to deceptive and abusive practices.
>
> The administration is committed to ensuring that American workers and retirees are able to receive advice about how to invest their money in safe, secure, and transparent financial products that is free from harmful conflicts of interest.

Mr. Speaker and Members, I would just bring this to your attention: the Department of Labor is working to protect investors. My friends on the opposite side of the aisle are working to protect broker-dealers who may not have the best interest of these small individuals who want to invest, who want to earn money for retirement.

My friends on the opposite side of the aisle are putting all of this energy out to protect them no matter if they may be in a conflict of interest with those

who are simply trying to save for retirement.

I have watched as we have been through the subprime meltdown in this country. People lose money in their 401(k)s. I have watched people lose money in their IRAs. I have watched single women in their 60s losing their entire investment retirement savings who can't go back to work because they are too old—they can't find a job.

Whose side are we on? Are we on the side of broker-dealers who will have no fiduciary responsibility, who can tell you any old thing, direct you any old place? They get higher commissions and the people lose money. Whose side are we on? Why are we here in the Congress of the United States of America, voted on by our constituents to come here to advocate for their best interest?

The gentlelady from Missouri talked about what a hard time families are having. She is right. Families are having a hard time. I want to tell you, families are having a hard time even when my friends on the opposite side of the aisle would deny them food stamps when they lose their jobs, even when they stand here in the Congress of the United States and support sequestration that denied that family the ability to send their child to Head Start. They don't have money for fancy early childhood education. Head Start is all they have, but they are losing the ability to do that because my friends on the opposite side of the aisle support cutting back every agency.

My friends on the opposite side of the aisle can't care about families in the way that they say they do because they shut down this government and they caused families to lose money to stay at home, to not know when they were going to get paid, or how to pay their bills. Not only did they harm these families; they harmed many of our agencies that are trying to help the families. I could go on and on and on.

But let me say that consumer protection is advocated by some organizations we are all familiar with: AARP, AAUW, AFL–CIO, AFSCME, Alliance for Retired Americans, Americans for Financial Reform, the Association of BellTell Retirees, on and on and on. These are the people who protect consumers.

I will submit this for the RECORD.

I yield back the balance of my time.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, October 28, 2013.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2374—RETAIL INVESTOR PROTECTION ACT

(Rep. Wagner, R–MO, and Rep. Murphy, D–FL)

The Administration strongly opposes passage of H.R. 2374 because it would derail important rulemakings underway at the Securities Exchange Commission (SEC) and the Department of Labor that are critical to protecting Americans' hard-earned savings and preserving their retirement security.

H.R. 2374 prohibits Labor from issuing a rule to protect investors until the SEC engages in and completes further study of the effect of a rulemaking on retail investors. The bill ignores the fact that significant work has already been conducted in both agencies and that the agencies have included and continue to include the public, industry, and numerous stakeholders in their rulemaking processes. Moreover, the two agencies are already working closely to avoid conflicting requirements for the regulated community, and this legislation would hamper effective coordination between the two agencies. The bill would hinder efforts to protect consumers from conflicts of interest among brokers, dealers, financial advisors, and others whose incentives may be misaligned with investors, potentially leading to deceptive and abusive practices.

The Administration is committed to ensuring that American workers and retirees are able to receive advice about how to invest their money in safe, secure, and transparent financial products that is free from harmful conflicts of interest. These ongoing rulemakings are designed to protect trillions of dollars in retirement savings of millions of workers and retirees by ensuring that paid advisors and other entities do not place their own financial interests over those of their customers. This legislation would place an unnecessary obstacle in the way of these efforts to prevent such harmful conflicts of interest, which hurt businesses, consumers, and retirees and their families.

If the President were presented with H.R. 2374, his senior advisors would recommend that he veto the bill.

GROUPS IN OPPOSITION TO H.R. 2374

1. AARP
2. AAUW
3. AFL–CIO
4. AFSCME
5. Alliance For Retired Americans
6. Americans for Financial Reform (AFR)-w/over 200 signatories
7. The Association of BellTell Retirees, Inc.
8. Certified Financial Planner Board (CFP)
9. Consumer Federation of America
10. Financial Planning Association
11. Fund Democracy
12. Investment Advisor Association (IAA)
13. National Council of La RAZA
14. The National Association of Personal Financial Advisors (NAPFA)
15. The National Association of Professional Geriatric Care Managers
16. North American Securities Administrators Association (NASAA)
17. OWL-The Voice of Midlife and Older Women
18. Pensions Rights Center
19. ProtectSeniors.org
20. Public Citizen
21. Wider Opportunities for Women

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

Mr. Speaker, I must admit in the time that I have served as a Member of Congress, I have noticed the more shrill the debate the less defensible the position. As I have listened closely to what appears to be a very shrill debate, it certainly buttresses that position.

I hear my friends talk about us on the other side of the aisle. I have heard the phrase ''my friends on the other side of the aisle'' consistently. But I would say perhaps the debate has to be between my friends on that side of the aisle, since the ranking member well knows that half—half—of her caucus on the Financial Services Committee supported this bill by the gentlelady of Missouri. As was pointed out earlier, it is not only bipartisan; it is also bicameral.

I am sitting here, Mr. Speaker, with a letter signed by no fewer than 10—10 Democratic Senators imploring that the very same provisions of the Wagner bill be enforced: JON TESTER, MARK WARNER, CLAIRE MCCASKILL, KAY HAGAN, and the list goes on and on. I would say to my friends on that side of the aisle, perhaps they ought to finish the debate amongst themselves before they carry it on over here.

Then, again, we all know that people are entitled to their own opinions; they are not entitled to their own facts. There have been a number of misstatements of facts from my friends on that side of the aisle, particularly that broker-dealers have no standard whatsoever in disclosing conflicts of interest; but that is not true. Within the antifraud provisions, sections 9, 10, 15(c)(1) and (2), it prohibits misstatements, misleading omissions of material facts; and, indeed, broker-dealers must fully disclose any conflicts of interest, yet another huge section of debate that was totally misleading and false by friends on that side of the aisle.

□ 1600

And I must admit, it is a very disappointing debate; but, it is in some respects illuminating to see the cynical position of those who simply believe that everyone appears to be a crook unless you are a government worker. The phrase ''cancer of self-interest'' is working mothers have a self-interest to invest in their children's education. If the guy at the Pepsi bottling plant that I represent is trying to invest so he can buy a home and put a roof over his family's head, that is the cancer of self-interest?

All we are trying to do here is preserve investment advice and investment opportunities for working Americans, and I would encourage all Members, all Members of this body, to vote for the Wagner bill.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Speaker, as the Chairman of the Appropriations Subcommittee on Financial Services and General Government, my Subcommittee directly oversees the Securities and Exchange Commission's budget. And since 2001 the SEC's budget has increased by over 200 percent . . . this is a larger increase than almost any other agency in our government.

As the agency tasked with protecting investors and ensuring fair and orderly capital markets, you would think they would carefully coordinate with all agencies involved to ensure much needed certainty and to provide clear guidance to a trillion dollar industry. However, this again is not the case and we are here today to ensure that the SEC and the Department of Labor coordinate and work in a systematic manner to avoid investor confusion, regulatory conflict, and decrease costs for retail investors.

This is why I rise today to put my support for H.R. 2374, the "Retail Investor Protection Act."—common sense legislation, requiring the

SEC complete a rulemaking on standards of care governing broker dealers and investment advisers before the Department of Labor finalizes their rule redefining the definition of a person providing investment advice under the Employee Retirement Income Security Act. Plain and simple, ensuring collaboration between the two agencies that are trying to reach the same goal.

In addition H.R. 2374 requires that before the SEC writes one new rules on expanding fiduciary standards, they need to identify whether investors are being harmed under current standards of care. We all need to remember what's at stake here. American families invest trillions of dollars in IRAs and through mutual funds, stocks, and bonds. The Retail Investor Protection Act will ensure that federal regulators will not lose focus on the impact these rules could have on retail investors and must consider all other options first, before moving forward with broad new regulatory mandates.

The lack of regulatory coordination between these two financial regulators does not provide a cohesive landscape for investors and will be difficult for service providers to follow. These rules affect the lives of many and have profound and far reaching effects on our economy. The SEC itself has acknowledged that the costs of this action could "ultimately be passed on to retail investors in the form of higher fees or lost access to services and products.

We in Congress have an obligation to amend or fix provisions whose costs outweigh purported benefits. Therefore, as we move forward with the fiscal year 2014 budget in my Appropriations Subcommittee I plan to address with Chairwoman White whether a more thorough economic analysis of these rules are needed to ensure the SEC does not harm families who are investing to build up their retirement or to save for college—the very investors the SEC is supposed to protect. I urge my colleagues to vote in favor of H.R. 2374.

Mr. VAN HOLLEN. Mr. Speaker, I am an advocate for consumer choice and appreciate the value of a variety of different business models in a competitive financial services marketplace. I also support full transparency regarding compensation arrangements and believe investors have a right to recommendations based on their best interests when receiving investment advice from financial services professionals.

Consistent with these principles, the Securities and Exchange Commission (SEC) and the Department of Labor (DOL) are currently in the process of coordinating a harmonized "fiduciary" standard of care for financial services professionals offering investment advice to their clients. Rather than allowing the SEC and the DOL to complete their work, today's legislation would prejudge the outcome of the ongoing rulemakings and have the practical effect of delaying implementation of final harmonized rules to protect consumers' retirement savings from conflict of interests and potentially deceptive or abusive practices.

Accordingly, I urge a "no" vote.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 5, strike "After" and insert "(a) IN GENERAL.—Except as provided in subsection (b), after".

Page 1, after line 14, insert the following:

(b) EXCEPTION.—

(1) IN GENERAL.—The Secretary of Labor may issue a rule that—

(A) establishes standards of care to improve investment advice provided to participants and beneficiaries under the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.);

(B) requires that personalized investment advice is provided in a fiduciary capacity that is in the best interests of such participants and beneficiaries;

(C) requires that, before receiving investment advice, the compensation of investment advisors and financial service providers is clearly disclosed to such participants and beneficiaries; and

(D) satisfies the requirements of paragraph (3).

(2) PROCESS.—The Secretary of Labor may issue a rule pursuant to paragraph (1)—

(A) after coordination and consultation with the Securities and Exchange Commission; and

(B) after considering surveys and data on investment education and investment advice.

(3) PARTICIPANT INVESTMENT EDUCATION; APPRAISALS.—The rule issued pursuant to paragraph (1) shall provide standards of conduct for—

(A) participant investment education;

(B) access to reliable investment education and investment advice to traditionally underserved communities;

(C) reasonable compensation for investment advisors and financial service providers; and

(D) fair market value appraisals of stock held by employee stock ownership plans to employers, participants, and beneficiaries under the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

At the end of the bill, insert the following:

SEC. 4. REPORTS ON THE IMPACT OF PRACTICES OF PERSONS WHO PROVIDE INVESTMENT ADVICE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Labor shall report to Congress on how certain practices of persons who provide investment advice affect the standard of care exercised in relation to investors.

(b) REPORT REQUIREMENTS.—Such report shall—

(1) describe how the structure of compensation for persons who provide investment advice affects the standard of care exercised by such persons, including—

(A) practices involving fees paid from investment vehicles to such persons; and

(B) other forms of compensation paid to such persons that are not dependent upon the investor's return;

(2) compare the standards of care exercised by persons who provide investment advice to low-income and middle-class investors with the standards of care exercised by persons who provide investment advice to high-income investors, and the effect such standards of care have on the investment vehicles selected by investors; and

(3) evaluate the extent to which the standard of care used by persons who provide investment advice affects the adequacy of investment returns to provide for retirement for investors.

The SPEAKER pro tempore. Pursuant to House Resolution 391, the gentleman from California (Mr. GEORGE MILLER) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the amendment that I am offering along with Mr. CONYERS is the way H.R. 2374 should have been drafted. Instead of short-circuiting the regulatory process on behalf of Wall Street profits, this represents the appropriate and balanced way forward to advise the Department of Labor in their current rulemaking on investment advice.

First, Congress should not be in the business of shutting down any and all efforts by the Department of Labor to make rules for fiduciaries. The fiduciary rule is the cornerstone of pension law. It is what makes sure that, when you hand your money over to someone else to invest it for you, they are going to act in your best interest. Stopping any and all regulatory action to ensure that people's retirement nest eggs are protected is irresponsible. My amendment would allow the Department to proceed.

At the same time, it addresses concerns that have been raised with the Department of Labor's proposed rules. Under my amendment, Congress would send a message to the Department of Labor that we want investors protected, not Wall Street brokers or advisers trying to protect their gravy train.

This amendment makes it clear that the Department may proceed with better protections for retirement investors in a way that provides for unbiased investment education, ensures that underserved communities are not unduly harmed by basic financial protections for investors, ensures reasonable competition to advisers, and protects employee stock ownership plan appraisals.

We want investment advice to be provided in consumers' best interests, not in whatever way makes advisers and brokers the most money.

Studies show that most Americans who save think their investment advisers are acting in their best interests. In fact, AARP found that overwhelming majorities of consumers thought all advisers were required to act in their best interests. But, in fact, they are not, under the current law. They are not required to disclose that they have a conflict of interest.

With poll after poll showing that most Americans are worried about their retirement, they should have the confidence that their investment adviser is working in their best interest, and not conflicted in the advice he gives that person because he may receive additional fees or higher commissions because of recommending a product that is not in their best interest.

This amendment is a no-brainer. It supports consumers and their retirement savings. It supports unbiased investment education. It supports reasonable compensation for advisers for

the important duties they perform. This is a proper and balanced way forward. I urge my colleagues to support the Miller-Conyers amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 10 minutes.

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

Again, I urge opposition to this amendment which would absolutely eviscerate this bill that we are considering now from the gentlelady from Missouri.

Number one, we have speaker after speaker who come up and seem to ignore the fact that broker-dealers already are subject to a suitability standard, including antifraud provisions that prohibit misstatements, misleading omissions of material facts, and fraudulent and manipulative acts and practices in connection with the purchase and sale of securities. They have a duty of fair dealing, which include the duty to execute orders promptly, disclose certain material information that the customer would consider important as an investor, charge prices reasonably related to the prevailing market, and fully disclose any conflict of interest.

I could go on and on.

The proponents of this amendment, as speakers before them, seemed to ignore this set of facts. And so again, it is interesting to me how the American people are demanding that their Congress work on a bipartisan basis; and so out of our committee, the Financial Services Committee, we have gone above and beyond the call of duty, and now we have a bill that has been supported by half of the Democratic members of the Financial Services Committee. And I just read a letter where 10 Democratic U.S. Senators are urging the exact same language as the Wagner bill and, thus, oppose the Miller amendment.

So, again, Mr. Speaker, I urge the proponent of the amendment to first have the debate with his own Caucus, and then we can have a fuller, richer debate on the floor.

What is really happening here is that all we are doing is saying to the Securities and Exchange Commission and the Department of Labor that this is an economy that is being crushed—crushed—by a red tape burden, that at least justify it. Make sure that the person you claimed you are going to protect, that you actually protect; and instead, we, quite honestly, fear they will not be protected, that instead they will be harmed, that all of a sudden, people who have access to $7 trades won't have access to them.

Now, again, for the affluent, that is no big deal, but for working mothers struggling to make ends meet, it is a very big deal.

To be denied the opportunity to open up an IRA with $2,000? No, I think now Congress has deigned that the Department of Labor can institute a fiduciary standard, and now you are going to need $25,000. Well, what the heck, let's make it $50,000. And so the very people they claim they want to protect very well could be harmed by this standard.

We understand the talk, but where is the proof? Where is the proof? Because what is going to happen if this fiduciary standard is imposed? All of a sudden investment advice that working Americans count on is either going to disappear or become far more expensive.

So, again, maybe it helps the trial lawyer; maybe it helps the labor union bosses; but it doesn't help the working mothers. It doesn't help the struggling fathers. It doesn't help low- and moderate-income people struggling in this economy where tens of millions remain underemployed and unemployed under this administration's economic policies, and so I urge that we reject this amendment.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 15 seconds.

I just want to say that it is an interesting concept that the only way the investment community can continue to survive and offer advice is if they can have the right to have conflicted advice—conflicted advice—be protected by the law, as opposed to representing the person that they are taking the money from to invest.

I now yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), coauthor of the amendment.

Mr. CONYERS. Mr. Speaker, I want to thank GEORGE MILLER for the work he has done, along with the ranking member of the Financial Services Committee.

The Miller-Conyers amendment simply encourages the Department of Labor to issue a rule that requires investment advisers to provide advice in a fiduciary capacity and protect access to investment education, ensure reasonable compensation to advisers, and ensure the availability of ESOP appraisals.

This is what we are seeking so badly, and this is the comment that has been made about the inaccurate drafting of the bill. The Department of Labor should issue a proposed rule that seeks to protect workers, provide access to investment education, and ensure that advisers are reasonably paid.

Under current rules, investment advisers may hold themselves out as acting in workers' best interests even though they are not. I repeat: under current rules, investment advisers may hold themselves out as acting in workers' best interests even though they are not.

Workers in these types of plans often are required to choose between dozens of investment choices and need the advice on their investment options from people who do not have secret conflicts. Over 70 million workers and retirees depend upon 401(k) retirement plans and IRAs for their retirement savings. If there is any hope for this measure at all, H.R. 2374, it would have to have this amendment on it. I plead with those who enthusiastically support this measure to please support this amendment.

Mr. HENSARLING. Mr. Speaker, I am now pleased to yield 3 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the author of the Retail Investor Protection Act.

Mrs. WAGNER. Mr. Speaker, I rise in opposition to the amendment. The language of the amendment attempts to sound benign, but its inclusion would undermine a key tenet of the legislation, which is a requirement that the Department of Labor wait for the SEC to finish any rulemaking in this area.

It has been noted time and time again by Chairman HENSARLING and others that 10 Democratic Senators recently sent a letter to the Office of Management and Budget requesting that Labor wait on the SEC. So there seems to be bipartisan and, as we have stated before, bicameral consensus for the process here.

I also must say that I find some of the terms in the amendment particularly troubling. The amendment would allow the Department of Labor to define what constitutes a ''financial services provider,'' a term that I believe is broad and which I am not sure the Department of Labor has either the expertise or the jurisdiction to rule upon.

Paragraph 3 of the amendment also states that the Department of Labor's rules should provide for ''reasonable compensation'' within the industry. I, for one, do not believe that it is up to the Federal Government to determine what constitutes reasonable compensation. That is a determination that belongs to consumers and to investors who I believe are more than capable of determining for themselves what is reasonable.

The Retail Investor Protection Act would require that Federal agencies act in the best interest of all investors and would go a long way towards preserving access to financial services for Americans of all income levels. This, Mr. Speaker, is about access. It is about availability. It is about affordability for hardworking American families and investors.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, my friend, the chairman from Texas, asked, I think, a couple of very important questions about this amendment, and he really points out why I support it. First, he asked: Where is the proof that American pensioners have suffered because of conflicted investment advice?

□ 1615

Mr. Speaker, we can all look to the Government Accountability Office, which looked at that very question a few years ago, at Mr. MILLER's request and mine and several others, and found that upwards of 27 percent of people's accounts evaporated because of high fees in plans in which they put their money in defined contribution accounts. That is pretty significant proof.

As I said earlier on the floor, they could look to the opinion of someone who is not political at all, I think, someone who is an expert in this field, Jack Bogle, from Vanguard, who uses the number 30 percent in unnecessary fees that have gone up here. Proof is ample that many Americans have rather paltry retirement accounts because of the very high fees that they are paying.

Second, Mr. Speaker, the chairman talked about the suitability standard under the securities law. That is kind of the point. The suitability standard is not a fiduciary standard. The suitability standard assumes an arm's-length transaction between people of equal or similar competence, where it is every investor for him- or herself.

The pension situation is very different. This is a situation where someone is driving a bus or building houses or teaching school or working in a software company, and that is what they do. They don't do investment all the time. So when they turn to someone for advice, they are assuming that that someone is on their side, that the advice that someone is giving them is in their best interests. That is the very nature of a fiduciary relationship.

So I think the questions that were raised point out the reasons to support Mr. MILLER's amendment. There is ample evidence of harm that has been done to America's investors; and, secondly, the suitability standard is wholly insufficient to protect the interests of those investors.

For those reasons, I urge a ''yes'' vote on this amendment, and a ''no'' vote on the bill.

Mr. HENSARLING. Mr. Speaker, may I inquire as to how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Texas has 4 minutes remaining, and the gentleman from California has 1¾ minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. Mr. Speaker, I thank the chairman for yielding me time.

How you ended your comments was, Let's move this bipartisan amendment to this bill, and what I was trying to do in a bipartisan manner was to ask the question: Is simply what you are trying to do is to require that investment advisers, that they would have to have, you are saying, a fiduciary duty going forward? That is what you are trying to do to add to this bill? I heard you say that, and I heard Mr. MILLER say that. That was my question to you.

You said it once. Mr. MILLER said it twice. I made a note of it each time. That is my question. That is what you basically want us to do. You want us to make it the law that an investment adviser would have to have a fiduciary standard to do in the best interest, if you will?

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. GARRETT. I yield to the gentleman.

Mr. GEORGE MILLER of California. Do I believe that advisers have a fiduciary relationship to the people that they are taking money from to invest? I do. I think the law should reflect that, absolutely.

Mr. GARRETT. Earlier I said that I often wonder whether people who come to the floor to oppose some of our bills ever actually read the bill.

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

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

Mr. GARRETT. Now I am going to go a step further. I wonder whether the people who oppose this bill actually know what the law is.

The law is and has been for decades that, if you are an investment adviser, you already have a fiduciary standard with regard to your client. That is the current law. Already the investment adviser, going through an ERISA plan, has a fiduciary standard. I think what you are talking about is a broker-dealer.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. GARRETT. I yield to the gentleman.

Mr. GEORGE MILLER of California. That is what the amendment addresses.

Mr. GARRETT. Exactly. That is why I asked both of you twice what you said. What you said on the floor and what you just said a moment ago is, you were talking about broker-dealers, but you said it was investment advisers. It just points out, Mr. Speaker, that they come to the floor with absolutely no understanding of what the law is.

Once again, we encourage the bill to go unamended.

The SPEAKER pro tempore. Members are again reminded to direct their remarks to the Chair.

Mr. GEORGE MILLER of California. Mr. Speaker, does the gentleman from Texas have additional speakers?

Mr. HENSARLING. I have no further speakers, Mr. Speaker, and I believe I have the right to close.

Mr. GEORGE MILLER of California. Mr. Speaker, let me get this straight. You can talk about the advisers having a fiduciary responsibility and obligation under the law, but then you can have the broker-dealers come in and close the deal, and they can provide conflicted advice and, in fact, conflicted products—in the best interest of this retired individual who is trying to invest their funds? Very clever.

But this comes from an industry where we saw the banks sell a tranche of mortgages to their best friends and customers and then immediately bid against the success of that tranche of mortgages. So conflicted advice can be very profitable. They worked it to a fare-thee-well among the big players.

Now you come in with your $100,000, your $80,000, your retirement funds, and you want to make an investment and you want some advice and you want to talk to a broker, and the broker says, Oh, yes, we have exactly the product for you. In fact, he or she has been told to sell this product, even though it is not the best-performing product, it may not be a match for this couple, but it has the highest commissions for the firm and for the broker. That is what they do.

What you are suggesting is that should be written into the law, that conflict of interest, and you talk about all the terrible things that happen. But when the adviser fiduciary study was done in 2013, 68 percent said the fiduciary—this is of the investment industry—68 percent said the fiduciary standard will not reduce products or services; 79 percent said it does not cost more to work as a fiduciary; and 65 percent said the fiduciary standard will not price investors out of the market. So the industry says that, but you have a whole theory how this is doomsday for the small investor. It is just not so.

What you are doing is protecting the right of brokers to give you conflicted advice about the investment of your money, and they knowingly do it. You are saying that the industry cannot continue unless they are allowed to continue to give conflicted advice. That is why we have conflict of interest laws, because we don't allow people to do this when they have a responsibility.

We should vote for this amendment and vote against the bill.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The gentleman from Texas has 2½ minutes remaining.

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

I think the audio system on the House floor is working quite well, and so I continue to be somewhat amazed by the number of speakers who get up and claim that broker-dealers can engage in conflicts of interest.

Again, I will give the citation for the duty to disclose conflicts of interest, FINRA's Suitability Rule 2111. I would encourage those who haven't read it to actually read it so that we can actually have facts on the House floor.

Mr. Speaker, what is truly radical here is the proponents of this amendment trying to upset 80 years of settled law, without any evidence that is compelling, to somehow believe that all of a sudden we are going to help a universe of people, who most of us believe, including half of the Democrats on the

Financial Services Committee, instead will be hurt, including a number of prominent Democratic senators who believe they will be hurt, these working moms and pops trying to provide for their family, trying to manage their nest eggs, having a new standard forced upon people they rely on. So all of a sudden, that investment advice is either going to get more expensive, it is going to disappear. All of a sudden, IRAs for working moms at prices they can afford will disappear all because we hear rhetoric about Wall Street.

Well, I don't think I have had any letters of endorsement from anybody on Wall Street. We can talk about something else that is not applicable. Perhaps we can talk about ObamaCare. I am always happy to have that discussion once again.

Again, this is a bipartisan bill. All we are trying to do is ensure, if 80 years of settled law that has helped working families is about to be upset, then we better have proof it is going to help the people that it claims to help. The amendment from the gentleman from California would totally eviscerate that.

I urge opposition, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 2374 is postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 4 o'clock and 25 minutes p.m.), the House stood in recess.

□ 1637

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 4 o'clock and 37 minutes p.m.

RETAIL INVESTOR PROTECTION ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 2374 will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the amendment offered by the gentleman from California will be followed by 5-minute votes on a motion to recommit, if ordered, and passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 174, nays 243, not voting 13, as follows:

[Roll No. 565]

YEAS—174

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

NAYS—243

Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallego
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
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
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 (IN)

NOT VOTING—13

Aderholt
Campbell
Cooper
Diaz-Balart
Grayson
Herrera Beutler
Kaptur
McCarthy (NY)
Rogers (MI)
Ros-Lehtinen
Rush
Sanford
Wasserman Schultz

□ 1706

Messrs. FRELINGHUYSEN, STIVERS, ROSKAM, RODNEY DAVIS of Illinois, REED, RIGELL, GARY G. MILLER of California, HUNTER, CAMP, and ROKITA changed their vote from ''yea'' to ''nay.''

Messrs. HORSFORD, LEVIN, Ms. MOORE, and Ms. JACKSON LEE changed their vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

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

MOTION TO RECOMMIT

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

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

Mr. TIERNEY. I am opposed to it in its current form.

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

The Clerk read as follows:

Mr. Tierney moves to recommit the bill H.R. 2374 to the Committee on Education and the Workforce and the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new section:

SEC. 4. PROTECTING RETIREMENT SAVINGS FROM INVESTMENT FRAUD.

Nothing in this Act shall limit the authority of the Secretary of Labor to issue regulations to—

(1) prevent fraud in regard to pensions, 401k plans, and other retirement savings accounts of seniors, veterans, and other American workers;

(2) require that financial service providers, when advising employers or employees about pensions, 401k plans, or other retirement savings accounts, clearly disclose any fees or other charges; or

(3) promote investment education and sound financial advice to employers and employees with regards to pensions, 401k plans, and other retirement savings accounts.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TIERNEY. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill. It will not send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, over 70 million Americans and their families depend on 401(k)s and similar retirement plans for their retirement security. Veterans, seniors, and middle class workers and families in my district in Massachusetts—in fact, in those districts of all of my colleagues—are concerned about their pensions, 401(k) plans, and retirement savings.

A retired worker from Danvers, Massachusetts, in my district, recently called my office and shared concerns about her pension. She believed it is at risk, and she has no other means of income.

That constituent of mine shares the same situation as do many across this country, believing that their retirement is at risk and that they have no other means of income. Millions of Americans are worried that they won't have adequate resources to retire with dignity after decades of work, and those who are retired, like that constituent from Danvers, feel that what they have won't last.

Retirement plans can also be subject to fraud and abuse. Last year, the Department of Labor recovered almost $1.3 billion that was misappropriated from retirement plans. It included over $800 million in prohibited transactions. The Department of Labor reportedly filed indictments against 117 persons for crimes related to employee benefit plans.

In 401(k) and similar plans, workers have to make investment decisions, and to do so, they need access to reliable investment advice.

The motion to recommit is straightforward. It simply states that the bill does not prohibit action from being taken on the following three things:

It does not prohibit the Secretary of Labor from using regulations to prevent fraud in regard to pensions, 401(k) plans, and other retirement savings accounts for seniors, veterans, and other Americans;

It does not prohibit the Secretary of Labor from using regulations to require the disclosure of any fees so as to promote transparency and accountability;

It would promote investment education and sound financial advice.

Veterans, seniors, and the over 70 million investors who depend on 401(k)s and IRAs for their future security deserve to know that these kinds of responsible actions can be taken on their behalf. I think everyone here agrees.

I ask my colleagues for their support of this motion to recommit, and I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I rise again in opposition. I don't even find how this is relevant to the underlying bill, the Retail Investor Protection Act. It simply says that it shouldn't prohibit something that apparently the Secretary of Labor already has the right to do. And given that the Obama administration has had a Secretary of Labor for 5 years, I suppose, if they already wanted to do what was the subject of the gentleman's MTR, they would have already done it. I suppose the gentleman certainly has a right, if he hasn't already done it, to introduce legislation.

Again, Mr. Speaker, it is simply irrelevant. There are lots of things that the Retail Investor Protection Act does not prohibit.

□ 1715

It does not prohibit the Secretary of State from holding somebody accountable for the tragedy in Benghazi, when there were 29 systemic failures and four dead.

There is nothing in the underlying bill that prohibits the Secretary of the Treasury from holding somebody accountable at the Internal Revenue Service for targeting Americans for exercising their First Amendment rights.

There is nothing in the bill that prohibits the Secretary of HHS from holding somebody accountable for the ObamaCare Web site, which was 3½ years in the making for a half a billion dollars and still crashed.

There is nothing in the bill that prohibits the Secretary of Housing and Urban Development from holding somebody responsible at the Federal Housing Administration for receiving its first-ever taxpayer bailout and being in violation of the law for almost 5 straight years for failing to adhere to its statutory minimum capital standards.

No, there are a lot of things that this bill doesn't prohibit, but let me tell you what the bill does, Mr. Speaker.

The Retail Investor Protection Act, sponsored by the gentlelady from Missouri (Mrs. WAGNER), requires the Department of Labor and the Securities and Exchange Commission to coordinate a rulemaking. I know that is a radical departure for many, but, yes, they should coordinate a rulemaking.

Then we actually require justification. If you are going to pass a rule that you claim is going to help retail investors, then actually help them.

On a more fundamental level—and it is why we should oppose the motion to recommit—the bill preserves that $7 online trade for the working mom who is trying to send a child to college. It preserves the $2,000 startup IRA for somebody who has worked 20 years at Walmart and is trying to have a retirement savings. It allows low-cost access to ideas and products to people who want to manage their own investments so they can finally buy their own homes.

Mr. Speaker, it does it all on a bipartisan basis because half of the Democrats on the Financial Services Committee supported this commonsense legislation. I would urge all of them now and the entirety of the House to vote down the motion to recommit and to vote in favor of retail investors and to vote ''aye'' on the Retail Investor Protection Act.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 195, noes 223, not voting 12, as follows:

[Roll No. 566]

AYES—195

Andrews	Capps	Costa
Barber	Capuano	Courtney
Barrow (GA)	Cárdenas	Crowley
Bass	Carney	Cuellar
Beatty	Carson (IN)	Cummings
Becerra	Cartwright	Davis (CA)
Bera (CA)	Castor (FL)	Davis, Danny
Bishop (GA)	Castro (TX)	DeFazio
Bishop (NY)	Chu	DeGette
Blumenauer	Cicilline	Delaney
Bonamici	Clarke	DeLauro
Brady (PA)	Clay	DelBene
Braley (IA)	Cleaver	Deutch
Brown (FL)	Clyburn	Dingell
Brownley (CA)	Cohen	Doggett
Bustos	Connolly	Doyle
Butterfield	Conyers	Duckworth

Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
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
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
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—223

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
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)
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
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
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 (IN)

NOT VOTING—12

Aderholt
Campbell
Cooper
Grayson
Herrera Beutler
Jenkins
McCarthy (NY)
Pelosi
Rush
Sanford
Van Hollen
Wasserman Schultz

□ 1726

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 254, noes 166, not voting 10, as follows:

[Roll No. 567]

AYES—254

Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garcia
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)
Heck (WA)
Hensarling
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—166

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Garamendi
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

Schwartz	Swalwell (CA)	Veasey
Scott (VA)	Takano	Velázquez
Scott, David	Thompson (CA)	Visclosky
Serrano	Thompson (MS)	Walz
Sewell (AL)	Tierney	Waters
Shea-Porter	Titus	Watt
Sires	Tonko	Waxman
Slaughter	Tsongas	Welch
Smith (WA)	Van Hollen	Wilson (FL)
Speier	Vargas	Yarmuth

NOT VOTING—10

Aderholt	Herrera Beutler	Sanford
Campbell	McCarthy (NY)	Wasserman Schultz
Cooper	McKeon	
Grayson	Rush	

□ 1736

Messrs. PAYNE, ISRAEL, and BISHOP of Georgia changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES,
October 29, 2013.

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

DEAR SPEAKER BOEHNER: I write to inform you of my resignation from the Committee on Oversight and Government Reform. It was an honor to serve on this important committee and I remain committed to promoting a government that is transparent and accountable to the American people.

Sincerely,

MARK POCAN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 393

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mr. Pocan.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DISAPPROVAL RESOLUTION RELATING TO DEBT LIMIT INCREASE

Mr. YOUNG of Indiana. Mr. Speaker, pursuant to House Resolution 391 and section 1002(e) of the Continuing Appropriations Act, 2014, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Young of Indiana moves that the House proceed to consider House Joint Resolution 99.

The SPEAKER pro tempore. Pursuant to section 1002(e)(2)(B) of the Continuing Appropriations Act, 2014, the motion is not debatable.

The question is on the motion.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the title of the joint resolution.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 99

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves of the President's exercise of authority to suspend the debt limit, as exercised pursuant to the certification under section 1002(b) of the Continuing Appropriations Act, 2014.

The SPEAKER pro tempore. Pursuant to House Resolution 391 and section 1002(e)(2)(C) of the Continuing Appropriations Act, 2014, the joint resolution is considered as read, and the previous question is considered as ordered on the joint resolution to its passage without intervening motion, except 1 hour of debate, equally divided and controlled by the gentleman from Indiana (Mr. YOUNG) as the proponent and the gentleman from Michigan (Mr. LEVIN) as the opponent.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. YOUNG of Indiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the joint resolution under consideration.

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

There was no objection.

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

Some people may be wondering why we find ourselves here today. Some people may be confused as to why we are voting on a resolution to disapprove of the debt limit suspension 2 weeks after the fact. And some people may be asking why I introduced this resolution of disapproval on behalf of some people who voted ''yes'' and others who voted ''no'' to give the President the authority to suspend the debt limit.

The answers to these questions are much simpler than they might appear.

We are here today because the United States of America carries a debt load of over $17 trillion and counting.

We are voting on this resolution today because this is the procedure that was put in place by the Senate when they crafted a package to end the government shutdown. Many of us voted for that Senate legislation largely because we didn't think it was responsible to risk defaulting on our national debt.

However, I introduced this resolution, and a majority of House Members will vote to disapprove, because it is also not responsible to ignore the problems created by our long-term debt.

Mr. Speaker, despite the fact that a large number in this body voted to avoid default, it would be a gross mischaracterization to say that we approve of a debt limit suspension absent adoption of bold policy reforms that will set our Nation on a sustainable fiscal trajectory.

We must break the habit of negotiating these fiscal deals at the last minute. We must stop kicking the can down the road, proverbially skipping along from crisis to crisis.

Simply put: enough is enough. Let's start talking across party lines about how to fix our debt problems now, not the end of a deadline.

We know that programs like Medicare and Social Security are on unsustainable footing. That is why a Democratic President and Republican House have both offered up reforms for these programs. So if we agree there is a problem, why must we wait until the next crisis to address it?

We know that our Tax Code is outdated and that it has become too larded up with narrowly tailored provisions that benefit only a small number of special interests. That is why our House Ways and Means chairman has met weekly with the Senate Finance chairman to discuss how best to achieve a fairer, flatter Tax Code in a bipartisan way.

If there is agreement here, then why are we looking to self-imposed fiscal deadlines in hopes of getting a deal? I could go on and on, but I think the point is clear: Washington missed an opportunity during our most recent fiscal showdown.

This resolution sends a message that ignoring our problems does not make them go away. It sends a message that we should not wait until the last minute, but should reach across the aisle to face these challenges now; and it sends a message that we take these issues very seriously because they bear directly on job creation, personal income levels, and our collective faith in America's enduring exceptionalism.

I urge my colleagues to support this resolution of disapproval.

I reserve the balance of my time.

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

Just a short time ago, a number of us joined many others in paying tribute to Speaker Tom Foley. There was a commemoration ceremony just 100 feet or so from here.

There was a lot of discussion, appropriately, of the need for bipartisanship.

There was much reference to the role that Tom Foley played in that in trying to reach across the aisle.

Bob Michel, the former leader on the Republican side, spoke so eloquently as to how there was a level of trust and how there was an effort at bipartisanship.

□ 1745

I think what has happened in this House is that the increased polarization has really twisted this institution and has even, to some extent, twisted the ability to have close relationships. I say this because I think this resolution is not within that spirit.

It was only the week before last that 87 House Republicans joined 198 House Democrats to pull this Nation back from the brink of a default that would have magnified the economic damage inflicted by the Republican shutdown of this government. That was a bipartisan effort with leadership support from both sides of the aisle.

And I can understand why those who voted ''no'' on October 16 might vote ''yes'' on this bill in order to be consistent. And while I disagree with the policy, at least their vote would be consistent. I think the vote would be consistently wrong, but it would be consistent.

What is hard to understand is how anybody who voted ''yes'' on October 16 to avoid a default would now vote ''yes'' on this bill that would bring about a default. So you talk about the message. Essentially, the message of this bill is once again we will utilize the threat of default. That is what this bill says. When you vote for it, that is precisely what you are saying. So you are saying that serious impairment of our Nation's full faith and credit, which economists warned would plunge us back into recession, was a bad idea on Wednesday, 2 weeks ago, but doing so is a good idea on Wednesday, 2 weeks later, when we vote tomorrow. That is precisely what you are saying. That is your message. So the same person who voted one way then is soon going to vote the other way.

Let me just say why I think this is not within the spirit of an effort at bipartisanship that I referred to earlier and that I think is so important, and the lack of any effort at that has really twisted—I use that word—the strength of this institution.

Just a short time ago, a few weeks ago, as the Republicans took us to the brink of default, the minority leader on the Senate side said:

> There is no education in the second kick of a mule, and we are not going to do this again in connection with the debt ceiling or with a government shutdown.

That is precisely what this legislation says—precisely. It says—forget about the second kick of a mule. What it says is that you would do it again in connection with the debt ceiling. So that is your message. And you would do that; you would take us to the brink of default that, earlier this month, the Council of Economic Advisers estimated lost 120,000 jobs that would have been created in October and private forecasters estimated slowed fourth quarter GDP growth by between 0.2 and 0.6 percentage point.

So I think there is no escape from the inconsistency. There is no escape from essentially saying once again there is no real effort to reach across the aisle. There is no real effort to try to instill some belief that the two parties can work together. So that is a bad message, and I guess a lot of you think you can be inconsistent because it will never come up in the Senate. And it won't. But that doesn't take away the fact that there is an inconsistency here, I guess to try to cover some people's votes, to somehow minimize their impact.

But when it comes to the default of the full faith and credit of this country, there has to be something more important than providing us cover. We need to provide cover for the citizens of this country so that they are not vulnerable to playing with the default and the full faith and credit of this country.

So you shouldn't be bringing up this resolution. It will pass, I guess. There will be enough inconsistent votes, and it will go nowhere, but it sends the very, very wrong message.

I reserve the balance of my time.

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

I have so much respect for the longstanding service and distinguished tenure of my colleague on the other side of the aisle, and I just think that there is some clarification that is required in this body and for all who may be watching this evening's proceedings, so let me begin by reminding those who would review the record.

I am not sure I invoked the words ''Republican'' or ''Democrat'' in my opening comments. If I did, it certainly wasn't in a partisan nature. Instead, I extended a hand of friendship. I tried to actually increase trust and offered the hope that we might work together, we might actually work together to work on the very problems that caused me to run for office for the first time in 2010: the $17 trillion national debt that I know has grown to a great degree during the service of the good gentleman on the other side of the aisle who just spoke; the unsustainable entitlement programs that, when push comes to shove and we can no longer find the resources to fund them because people haven't made bold enough leadership decisions, those on the margins of society will be most adversely impacted.

I know these are issues that my good ranking member friend on the other side of the aisle cares about as much as I do. We have just not yet come together and found bipartisan solutions to these things.

Now, the continuing resolution vote that we passed, the package, if you will, the vote that we passed a few days ago, accomplished a few things. We indicated that the President could suspend the debt ceiling, but that move could be checked by votes of disapproval in the House and the Senate. So this was a process that was put into motion by that earlier bipartisan vote that occurred right here in this body.

It is true that it has been made clear over in the other Chamber, the Senate, that the leader there will never bring this bill up in the Senate. That has been made eminently clear. The risk of default is something that ought not be mentioned. We needn't spook the markets here. We will pay our bills in this country. That is something I have been proud to stand for ever since I have been in this body.

The continuing resolution package also indicated that, on February 8, the debt limit would be increased to reflect the borrowing that occurred during the debt limit suspension period, and then the Treasury would be given the ability to create additional headroom via so-called extraordinary measures after the debt limit was reinstated on February 8, 2014.

So that is the larger context here. It sounds to me very procedural, not particularly partisan. In fact, my hope was that this could be offered in the spirit of bipartisanship. This is a messaging bill.

There was an allusion during my good friend's comments to a message being sent as if that is somehow a negative thing. Now, most of the bills that are introduced in this body are introduced in part, at least, to offer a message to the broader American people, and we stand here and argue on behalf of the message that we are trying to drive home.

The message that I am trying to drive home is that these debt problems have lingered on too long and that to increase a debt limit, to suspend a debt limit, is certainly not to approve further borrowing in the future absent the sort of bold changes that, frankly, have not been enacted when my good friend has served many years in Congress. So that is the larger message here, and that is how I would respond.

Mr. Speaker, I yield 2 minutes to the distinguished freshman gentleman from Ohio (Mr. WENSTRUP), who has had a lot of life's experiences.

Mr. WENSTRUP. Mr. Speaker, during World War II, man, woman, young, old, rich, poor, everyone in this Nation pulled together to bring our country through a difficult time. It was a bipartisan effort, for sure. After the war, we cut spending and we were a Nation that went to work.

But I ask my colleagues today, as we continue to increase our spending and run up our debt: What is the limit? At what point do you finally say it is dangerous, it is dangerous for the future of America? Is there a limit? We can't keep going in this direction.

No one in this body wants America to default—that is not good for this country—but we need to be serious about

what we plan for the future of this country. People are always saying, ''Do it for the kids; do it for the kids.'' We do a lot for kids, and we can always do more for kids, but what about when those kids today are grown up and they are stuck with all this debt? What are we doing to them?

The Temptations, in the 1970s, had a song that said:

> Papa was a rolling stone. And when he died, all he left us was ''a loan.''

It was not a compliment. And if it was irresponsible in the 1970s, it is irresponsible today.

I spoke earlier about the Greatest Generation and the legacy they left. What is going to be our legacy? A legacy of nothing but debt?

Can you imagine the potential for opportunity in this country, for investment and for jobs, if we are serious and we are on a solvent course for the United States of America? And the sooner we go in that direction, the more we can do to help Americans that are in need.

It is about stability. It is about certainty for the United States of America.

Mr. LEVIN. Mr. Speaker, I yield myself 15 seconds.

The gentleman from Indiana mentioned about spooking the market—and Halloween is in a couple of days. Essentially, what this bill says is you would be willing to spook the market if you could. That is the wrong message.

I yield 3 minutes to the gentleman from New York (Mr. RANGEL), a veteran of these battles and a friend of Tom Foley's.

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

Mr. RANGEL. Mr. Speaker, whoever hired the Republican consultants on keeping the majority should be able to get their money back.

I had a thought just a few weeks ago that a small group in this House had such an obsession with the Affordable Care Act and such a dislike for the President that they were prepared not only to close the government, but to attack the integrity of the full faith and credit of the United States. The scorn and ridicule that this caused this Congress, Democrats and Republicans alike, because of this strategy to repeal a bill that already had been signed into law and approved by the United States Supreme Court, you would think that no one would want to go anywhere near that again.

But still, we have a bill before us that admittedly has already been rejected by the Senate because we want to remind the American people how totally irresponsible we have been in the past in not only causing our great country to lose $125 billion, not only the job loss, not only the pain and sacrifice that so many people have gone through because they weren't paid for the work that they were supposed to be doing, but to have the whole country call us irresponsible and to have people who loaned us money be uncertain as to our ability to pay it back, and then we want to revisit this with a bill that is destined to go nowhere.

□ 1800

I am a partisan Democrat, but I am more of a patriot, and I hate to see the Republican Party do this to itself because I really think that our country needs another party, not just a Democratic party. I know that individuals don't care about the national Republican reputation, but what has happened here is that the irresponsibility, the ridicule, the insanity of these strategies has gone beyond the Republican Party in the House. It has now infested part of our party, and people are talking about the Presidency in terms of ''bring on the clowns.''

This is embarrassing to all of us as Americans, and especially as lawmakers. This body wasn't created for us to send messages; it was created for us to pass laws.

Mr. YOUNG of Indiana. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. STUTZMAN), a hardworking colleague.

Mr. STUTZMAN. Mr. Speaker, I want to thank my friend from Indiana (Mr. YOUNG) for introducing this resolution.

This is about communicating with the American people. I am not quite sure what to say after the last speaker, who said he was a partisan Democrat, would not want to come together, both parties, to work together to find a problem to the $17 trillion of debt that we have. That seems to be more of the problem in Washington today—the fact that parties don't want to work together to find a problem to the threat to our children and our grandchildren.

Mr. YOUNG mentioned earlier that that was the reason that he ran for office—because of the $17 trillion of debt that at the time in 2010 was roughly closer to $13 trillion and has only exceeded that since we have been elected to office.

We are Americans first—not partisans, Americans—who believe that we need to pass on a better future for our children and our grandchildren and for future generations here in America. That is what is wrong with Washington: too many partisans.

I believe we have got to find solutions that are going to balance the budget, like Americans do across the country every day, whether it is filling up gas at the gas station or whether it is the book dues for the kids at school, health care costs, the cost of utilities.

People are trying to make ends meet. Instead, Washington is only making it harder, through partisanship, on the American people. Both parties, Republican and Democrat, have driven Washington $17 trillion in debt. For decades, Republicans and Democrats offered empty promises and cheap excuses, but our fiscal crisis cannot be ignored any more.

The national debt now exceeds our gross domestic product and saddles every American with a $53,000 share of Washington's red ink. The facts are very clear. Our current path is unsustainable. Although Medicare, Medicaid, and Social Security will grow dramatically over the next decade, recent budget debates between Congress and the White House have largely ignored these key drivers of the debt. So what is going to happen? Washington is going to continue to stumble from one crisis to the next. This is no way to run a country.

Madam Speaker, it is irresponsible to raise the debt ceiling without tackling the underlying spending problems of this crisis. Hoosiers don't expect Republicans and Democrats to agree on every proposal, but they do expect us to make the difficult choices to put us on a path of fiscal stability. Now is the time for both parties to break Washington's cycle of manufactured crises and pay down our debt.

I thank the gentleman for bringing this resolution to the floor of the House so we can discuss not only the spending problems, but what is the problem underlying the spending habits and the spending problems in Washington. Is it just ObamaCare, as the gentleman said previously? ObamaCare is part of the problem of our spending in Washington. Washington continues to look out for Washington interests and special interests rather than looking out for American interests.

Mr. YOUNG, thank you for bringing this important resolution. If there is anything that threatens our security, it is our national debt. The Chairman of the Joint Chiefs of Staff in 2011, Admiral Mike Mullen, said that this is the greatest threat to our national security.

The SPEAKER pro tempore (Ms. FOXX). The time of the gentleman has expired.

Mr. YOUNG of Indiana. Madam Speaker, I yield the gentleman an additional 1 minute.

Mr. STUTZMAN. I thank the gentleman.

As I mentioned, Admiral Mike Mullen, the Chairman of the Joint Chiefs of Staff in 2011, after the last debt ceiling discussion in July and August of 2011, said that the debt was the greatest threat to our national security.

Not only is it a threat to our ability to protect our country militarily, but it is an even greater threat to our country economically. Families are feeling the brunt day to day in the fact that salaries are not increasing, jobs are not being created. This is the fundamental crisis that our country is facing today, and we do need to talk about it, and we do need to share with one another here in Congress ideas and ways that we can tackle our debt problems.

Mr. YOUNG, thank you for this resolution. I proudly support it, and I am glad to work with anyone, Republican or Democrat, to tackle our debt problems.

Mr. LEVIN. Madam Speaker, it is now my pleasure to yield 3 minutes to

the gentleman from Illinois (DANNY K. DAVIS), a distinguished member of our committee.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I want to thank the ranking member for yielding.

I hope that we have learned from 3 weeks ago, and that we are not easing down the road to brinksmanship once again. Every American will pay another heavy price if some of our colleagues are able to again trigger another shutdown of the government.

I agree with President Obama that the full faith and credit of our country is not negotiable. If there are colleagues who are thinking about it, I would urge you not to do it. Don't create higher mortgage costs. Don't cause investors to lose on their retirement plans. Don't cause doctors and hospitals to wonder whether or not they are going to be paid for treating Medicare and Medicaid patients. Don't cause student loans to go up. Don't create anxiety for more than 10 million seniors who will be wondering whether or not they are going to get their Social Security checks. Don't create concern among veterans who will be wondering whether or not they are going to get their disability benefit checks.

Anybody that might be thinking about it, I would urge you not to do it. Don't attempt to hold the debt ceiling hostage. I would say, as it was said in the Book of Isaiah, Come and let us reason together, because if we don't, then the whole country will suffer. Come and let us find the way to work in a way that our problems can be dealt with. I believe that we can do it. It has been done before.

I thank the gentleman for yielding, and I end with: let's do it. Let's show the American people that we can work in a bipartisan way and solve the problems and meet the needs of the people of this country.

Mr. YOUNG of Indiana. Madam Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. HUELSKAMP), a distinguished colleague.

Mr. HUELSKAMP. Madam Speaker, I appreciate the efforts of my colleague from Indiana bringing this before the House for discussion.

The reality is, the staggering fact is that since the President's reelection through to the next debt limit vote, Washington will have added about $1 trillion to our national debt—in exchange for what? For no spending reductions, in exchange for maintaining the status quo.

This is not, as Democrats would argue, about paying our bills; it is about mortgaging our Nation's future. Not only must we vote ''yes'' on this resolution to disapprove of this culture of debt, but it is also time to bring long overdue transparency to the process.

As we approached the so-called ''default deadline,'' the White House press secretary told reporters that Secretary Lew did not say we risked default at midnight on October 17; only that we were likely to exhaust our borrowing authority that day. The press corps, as you might recall, responded in disbelief that their doomsday default clocks may actually be wrong. Let's be clear: we were not going to default.

Why do I say that? Ask the Vice President, who disappeared for a couple of weeks. It was the Vice President who went to China in August of 2011 and told the Chinese we would never default. Moody's said we were not going to default. The markets showed little volatility. They knew we would not default. Default was just a scare tactic to scare the American people, and we as elected Representatives had no access to the actual data to determine how much borrowing authority the Secretary and the administration had left. We were simply left to take Jack Lew's word for it. In the future, I believe we must require a fuller accounting of how extraordinary measures are used, reported, and are remaining by any administration. In the words of Ronald Reagan, we should ''trust, but verify.''

Madam Speaker, earlier this year, the President sent us a budget that never balances. In fact, he has done that now for 5 years straight. That means under his plan, time and time and time and time and time again, we would only add to our national debt and never pay it off.

A vote today to disapprove this debt limit increase may have little impact on the previous $17 trillion in debt or the next $600 billion in debt that we approved as a body a few weeks ago, but it does say three things:

It is time to end our culture of debt;

It is time to end the Washington status quo;

It is time to end the crisis of out-of-control spending and massive debt.

I appreciate my colleague's leadership on this matter.

Mr. LEVIN. Madam Speaker, it is now my pleasure to yield 1½ minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Madam Speaker, I want to thank my colleague for yielding time to me.

I rise in opposition to this resolution, but I am strongly in favor of the process that we are using to deal with the debt limit. There is a difference.

If this resolution to force an unprecedented default passes both this House and the Senate, the President can decide to sign it or not. Even if he doesn't sign it, Congress will have another opportunity to stop a debt ceiling raise.

This is a process that the Senate Republican leader, MITCH MCCONNELL, first suggested in 2011 and has been used in debt limit bills to avoid defaulting since. It is good enough to use right now, it has been good enough to use for 2 years, and it is good enough to help us avoid these manufactured crises on a permanent basis.

This is a process that helps us separate the true need for congressional intervention on the debt limit from those that are manufactured and motivated by politics. This is a process that works and helps us avoid unnecessary pain. We should never have a replay of the hostage-taking and brinksmanship that we recently went through to get to this point.

We know what we have to do, and we know we should not be playing games with the debt limit. That is why I offer a bill that would make this process permanent and keep this Nation fiscally solvent. Senators BOXER, SCHUMER, and HIRONO introduced this very same bill today in the Senate.

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

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

Mr. HONDA. I support this process, and I hope my colleagues will support my efforts to make it the permanent solution to the debt crisis.

I urge a ''no'' vote on the resolution, but I support this process that allows it.

□ 1815

Mr. YOUNG of Indiana. Madam Speaker, I yield 5 minutes to the gentleman from Arkansas (Mr. GRIFFIN), a distinguished member of the Ways and Means Committee and my friend and colleague.

Mr. GRIFFIN of Arkansas. Madam Speaker, I rise today in support of House Joint Resolution 99, offered by the gentleman from Indiana, my good friend and colleague on the House Ways and Means Committee.

And I want to be clear: this is not a resolution for default. This is an opportunity to talk about how we have got to, when raising the debt ceiling, deal with the underlying drivers of the debt.

History shows numerous instances in which spending cuts and reforms have been coupled with increases in the debt limit. This dates back to the inception of the debt ceiling limit in 1917. It also includes two instances during the 110th Congress when President Obama served in the Senate.

Further, in March 2006, then-Senator Obama voted against raising the debt limit. And we have heard some folks tonight talk about how they agree with President Obama. Well, let's listen to what he said in March 2006:

> Increasing America's debt weakens us domestically and internationally. Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.

Well, I also agreed with then-Senator, now President, Obama. And it is abundantly clear that no one is going to fail to raise the debt ceiling. No one is going to jeopardize our credit, but we must speak out on the failure to address the debt drivers.

In July 2008, then-Senator Obama said that adding $4 trillion to the national debt over 8 years was ''irresponsible'' and ''unpatriotic.'' I agree with what he said then.

Since he became President in 2009, President Obama has increased the

total Federal debt from $10.6 trillion to over $17 trillion. One has to wonder what then-Senator Obama would have to say about President Obama.

He has continually called for raising the debt ceiling during his Presidency without implementing any of the necessary reforms needed to get our Federal spending under control.

My focus has always been on working with anyone who is willing to find a real, long-term solution to Washington's spending addiction. This resolution shows the House is ready to start talking across party lines about how to fix our debt problems now, not at the next deadline.

Late last year, CNN reported that ''the United States spends about 71 cents of every Federal tax dollar it collects on what is called the Big 4—Medicare, Medicaid, Social Security, and interest on the debt.''

If nothing is done, in just 13 years the Big 4 could eat up every penny of tax revenue collected by the Federal Government, leaving nothing to pay for the discretionary spending that we like. That includes spending on defense, veterans benefits, education, roads, national parks, museums, medical research, food safety and air traffic control, to name a few.

CNN further said that ''by 2040, more than half of all Federal tax revenue would be eaten up by interest payments on the debt alone.''

In 2006, then-Senator Obama said those ''interest payments are a significant tax on all Americans, a debt tax that Washington doesn't want to talk about.''

But let's be clear: House Republicans in Congress, and the voters who put us here, are the only reason—the only reason—anyone in August of 2011 talked about the debt problem and reached a debt deal. Otherwise, the President would have simply had the debt ceiling raised, and there would have been nothing done structurally.

And we are the only reason why we talk about it now. Otherwise, it would be a clean debt ceiling increase with no strings attached.

I urge my colleagues to join me in supporting this important resolution and getting our excessive spending under control.

Mr. LEVIN. Madam Speaker, I yield myself the balance of our time, and I will speak very briefly because the message here is so clear, that those who vote for this bill are saying they are willing to use the threat of default once again, and we shouldn't be doing this.

I don't think the Nation believed that this government and its programs would be shut down; but it turned out, because of the way the Republicans handled it, this government was shut down, and programs were very much undercut that were needed by the people of this country.

We came within a flicker of default. The consequences of playing with that were very, very substantial.

So now, once again, the Republicans bring up a bill, and whatever the reason is, are giving people a chance, once again, to say that playing with default is a legitimate method of operation. You shouldn't do this.

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

Mr. YOUNG of Indiana. Mr. Speaker, in closing, I would just like to reiterate five key points:

One, our current national debt exceeds $17 trillion, an amount that is greater than our annual GDP, the size of our economy.

Two, while I and so many others in my party agree with many of my colleagues across the aisle that risking default is irresponsible, it is just as irresponsible to ignore why our debt is so darn high and what it means for the future of our country.

Three, we can and must work across partisan lines to avoid default in conjunction with a debt ceiling vote or a default related to a continued failure to address the largest drivers of our debt; and we must begin that work now, not at the last minute, or the next self-imposed fiscal deadline.

Four, those who have served here for decades have known for decades that our population was growing older, that health care costs were rising, and that our long-term fiscal trajectory was unsustainable; but nothing has happened.

Five, this recognition that Washington continually misses opportunities to put our country on a path to fiscal health ought to be something on which we can all agree.

I urge all my colleagues who want to see our country address our long-term challenges before it is too late to vote ''yes'' on this resolution of disapproval.

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

The SPEAKER pro tempore (Mr. JOYCE). All time for debate has expired.

Pursuant to the statute, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. LEVIN. 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.

HONORING THE LIFE OF OAIL ANDREW ''BUM'' PHILLIPS

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

Ms. JACKSON LEE. Mr. Speaker, in about 2 hours today, in Houston, at the Lakewood Church, we in Houston will honor the famed, the humble, and the especially loved Oail Andrew ''Bum'' Phillips, our favorite coach, Coach Bum Phillips of the Houston Oilers, our friend, my friend.

We lost Coach Phillips October 18, 2013, at his home, his ranch in Texas. I offer to his wife, his son and daughters and grandchildren and great-grandchildren my deepest sympathy.

But I know, as he is honored this evening, there will be a celebration of his life; for Bum Phillips was the kind of character-building leader that led young men into the most winningest franchise of the then-Houston Oilers. He did it because he had a championship spirit, and he had the ability to add quips to anything that you would ask him.

When asked one time about Earl Campbell, he said, ''What kind of class is Earl Campbell in? He may not be in a class all by himself, but it doesn't take long to call the roll.''

When asked about the Dallas Cowboys as America's team, Bum said, ''The Dallas Cowboys may be America's team, but the Houston Oilers are Texas' team.''

Tonight I know there will be many who will celebrate his life and the service he gave.

I want to thank Mike Barber for organizing this great effort. I will miss being there, but Bum, I want to thank you. Coach Bum Phillips, I want to thank you for the joy you brought to Houston, the excitement of the team, the spirit of winning and losing, the fairness and the balance that you added to those young men that were under your tutelage.

You went on to coach the New Orleans Saints, but you will always be special in our hearts, and I hope this body will offer a moment of silence for our dear friend, the Nation's friend, Texas' friend, Coach Bum Phillips.

I thank you, Mr. Speaker, for allowing this tribute on the floor to this great American, Coach Bum Phillips.

COMMEMORATING THE 1-YEAR ANNIVERSARY OF SUPERSTORM SANDY

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

Mr. TONKO. Mr. Speaker, on this evening of October 29, we commemorate the 1-year anniversary of Superstorm Sandy, which devastated the east coast. Many are still recovering from that tragic storm, and it certainly was a major force to be reckoned with.

That force of nature was, at one point, nearly 1,000 miles wide over the ocean front, and when it landed in southern Jersey, it was nearly 900

miles wide. It impacted so many States; 24 States, in number, felt the impact of that superstorm.

It was devastation to property; it was devastation to lives: 162 people in the United States lost their lives. And the fact that the storm surged to some record proportions reminds us of the impact of climate change.

□ 1830

Now as a member of the New York delegation in this House, my area received some mild impact from that superstorm. But ironically, the year before, Hurricanes Irene and Lee impacted the upstate region of New York and, again, devastated our area with loss of life, certainly of valuable farm land that was eroded, and damage to communities, businesses, and farms across the upstate region.

These are issues that are brought to mind this evening as we commemorate that 1-year anniversary, as many continue to struggle to recover from the ravages of Mother Nature.

The cost of climate inaction is severe. Climate change is an issue of science. It is certainly an issue of public health. And most definitely, it is an issue of economics, economic vitality.

Earlier, the Sustainable Energy and Environmental Coalition, which is a growing number—56, to be exact—of Democrats in the House looking to bring about significant policy reforms that speak to the environmental and energy needs of this Nation, began to provide a laser-sharp focus on the cost of climate change to our economy.

In 2011 and 2012, there were some 25 extreme weather events that caused at least $1 billion each or more in damages. Total estimated economic damages were approaching $200 billion, and the cost to taxpayers, some $136 billion. The cost to individual taxpayers totaled $1.61 billion. So we know that there is a tremendous impact here that has been realized by the lack of a focus on climate change and global warming.

As we continue to look at recovery—even from Irene and Lee in the upstate New York portion—as we look at the impact, the damage that came with Superstorm Sandy, as we look at the damage recently to Colorado, and if we look at the other extreme—not rainfall and flooding, but certainly drought and looking at the wildfires that have consumed some States in our country, there is definitely economic consequence that comes with climate change.

In my territory, in my area that is part of the 20th Congressional District, it becomes very apparent that we need to do more than just replace. If data compiled are telling us that extreme rainfall has been part of the last decade or two, then wise, effective government will not merely replace but reevaluate how to reconfigure, for instance, a bridge that may cross, traverse one of the creeks. I know that that is the case in many locations.

Looking at electric utilities, looking at what withstood the pressures of the storm; combined heat and power systems that we will talk about during this hour that apparently withstood greater pressure than some of the traditional systems, so we go forward with not just merely replacement, but we go forward with a renewal, a revision of how to take that area that was affected and make it work again. That is sound government. That is effective government.

Tonight we are joined by several colleagues. We are joined by Representative RUSH HOLT from the State of New Jersey, and we are joined by Representative SCOTT PETERS from the State of California. We may be visited by other colleagues this evening. We are going to talk about impacts they have seen perhaps in their region and talk about the science and economics related to climate change.

I believe we, through SEEC, through the Sustainable Energy and Environmental Coalition, have brought about the discussion, have developed the dialogue, have encouraged moving forward, if you will, on this very important dynamic, understanding it full well so that we can move into prevention because the question asked here by a growing number of colleagues is, how long can we afford to go without a plan of action before we understand that the cost of replacement or renewal or transformation is going to drain the taxpayers, is going to drain the individuals and families impacted, the businesses impacted? No one wins in that scenario.

So, Representative RUSH HOLT, if you would like to share some thoughts this evening as we begin our hour, we welcome you.

Mr. HOLT. I thank my friend from New York (Mr. TONKO) for arranging this discussion.

It is well worth recognizing the anniversary of this devastating storm because it might be said this was a storm like we have never seen before. That may be true, but I don't think it is correct to say this is a storm such as we will never see again.

A year ago, Hurricane Sandy devastated New Jersey and much of the east coast. The storm may have faded from the headlines, but New Jerseyans haven't forgotten. It is felt in a very personal and painful way by thousands and thousands of New Jerseyans still today.

These New Jerseyans are not alone. I mean that in two senses. First, we can hear from some who are representative of the millions. But also, when we hear from the younger New Jerseyans who are affected, we understand that they represent the future that will be affected by climate change. Quite simply, superstorms like Sandy are the new normal, and we had better get used to it, even if climate change skeptics claim otherwise.

I think response to Sandy means, of course, tending to the human needs of those who have been victims of the storm, but it also means making significant investments in power engineering and transportation engineering and rail engineering and wireless engineering and shoreline engineering and river flood control engineering and residential planning, and taking steps to deal with the root cause of what we see.

We may not be able to stop hurricanes in their tracks. In fact, we certainly can't. But we can make sure that our infrastructure and our environment and our communities are more resilient when they strike, and if we work hard as a Nation and as humanity, we may be able to stem the climate change that will result in more and more powerful superstorms.

I know some in Washington are skeptical of the role of the Federal Government in fighting climate change, but as Sandy's $83 billion pricetag should make clear, society, our economy, yes, and our government will bear the costs of climate change one way or another. If we make the investments today, as the debts are coming due, we would do far better than to wait to pick up the pieces after other superstorms hit.

I will be happy, as we go along, to talk about some specific New Jerseyans who were affected. I will be happy to talk about some of the science that suggests where we are as a world. Mostly, I just want to make the point that this is the new normal that we should be prepared for.

Mr. TONKO. Thank you very much, Representative HOLT. Certainly your State, my home State suffered economic consequences to the nth degree. It is a stark reminder that the cost of inaction here is painfully borne by taxpayers into the future also.

So I am proud of the SEEC organization, the coalition raising the consciousness of the House as to the importance of this issue.

We are joined by Representative SCOTT PETERS from California. Representative PETERS has worked in the environmental arena and has contributed greatly in that regard. We are proud to have you join us this evening, Representative.

Mr. PETERS of California. Thank you very much, Mr. TONKO. I appreciate the chance to speak with you on this special occasion.

I am the climate task force chair of the House Sustainable Energy and Environmental Coalition, SEEC, and I rise to recognize the 1-year anniversary of Superstorm Sandy and to recognize those who have lost their lives as well as those continuing to rebuild from the destruction.

I might mention, for the benefit of Mr. HOLT, that I am a graduate of Westfield High. I spent my high school years in New Jersey. I still have sisters in Chatham and New Providence and nieces and nephews. I visited regularly Long Beach Island, Ship Bottom, and Beach Haven for family vacations. So I know well a lot of those areas and how

hard they have been hit both from a personal and an economic standpoint.

I want to speak a little bit too about San Diego, though, as it has been my home for 25 years. My constituents in San Diego have experienced and know the long rebuilding and recovery process after disaster strikes, and we have a little bit of a different effect from climate change and global warming.

October marks the 10-year anniversary—and I think the anniversary was a few days ago—of the beginning of the Cedar Fire, the largest wildfire in California history. As a San Diego City Council member at the time, I remember firsthand the destructive impact of this fire on people's lives. It destroyed hundreds of homes, personal belongings and memories, and the recovery costs were in the billions of dollars.

The Cedar Fire burned through 273,246 acres of San Diego County, destroyed 2,232 homes, and took 15 lives. It burned through 95 acres of the Cuyamaca State Park and blazed through 98 percent of its mature conifer trees. To date, little of the forest has grown back from the bare mineral soil left behind by the wildfire.

The community faced similar damage in 2007 during the Witch Creek Fire, and parts of the city of San Diego were also scarred at that time.

Wildfires aren't new to California, but the damages from these fires are rising. This will sound familiar when we think about the warmest years on record all being recent. In California, 12 of the 20 most damaging wildfires occurred in the last 10 years. This has huge implications for California's tourism and farming industries. For example, take the Rim Fire this summer that pushed into parts of the Yosemite National Park and devastated local tourism.

After the Cedar Fire, San Diego, the county and the city, are undoubtedly more prepared and ready to respond to a large wildfire. We have better communication equipment, better communication among agencies, and better fire equipment in general. More importantly, we have worked to minimize further damage through better planning. As Thom Porter, the chief of the San Diego Fire Authority said, ''It's not about stopping a fire from occurring but preventing the amount of damage it causes.''

Today San Diego has new planning guidelines and building codes and 100-foot brush clearance requirements around homes. Before 2003, it was just 30 feet. We found that we could decrease risk and save homes and lives.

Resiliency starts at the local level because they know the conditions and the situations on the ground. They are the people who can talk to the neighbors about what they have to do to be ready. We have to make our communities more resilient to wildfires, hurricanes, and other extreme weather.

In the last 5 years, wildfires have cost taxpayers more than $1.6 billion a year. Last year, 9.2 million acres were burned by wildfires, which is an area bigger than the States of Delaware, Rhode Island, and Connecticut combined.

In June, I introduced the bipartisan STRONG Act so the Federal Government could give tools for planning and resiliency to State and local actors. I think one of the first things we noticed as freshmen here, one of the first votes we were asked to take, was $60 billion for Sandy relief, which was the appropriate vote to take. We have spent $136 billion on relief in the last 2 years off the budget.

Every dollar we spend now on disaster preparedness and resiliency, we can avoid at least $4 in future losses and FEMA expenses. We can bounce back faster with less economic damage. Each day that a community is disrupted by extreme weather, we lose economic output. So we need to be doing more to support our local communities with emergency management communication, public health, and energy reliability in the event of an extreme weather event, whether it is a wildfire or something like Superstorm Sandy.

Swiss Re, a major reinsurer, recently ranked the top 10 metro areas in North and Central America that face the highest value of working days lost from natural perils. Nine of them were in the United States.

On this occasion, I commit with my colleagues to better protect my district from the devastation caused by extreme weather by working to rebuild stronger and smarter with a mind for the future.

Again, thank you very much for inviting me. I would be happy to discuss some of these items.

□ 1845

Mr. TONKO. Thank you, Representative PETERS.

We are also joined by Representative DENNY HECK from Washington State, who is a freshman but has brought a very strong voice of advocacy for the environment to this Chamber. We are proud to have him join us this evening and raise again the dialogue that is so essential about climate change, global warming, and the economic impact that every region across this country is experiencing.

So, welcome, Representative HECK, and thank you for being such an outstanding advocate.

Mr. HECK of Washington. Thank you, sir. Thank you for the privilege to be able to add my voice to this also.

As a member of the House Sustainable Energy and Environment Coalition, I stand here today as well to recognize the 1-year anniversary of Superstorm Sandy and remember all those whose lives were lost and all those left behind who are in the process of continuing to rebuild their lives from that destruction—not just in the months ahead but, undoubtedly, in the years ahead. Our Nation must—it can, it will, and it should—stand with those families and businesses as they undertake that task all along the Atlantic coast as they seek to recover.

I actually come from about as far away from that in the continental United States as possible. I am from Washington State, and so the district that I have the honor to represent was not directly affected by Superstorm Sandy. However, my district has begun to feel the very real effects of climate change.

Science has shown that climate change is driving an ongoing decrease in seawater pH. Scientists refer to that as ''ocean acidification.''

You might ask, How does that happen? Truthfully, with all due respect to my colleague from New Jersey, you don't have to be a ''Jeopardy!'' champion to get this. In fact, you only need be exposed to a junior high- or senior high-level biology or chemistry course.

It only stands to reason that as more and more carbon is emitted into the atmosphere, not all of it goes into the atmosphere, but, in fact, a goodly portion of it is absorbed by what covers approximately three-fourths of our little globe's surface, namely the ocean. And that carbon being absorbed into the ocean does, in fact, affect the pH level.

So ocean acidification, in turn, affects marine life in a lot of different ways; but the effect that I am the most familiar with is the damage that it causes to shellfish, including the shellfish grown at farms in my districts, specifically in Mason County. Indeed, I am proud to tell that you the largest shellfish farm in America, Taylor Shellfish Farms, is located, along with many others, in the 10th Congressional District of Washington State.

The acidity in the water—the direct result of carbon emitted into atmosphere absorbed by the ocean—makes it difficult for the shellfish to grow and harden their shells. Frankly, it decreases survival rates. It makes it harder to raise shellfish.

More than 3,200 people in our State—a lot of them in my district—are employed directly or indirectly in the shellfish industry and by growers. The estimated total economic contribution is well over a quarter-billion dollars. But that entire industry is threatened by ocean acidification resulting from climate change. It is totally threatened by this.

I have said here on this floor and elsewhere many times that a healthy economy is completely dependent and requires a healthy environment. The effect of climate change on Washington State's shellfish industry is but one of the clearest examples of that fact.

Washington State has a climate change adaptation strategy that we are working on with our regional neighbors—and, I might add, with some degree of progress. But without the involvement at the Federal level and with the Federal Government, our plan isn't going to be successful. The reason: this is a global problem that will require global action; and global action

is only going to occur if the United States leads, which it has so often in the past.

And so, sir, on this occasion, the 1-year anniversary of Superstorm Sandy, I also commit to better protecting the district I represent, our Nation, and the planet from the devastating effects of climate change. We have been waiting long enough. The science is in, and it is time to act.

Mr. TONKO. Thank you, Representative HECK.

We have also been joined by yet another freshman of the House, from the State of Pennsylvania, another strong friend of the environment and a person who has spent much of his career defending the environment. Representative MATT CARTWRIGHT joins us this evening.

Welcome. Thank you for participating with the SEEC coalition.

Mr. CARTWRIGHT. It is my pleasure, my dear friend and colleague from New York.

It is almost hard to believe, I would say, that we are noting the 1-year anniversary of the terrible storm we called Hurricane Sandy striking our Nation's shores. It seems like no more than 6 or 7 months ago that that all happened.

Maybe one of the reasons is that it was so horrific, so damaging, so devastating, that the harm continues. There are still families searching for a place to live. There are Americans still digging out from this problem, trying to salvage the situation for themselves and their families. And so it is almost hard to believe that it was a full year ago that this happened.

This is a country that suffered so much in loss because of Hurricane Sandy, with $245 billion in business losses and $50 billion in property damage.

I come from Pennsylvania. Pennsylvania, so far as it is from the seacoast, still had 1.2 million residents lose electricity during that event. In my own district, up in the hills of the 17th District of Pennsylvania, we still lost power for 53,000 residents.

Indeed, I am so sorry to say that we had several lives lost in my district due to Hurricane Sandy; people who perished because of falling tree limbs and because of hypothermia due to exposure. We had somebody we lost because of exposure to carbon monoxide because of generator fumes that were emitted during the blackout.

We had tens of thousands of homes and businesses damaged in my district because of Hurricane Sandy. So don't think we didn't notice it either and don't think we didn't pay attention to the suffering of all of the other Americans because of Hurricane Sandy.

There is no denying that there is climate change. There is just no denying it. We can argue all day about what is causing it and what to do about it, but there is no denying that it is happening and that it is resulting in more and more frequent weather events like this and more and more severe weather events like this. There is no denying that these things are happening, and there is no denying the damage and harm that comes to our Nation as a result.

In 2011 and 2012, there were 25 severe weather events that caused a billion dollars or more in damage each; 25 of them were in a 2-year span. The total price tag for that was $188 billion in property damage to our Nation. And the taxpayers had to pick up $136 billion of those losses because that is what we do in emergency relief and in flood insurance and in crop insurance. These weather events cost taxpayers money.

We have something in the legislature called the GAO. The GAO used to stand for the General Accounting Office. In 2004, we changed the name to the General Accountability Office, better to reflect the mission of that office—accountability and the proper husbanding of the assets and resources of the Federal Government. And they keep track of these things.

Every year, they come up with something that they call the GAO High Risk Report. The GAO High Risk Report is a compilation of all the risks and assets and finances we have in this Nation as part of our government. It is a list of the things that threaten the assets of the Federal Government. For the first time, earlier this year, the GAO High Risk Report included climate change as a reason for risk to the American Government's assets.

This is not just about security. It is not just about infrastructure. It is not just about damage to agriculture. It is not just about risk to the health and well-being of all Americans. It is also about financial losses to the American Federal Government, because, after all, we are an insurance company.

We are a government that insures against flood. We are a government that insures against crop damage. We do that. That is something that we have thought about and something that makes sense for our Nation. But we end up in the position of an insurance company, and we end up paying the price tag when these storms happen. The GAO recognizes that and recognizes that climate change is a major driver in the risks to the American finances as a result of these programs that we do.

As a result of all of that, in a few months, I will be introducing a comprehensive climate adaptation bill. Because, again, we can argue until the cows come home about what causes climate change and what the effects of it are, but one thing that can't be denied and that the GAO doesn't even deny is that this costs American taxpayers money, and the best way to handle that is to plan for it. And so, with the support of the White House, I will be introducing a comprehensive climate adaptation bill later this year. It should be out in a few months.

And so, on this, the 1-year anniversary of the horrible tragedy that was Hurricane Sandy, we remember the devastation and we remember the losses. We remember the loss of life. We remember the communities that are continuing to struggle with the damage that was caused by that storm. And I say it is time for us also to plan for the future to minimize these losses that will continue to happen as the planet climate continues to change.

Mr. TONKO. The Representative talks about the growing acknowledgment by agencies and various elements of government, and I can tell you also a personal experience of watching the constituents in our area understand more starkly and painfully the impact of global warming in the aftermath of Irene and Lee.

Representative PETERS has long promoted the awareness concept—wanting people to understand the awareness of global warming and climate change.

Your thoughts on that.

Mr. PETERS of California. Just to follow on.

I think what Mr. CARTWRIGHT said is exactly right. We don't know that our house is going to burn down, yet we buy fire insurance because we know that there is a risk of it.

I often hear in this building, unfortunately, a lot of professed doubts about climate change; but even though I disagree with it, I think the science is pretty clear. If you doubt it, that doesn't mean it is not going to happen and you don't prepare for it and you don't plan for it and you don't make the investments to be more resilient, which is what the STRONG Act is about.

So I completely agree. In the face of doubt, that doubt should not equal inaction. The fact that we have the strong evidence that this is happening, that we have had these off-budget expenses, is every reason in the world we need here to plan.

I would say to folks listening at home that they need to get in touch with people in this body to let them know that.

One thing I would just add briefly about what we did in San Diego, I was chair of a volunteer climate initiative which was part of the San Diego Foundation's effort to do civic engagement. What we tried to do was, through philanthropy, provide good support for decisionmaking locally around climate, because a lot of leadership, as you know, Mr. TONKO, is happening at the local level.

We provided research on science. We did a study of what the major climate effects in San Diego would be, which are more intense wildfires, water supply threats, and sea level rise—no surprise to anyone here. And we were able to give that information to our elected officials so that they knew what we had to plan with locally.

We also did a public opinion survey just to let them know what people thought. It turned out that people in San Diego wanted to be leaders on climate action. First of all, they wanted

to be leaders in the State. They also didn't want the jobs associated with the industrial opportunities to be going to China or Texas. So we were able to arm our elected officials with that information and made them a lot bolder about taking the actions that we needed to take.

I bet the people in this body would benefit from the same kind of information and wouldn't be surprised that America is behind us in taking action, particularly on getting ready and being resilient and being prepared to save money down the road.

□ 1900

No one likes spending $134 billion off-budget. I certainly didn't, and I know my colleagues don't. There is no need to do that. We can be prepared.

Again, thank you very much for scheduling this at this hour.

Mr. TONKO. Thank you very much, Representative PETERS.

The gentleman makes mention of awareness and of the many visuals out there that strike awareness even a coast away.

Representative HOLT, I just noticed recently in the news the reopening of the boardwalk—of the very famous, traditional boardwalk in your home State—as you continue to recover from the damages of Superstorm Sandy. The awareness is an amazing piece of the action here, and something as visible and understandable as that boardwalk brings it home for many people far removed from New Jersey.

Mr. HOLT. Some of the repair has taken place, but the recovery takes a very long time.

Today, three New Jerseyans came to visit me.

One, Eric, from Jersey City, had been ready to open his bakery with his wife when Sandy hit. The bakery was flooded by 6 feet of water, and a lot of equipment was damaged. It delayed until fairly recently the opening of that bakery, and of course there was the loss of income to that family.

Norma, from Seaside Park, was displaced by severe flooding, nearly 4 feet. We can talk about the depth of the storm surge or about the record low barometric pressure or what the wind speed was, but we mustn't lose sight of the people who were affected here. Norma had space in her home that was flooded, and so she lost the rental income for that space. She is still cleaning up. Incidentally, she is a science supervisor at a local school, and is now talking personally about climate change and extreme weather.

April, from Jersey City, is a single mother of a child with asthma, who was uprooted because of the flooding from Sandy. She is now dealing with mold issues in her child's school as a result of the flooding, and she has gotten involved in helping low-income families recover from Sandy.

I want to make this point about who is hurt the most.

Researchers at Rutgers University in New Jersey looked at families who are employed but who are struggling. These would be asset-limited people, people who are barely earning a living. This makes up, really, about a third of New Jerseyans. They have no cushion. Yet about a third of New Jerseyans incurred more than half of the residential damage—the cost—and are obtaining only slightly more than a quarter of the resources that are available for rebuilding. So low-income families, who tend to have less safe, less resilient housing, are the ones who suffer the most damage. Many who work hourly jobs are less able to deal with the loss of wages that occur from these disasters. Many of them were underinsured, and about 90 percent did not have flood insurance. So it is only a fraction of the people in New Jersey, but it is a very large fraction of the people, who suffered the really severe damage.

As bad as this is in America, the effects of climate change are even worse in developing countries around the world. Developing nations are more vulnerable to crop failure. Tropical diseases are very sensitive to climate change. Malaria and dengue fever and diarrheal disease are more prevalent now because of climate change, and developing nations are less able to afford the damage that results.

I got in some trouble earlier this year—I was challenged earlier this year—when I said we have got to deal with climate change or millions will die. In fact, I looked it up. The World Health Organization estimates that climate change is already causing 140,000 deaths per year—more than would have occurred without the climate change—primarily in developing countries. So it doesn't take very many years before, indeed, millions are dying. That is something of the human cost of what we are talking about.

Mr. TONKO. In every measurement that we make, there is a huge impact that climate change calculates to the negative. You talked about the impact worldwide. It is the sightings of a perfect storm, with less available land as it erodes with these floodings and with a growing population worldwide. That is the formation of a perfect storm.

But when we look closer to home, in these United States, you and I are part of the delegations that represent coastal States. The coastal erosion and the erosion of valuable farmland in my district are realities, and it is measurable already. The forewarnings are out there to take action to prevent further erosion. When you think of that impact, it comes in several dimensions, perhaps agricultural in nature as it is a major sector of our economy in this country, or in tourism. One of the bits of erosion that I saw—one of the impacts that came—was with tourism infrastructure, with very valuable historic sites that were nearly ruined and that are along the beds of creeks and rivers that are tourism destinations but that now are shut for business as they get repaired. Some of these elements are extremely delicate, and part of our fabric as a Nation is to be able to share our sense of history with either other people of the United States or with visitors who travel to this land, so there are impacts that come.

I would also talk about the infrastructure impacts on the energy side. We witnessed situations in which some fared better than others, and I was proud of our SEEC organization. Now, you and I are longtime charter members of SEEC, and I am proud of the fact that we called upon the Sandy Rebuilding Task Force to help communities rebuild stronger and smarter by having the task force issue guidance for combined heat and power, CHP systems. Those systems fared well in areas ravaged by these superstorms.

CHP, as many know, is an innovative sort of concept, an energy-efficient method for generating electricity and harnessing heat, the thermal energy that accompanies that. In CHP systems, heat that normally is wasted—allowed to escape—is captured and recovered as useful energy, and that allows us to require and to, perhaps, promote this integrated concept approach far more efficient than conventional power generation would be. Conventional methods have a typical combined efficiency of 45 percent, while CHP can operate as high as 80 percent. This technology is not only efficient; it also has demonstrated resiliency to extreme weather events. I can cite South Oaks Hospital on Long Island, which is a hospital facility that includes an acute psychiatric hospital, a nursing home and an assisted living center. During the storm and its aftermath, the hospital maintained full power through the use of its 1.3 megawatt CHP system.

Again, lessons, hopefully, will be learned. So, as we go to replace, we also have to transition some of our thinking and make certain that we are building systems that will be able to endure these storms into the future. Certainly amongst our priorities has got to be this all-out effort to combat global warming, climate change, to make certain that we do all of our preventative measures. Then when we rebuild, we do it in a way that is efficient so that sound government, smart government, is the tool that is reached to rather than awkwardly replacing in a sort of rush order to get us back into a working progressive outcome, but where we haven't addressed some of the dynamics of the ravages of weather, which is teaching us several lessons as we go through these many storms.

So you are absolutely right. The people are the most impacted here. We have to keep them front and center in our thinking, but all of these services that either provide jobs for people or provide economic opportunities, economic growth, or that meet their public safety needs or their energy needs or their household needs or their business needs have got to be brought into this calculus that is adjusting concepts

based on the theory of climate change, and where we, again, underscore the importance of prevention.

Mr. HOLT. Mr. Speaker, I want to make sure that all of our colleagues understand that when my friend from New York talks in detail about new energy systems that he is talking about human welfare, that he is talking about addressing the human cost that we were speaking of earlier. In other words, it is not just a matter of providing energy for people to power our economy and provide comfortable daily lives; it is also a matter of doing it in a way that avoids this enormous human cost from climate change. The way we produce and use energy is the greatest insult to our planet. It is changing our very climate, and we must address that. The sooner we address it, the more effective we will be at addressing it, and the more of these costs we can avoid.

It is unmistakable, unequivocal, that global warming has taken place and is taking place. Just in the past month, the Intergovernmental Panel on Climate Change came out with its fifth very carefully prepared report. It says that global temperatures are likely to rise from a third of a degree to 4½ degrees, roughly, Celsius, and that sea levels will rise. It is certain that the upper ocean has already warmed over the last three decades. It is certain that the upper ocean has already absorbed carbon dioxide, making it more acidic, as we heard from our friends earlier.

Most of the aspects of climate change will continue for centuries with the result in a cost in lives and dollars if the CO_2 emissions are not brought under control. In fact, some of these costs will be incurred now even if we bring CO_2 emissions under control because of the damage already done, but it is important to emphasize that it comes down to the human cost. That is what we mustn't forget in all of the charts and graphs and scientific discussions of the causes and effects of climate change.

Mr. TONKO. I think it is very important for us to recognize, too, that here this evening you and several of our colleagues and I have shared thoughts about painful consequences in our given regions, or we have talked about not only flooding but drought situations and wildfires. We have talked about the economic impact of climate change with these associated storms. We have talked about the recovery efforts. We have talked about Superstorm Sandy on this 1-year commemoration date, still finding its neighborhoods, its communities, its people, its businesses, its farming communities still struggling to recover. We have talked about all of this, and now I think we need to close, in the remaining minutes we have in this hour, and talk about a plan of action.

□ 1915

Now, SEEC, the Sustainable Energy and Environmental Coalition, has a growing number of representatives—56 strong as we speak. Individuals are talking about the consciousness, raising the consciousness, talking about awareness out there in the community. But there is also a requirement for legislative action. Absent that, we move to an executive order, and some have expressed concern about that.

Leaving no other option available, the Chief Executive, the President, has moved to resolve some of these concerns through organizations and agencies like the Environmental Protection Agency. So I think there needs to be this dialogue here and in the United States Senate, working with the President, with the White House, and the administration to develop a sound package of legislation that allows us to go forward.

It is apparent after the number of stories heard here just this evening and the personal anecdotes that you shared, Representative HOLT, about people from New Jersey and the pain that they endured. That should motivate us to move forward with a plan of action, understanding that the cost of inaction is very, very heavy. Many have placed threshold dates out there. They are not that far into the future—2017, 2020 some say at the latest.

It is our stewardship that is called upon. We inherited this environment, this Earth, from ancestors who preceded us. Now it is our challenge, I believe, to hand that to next generations unborn in even better working order with the growth worldwide of population, with the industrialization of many Third World nations, the reach to automobiles being put on the highways around the world, the development of power supplies around the world, causing this huge growth of challenge in terms of carbon emission and eventually methane that will destroy antibodies out there.

So the challenge is before us. I think we need to go forward with a very focused effort of policy development that can be done in the very near future here in the House.

Avoiding that, walking away from it, denying it ought to be revisited by those who have suffered heavily from the damages of these storms. Certainly as we focus on Superstorm Sandy this evening, on that one storm here, it has brought to mind many, many situations where people are still suffering—blocks destroyed by fires in Superstorm Sandy that destroyed neighborhoods.

We have a challenge before us, Representative HOLT.

Mr. HOLT. The work of the Sustainable Energy and Environmental Coalition here in Congress is to see that we can move into the future in a sustainable way.

It is completely appropriate that we talk about both energy and environment in this same—really with the same breath. Because as I said, the way we produce and use energy is the greatest insult to our planet. But it is possible to produce and use energy that will power our economy and provide a good quality of life for 10 billion people in the world if we are smart and if we get to work now. We can do it in a way that doesn't ruin the world and condemn all of these billions of people to the kinds of superstorms, the kinds of effects of climate change and spreading diseases and so forth that will result if climate change runs amuck.

New Jerseyans need no further reminder that climate change is real. Evidently, some of our colleagues here do need that reminder. This year, one year after Hurricane Sandy, we are here to tell our friends, to tell our colleagues this is for real, this is serious, and we should get to work. The work of the Sustainable Energy and Environmental Coalition is dedicated to that work.

I thank my colleague, Mr. TONKO of New York, for his work to propel the SEEC coalition.

Mr. TONKO. Thank you, Representative HOLT.

I will close by just focusing in on this graphic, which showed the enormity, the immense breadth and depth of this Superstorm Sandy.

Many didn't relate that storm to a huge tide coming in. For any of us who have jumped into the ocean, we know the power of a tide. But to have the highest storm surge ever measured recorded at Kings Point, New York, the highest ever recorded at 14.38 feet, tells a story. The fact that the water level at Battery Park in Lower Manhattan reached 9.1 feet above the average high tide line. Think of it—1 inch, 2 inches, a foot of water additional that comes into a flood zone calculates that much more damage.

Here, what we had with the situation were records beyond 9 feet, approaching 10 feet, a storm surge of 14.38 feet. We are talking monumental damage. We are talking about a force that swept away lives, a force that sparked fires in neighborhoods, a force that wiped out businesses and found neighborhoods still vacant, a silence that has befallen these given communities because of the ravages of Mother Nature that can be prevented if we put our minds and hearts and efforts into that concept of being better stewards of the environment.

This is a place where a plan of action can take hold. In these Halls of government, leadership is called upon. A moral compass points in the direction of us being sounder friends of the environment and protectionists when it comes to getting things done so as to avoid the high scale of economic destruction that has gripped our communities.

I still see it in the aftermath of Irene and Lee in the 20th Congressional District of New York. Damage done in 2011 is still causing hardship in 2013, impacted by all sorts of weather events that are atypical of our region—tropic storms, hurricanes, tornados—that wiped through the area and required all

sorts of volunteerism to enter in, and certainly dollars that were shared from private sector sources and from FEMA at the Federal level and various other programs at the Federal Government. It will be an exhausting situation that will continue to drain the taxpayers as we move forward if we don't take action.

On this very solemn day of commemoration, as we call to mind all of the destruction that came into 24 States a year ago this evening, should be all the call to action that is required of us. Since then, it has been followed by devastation in Colorado, wildfires in the Southwest, and predictions that more and more damage will be part and parcel to a future that is allowed to go forward without the soundness of stewardship of the environment that ought to be a high priority in this House, in the United States Senate, and certainly across this Nation.

Sound leadership begins with the acknowledgement that there is a challenge out there and that the challenge is then met with accurate and detailed and information exchange that builds a dialogue that creates a package of response that indicates that we are a compassionate, caring, loving people in this Nation that through the Halls of this House can provide hope for this environment and hope to families who have suffered the consequences and hope to generations unborn as we pass to them a stronger sense of stewardship of this Earth.

It has been our pleasure in this hour to have shared many of our ideas, many of our concerns, many of the anecdotal bits that personalize a given situation for far too many, and we are thankful for the opportunity.

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

TRIBUTE TO OUR MILITARY VETERANS

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

Mr. WENSTRUP. Mr. Speaker, tonight we are here 2 weeks before Veterans Day to take some time to pay tribute to so many of our outstanding veterans and for the great things that they have done. Arthur Ashe, a world-class tennis player, a hero to many, was once asked about heroism. He said:

> True heroism is remarkably sober, very undramatic. It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost.

This describes our veterans so well—serving others at whatever cost.

Tonight, we give credit where credit is due. In honor of Veterans Day, we willingly say thank you, thank you to the 1 percent. Only 1 percent of Americans have worn the uniform. Over that time, they have produced exceptional results on behalf of freedom time and time again.

Army Chaplain Father Tim Vakoc was hit by an IED in Mosul, Iraq, in May of 2004. He suffered severe head wounds from the explosion and from shrapnel. He came home, but over time he succumbed to these wounds. The troops often asked Father Vakoc, Why did you go out so often with us when you could have stayed back on the base where it was safer? But, no, you came out with us into the fight, into the combat. He was quoted as saying:

> The safest place for me to be is in the center of God's will; and if that is in the line of fire, then that is where I will be.

As I served as a surgeon in Iraq, it was part of my job to talk to troops whose comrade just was being taken back to the operating room, to talk to them before and after surgery when they were wounded. There are things you never forget from that.

I will never forget going into a room full of marines to tell them about the condition of their buddy before we operated, and sitting in that room hunched over was a marine praying his rosary. I will never forget how I felt when I went back an hour later to have to tell them that he didn't make it. They fight for their country, but they die for each other.

Tonight, we are honored to have several Members here, Members that very served, to tell their stories, to tell their stories about a hero that they have served with, to let America know about these great people, and to pay respect to our veterans.

At this time, I yield to the gentleman from Arkansas, Lieutenant Colonel TIM GRIFFIN, who is a colonel in the United States Army Reserve JAG Corps. He served in Iraq in 2006. He had been assigned to the Southeast Medical Area Readiness Support Group as a command judge advocate. When he went to Iraq, he was assigned to the 101st Airborne Division.

Mr. GRIFFIN of Arkansas. I thank the gentleman, and I thank the gentleman for his service.

Mr. Speaker, I want to talk first here about a fellow Screaming Eagle, a fellow member of the 101st Airborne Division, who was wounded in action, Sergeant Carl Moore, III, from Bigelow, Arkansas, in the Second Congressional District, my district.

Sergeant Moore in early June of this year was wounded while on patrol in Afghanistan. A bullet struck him under his arm, puncturing one of his lungs and grazing his spine.

I pray for Carl's speedy recovery so he can get back to enjoying the things that he loves. My thoughts go out to his parents, Carl and Teresa of Conway, Arkansas, also in my district, and his wife, Heather, and their 4-year-old daughter, Addison.

□ 1930

This is just one example of the type of service that we should all be thankful for, and tonight I want to thank Sergeant Carl Moore for his service and for his sacrifice, and for his family's sacrifice.

When I think about all the vets who have impacted my life personally, it is a list that is too long to read, and they have impacted me in so many ways.

I often think of my grandfather who served in World War I in France in 1918. I never met my grandfather on my mother's side. He died in 1966, just 2 years before I was born, but he was in the Army. He processed through Camp Pike in Little Rock, Arkansas, where I did a lot of Reserve duty. I often thought of him when I was there. I went to basic at Fort Lee in Virginia, and come to find out, that is where he went. He went to Fort Lee before he went to France in 1918, and I thank him for his service.

I also want to mention one of our famous vets in closing, one of our most famous vets from the Second Congressional District of Arkansas, and that is Nick Bacon. We recently were able to name a post office after Nick Bacon. He is a Medal of Honor winner. He passed away recently. He was born in Caraway, Arkansas, in 1945. He enlisted in 1963 at age 17. The story goes that he was too young to enlist, so he just sort of fudged a little bit on the age. He was stationed in Germany for awhile, did a tour in Vietnam. He was wounded three times during his first tour in Vietnam when the helicopter he rode in collided with another, and all were killed but Bacon and one other. So he volunteered for a second tour in Vietnam because that wasn't enough. I want to read this little paragraph that talks about what happened that led to him being awarded the Medal of Honor.

On August 16, 1968, while leading a squad in Bravo Company's 1st Platoon, in an operation, Bacon and his unit came under fire from an enemy position. He personally destroyed the position with hand grenades, but the platoon leader was wounded on open ground. Bacon assumed command, led the platoon in destroying still more enemy emplacements. The 3rd Platoon lost its leader, and Bacon took command of that platoon as well and led both platoons against the remaining enemy positions. During the evacuation of the wounded, Bacon climbed the side of a nearby tank to gain vantage point and direct fire into enemy positions, despite being exposed to enemy fire himself. He was personally credited with killing at least four enemy soldiers and destroying an anti-tank gun. For his actions in this battle, Bacon received the Medal of Honor, formally presented to him by President Richard Nixon during a 1969 White House ceremony.

He earned multiple awards within the military for various accomplishments. In addition to the Medal of Honor, he was awarded the Distinguished Service Cross, Legion of Merit, Bronze Star Medal with two Valor devices, and two Purple Hearts.

Then he went back to Arkansas and years later served as the director of the Department of Veterans Affairs, and was reappointed by Governor Mike

Huckabee in that position, and he served until February 2005.

We lost Nick in 2010, but he is a shining example of the type of selfless service that veterans often give, demonstrate for their country, and I just want to say thank you to Nick Bacon and the many veterans that he represents, the thousands of veterans from Arkansas that he represents.

Mr. Speaker, I want to thank the gentleman from Ohio for putting this together. A lot of times we come down here and debate a lot of policy issues, but I think it is the right thing to do, to take this time tonight to honor our veterans.

Mr. WENSTRUP. I thank the gentleman from Arkansas.

At this time, I would like to recognized the gentleman from Indiana (Mr. YOUNG). Mr. YOUNG is a graduate of the U.S. Naval Academy. He was a rifle platoon commander as well as an intelligence officer, serving a decade in the military as a Marine Corps captain.

Mr. YOUNG of Indiana. I thank the gentleman from Ohio for his leadership in these early stages of his first tour in Congress. I know he is proud of his military background, and I know he is proud of our Nation's veterans. I am proud of my own service, and I am proud of our veterans as well, the veterans of Indiana's Ninth Congressional District, those veterans I served with.

And I would like to just highlight today one veteran who inspires me as I reflect upon his life, one veteran that I had the opportunity to get to know when I was at the United States Naval Academy. He is a fellow marine. And Veterans Day, you will recall, is a day of celebration. November 11 is a time we celebrate not only those living, but also those who have worn the uniform and died in the course of service.

So today, I would like to talk about my classmate, the class of 1995 at Annapolis, Doug Zembiec. Maybe some of you have heard of Doug. He is a man of quite a reputation. He was a two-time NCAA All-American wrestler at the Naval Academy. He was a leader. He had an amazing presence. Even among his fellow athletes who spent a lot of their hours preparing for the next match, the next game, he stood out. He worked especially hard, always went above and beyond. Because of his tireless work ethic, because of his infectious personality and a certain X factor about him, Doug just earned all sorts of friends. And he earned the respect of people in an atmosphere at a service academy where leaders and aspiring leaders are competing for the respect of their peers, and that really says something.

On May 31, 1995, Doug and I were commissioned as second lieutenants in the U.S. Marine Corps, at which point our careers took separate paths. After initial training at The Basic School in Quantico, Doug joined a Force Reconnaissance platoon. It was among the toughest of the United States Marines. We like to think we are all tough, but we can certainly agree that Force Recon marines have earned the respect of their fellow marines and fellow Americans.

He was among the first to enter Kosova in 1999 with his first unit, and 5 years later, he found himself in command of Echo Company, 2nd Battalion, 1st Marines. During Operation Vigilant Resolve in 2004, Doug led his rifle company of 168 marines and sailors in the first ground assault into Fallujah. His remarkable leadership earned him a number of decorations. These things weren't important to Doug, but it is important that our country recognize our fearless leaders like him. We awarded him a Silver Star, a Bronze Star, two Purple Hearts for the wounds he suffered in the course of the Battle of Fallujah. His men were so impressed by the bravery and the principled leadership that Doug exhibited that they named him the ''Lion of Fallujah.'' The Lion of Fallujah would serve four combat tours in Iraq.

In his final tour, on May 11, 2007, Doug was killed by small arms fire. He was always thinking of others first. Doug warned the Iraqi forces that he helped train to get down, but Doug himself did not make it.

A mutual friend of ours and fellow Naval Academy classmate, Eric Kapitulik, who was very close to Doug, he delivered a moving eulogy at Doug's funeral at the Naval Academy chapel. He read some words that were written by Doug himself in the closing of that eulogy, entitled, ''Principles My Father Taught Me,'' and here they are:

> Be a man of principle. Fight for what you believe in. Keep your word. Live with integrity. Be brave. Believe in something bigger than yourself. Serve your country. Teach. Mentor. Give something back to society. Lead from the front. Conquer your fears. Be a good friend. Be humble and be self-confident. Appreciate your friends and family. Be a leader and not a follower. Be valorous on the field of battle. And take responsibility for your actions. Never forget those that were killed, and never let rest those that killed them.

That is Doug Zembiec. May God continue to bless Doug Zembiec and his wife and beautiful child he left behind. May God continue to bless our Nation's veterans, and may God continue to bless this great Nation, the greatest Nation on Earth, America.

Mr. WENSTRUP. I thank the gentleman from Indiana, and thank you for sharing that story of heroism. So often we don't get to hear about our heroes today. They go unnoticed.

What you just spoke on reminds me of a gentleman named Mike Spann. Very few people know who Mike Spann is. Mike Spann was a marine, and he joined the CIA. After 9/11, 2001, he was the first American killed in Afghanistan. What is even more impressive about Mike Spann is what he wrote on his CIA application. He said:

> I believe in the meaning of honesty and integrity. I am an action person who feels personally responsible for making changes in this world that are within my power, because if I don't, no one else will.

These are the type of people that we are here to honor tonight.

Next, it is my privilege to yield to the gentleman from Utah, CHRIS STEWART, an Air Force pilot for 14 years, flying both rescue helicopters and B–1 bombers. He holds three world speed records, including the world's record for the fastest nonstop flight around the world.

Mr. STEWART. Thank you, Mr. WENSTRUP, for organizing this Special Order honoring our country's heroes. It is a privilege for me to be with you tonight.

As you mentioned, I come from a family with deep roots in the military. I was a pilot for 14 years, and my father was a pilot in World War II. Four of my five brothers have served in the military. I have to tell you, my time flying in the military was, in many ways, the happiest years of my life. I remember I would be up flying, and I would think I can't believe that they pay me to do this. I would do this for free if I could.

In addition to my family members, three of my congressional staff are veterans. I know firsthand some of the sacrifices that come with service—the time away from family, the personal discomforts, the danger, being put in harm's way—for many of our soldiers, all to protect our Nation and to protect the freedoms of others.

There have been great sacrifices in the past. Some of those we have heard about tonight. I suspect that we will probably hear about some others.

I would like to mention one man from my hometown of Farmington, Utah. I think he is a great example of sacrifice and courage. His name is Lieutenant Colonel Jay Hess. He spent 5½ years as a prisoner of war at the Hanoi Hilton during the Vietnam war. During this time, you can imagine what he endured—starvation, beatings, isolation, and deprivations, which it is very difficult—probably impossible—for us to appreciate. After 2½ years, he was finally given a letter from his family. As he read this letter, he found himself smiling, and after awhile it hurt, because those smile muscles had not been exercised in 2½ years and he had lost that ability to smile. It was a joyous day when he was returned to his family, his wife and five children.

□ 1945

Despite all of this hardship, he looks back on his life and his experience with great humility and appreciation. He said, ''How could I be so lucky? So fortunate? It is a good life.'' This man was a true American hero.

Heroism continues today. This fall I had the opportunity to honor four Army soldiers. Two of them, Sergeant Daryl Williams and Sergeant John Russell, were jogging here on the National Mall one morning when they heard a collision. They looked over and saw that a civilian had been hit by a bus. They didn't hesitate. They knew immediately what to do. They ran over, and using their shirts, they provided a tourniquet and they saved this

man's life. That may seem like a small thing, but it is a great example, once again, of the caliber of men and women that we find serving in our United States military. As Veterans Day approaches, I find myself humbled to share this background and experience with such people. I have always said that the military is the greatest incubator for leadership that there is anywhere in the world, and we see that demonstrated again and again.

Let me end with this. The United States of America is a special place. I recognize that most nations feel that way. Every one is proud of the land from which they come. I think God intended that they should feel that way. That is a good thing. Even though that is true, there is something special about this place. There is something truly unique about the United States, and there is no better example of that than the young men and young women that serve in our United States military. We don't fight to conquer people; we fight to keep a people free. We don't fight to capture a land; we fight to set a land free. The only thing we have ever asked is, as Colin Powell once said, the only land we have ever demanded is a tiny piece of pasture in which we could bury our soldier dead.

If you have ever been to a military cemetery—and they are spread all over the world, from France to England to the Netherlands to Panama to the Philippines to Japan—if you have walked among those stone-cold graves, then you know that this is sacred land.

A poet once wrote about these soldiers:

> Here dead we lie, because we did not choose to live And shame that land from which we had sprung Life, to be sure, is nothing much to lose But young men think it is And we were all young

I, like millions of other Americans, will always be grateful for their sacrifice. I honor them, and once again I am grateful to be among them.

Mr. WENSTRUP. I thank the gentleman from Utah for his profound words and for sharing such a nice tribute.

Next, I yield to the gentleman from Nevada, Dr. JOE HECK. Dr. HECK is a colonel in the United States Army Reserve and commands the Medical Readiness Support Group. He was recently selected for general, and he continues to serve. Over time he has served us in Operation Joint Endeavor, Operation Noble Eagle, and Operation Iraqi Freedom.

I yield to the gentleman from Nevada.

Mr. HECK of Nevada. I would like to thank my brother in uniform, the gentleman from Ohio, for organizing this very important Special Order to pay tribute to some very special people, America's veterans, America's heroes.

I want to tell a story that I think epitomizes the very sacrifice and dedication that our men and women in uniform have to this Nation. The date was February 21, 2008. The place was Al Asad, Anbar Province, Iraq. I was assigned as the chief of emergency services and aeromedical evacuation at a combat support hospital. A combat support hospital is similar to any inner city emergency department, with periods of hustle and bustle, kind of routine stuff, punctuated by moments of controlled chaos and sheer terror.

Such was that day on February 21. We were taking care of routine cases in the emergency services section when the radio crackled and we received a call from an incoming helicopter saying that they were bringing in a young Marine who had been shot in the chest. Of course we quickly focused on the task that would soon be at hand. As the chief, I was making assignments, making sure all our equipment was ready. We were ready to receive this casualty and make sure that we could return him home.

A couple of minutes later, the radio crackles again, and it is the helicopter calling in to tell us that the casualty was now unresponsive and that they have lost his pulse. A quiet fell over the resuscitation area. Everybody was singularly focused on what we were going to do for this young Marine when he arrived. The helicopter lands, we offload him, get him into the resuscitation suite, and we start doing what medical folks do, ripping off clothing, starting IVs, doing an assessment. It winds up that he received a single gunshot wound to the chest, just mere millimeters to the side of his trauma plate protecting his center of mass.

His eyes stared up at me lifeless as I was at the head of the bed. He was unresponsive. We quickly tried everything that we could to bring this young man back. We worked for over a half an hour doing things that in a civilian emergency department would be considered heroic, but we were going to do everything we possibly could. Alas, we were not successful. That young man was Lance Corporal Drew Weaver of St. Charles, Missouri, and he was 20 years old. He sacrificed and gave his last full measure of devotion to this country.

What happened next was even additionally awe-inspiring. My charge nurse, Lieutenant Colonel—now retired—Maria Tackett came into the room with a bucket of sudsy water and gingerly, carefully started to wash down Lance Corporal Weaver, wiping the dirt from his brow and his face, wiping off the now dried blood from his body. Just like a caring mother, she took care of this young 20-year-old Marine.

Just when I thought I couldn't see any other acts of compassion greater than that, two of my medics, young enlisted folks, came in with an American flag. I have no idea where they got it from. They might have taken it off the flagpole in front of the hospital. They carefully draped the flag over Lance Corporal Weaver, and then they both took up a position of parade rest at the foot of the bed. While we were waiting for Mortuary Affairs to come and retrieve Lance Corporal Weaver, they stood there and they stood there and they stood there.

I went in and said, ''Guys, you need a break? Take a break. Sit down.'' Their response to me was, ''Sir, never leave a fallen comrade.'' There they stood until Mortuary Affairs came to retrieve that young Marine.

Such is the story of those who sacrifice and of those who are dedicated to those who wear the uniform. I remember their names and I remember their faces to this day. I remember that day and the actions that those heroic men and women took, from Lance Corporal Weaver to the helicopter pilot to the medics in the back of that helicopter to my team and everything we tried to do. That is why we gather here tonight to pay tribute to these very special men and women.

May God bless our veterans, their families, their survivors, and may he continue to bless the greatest Nation on his Earth, the United States of America.

Mr. WENSTRUP. Thank you very much, Dr. HECK, Colonel Heck. Thank you for sharing that story. As a surgeon who served in Iraq, that was very moving to me and very familiar.

I think about how my experience in war has changed the national anthem for me. When I hear the ''rockets red glare and bombs bursting in air,'' I think of those that we didn't save. When I think of ''home of the brave, land of the free,'' I think of those that have saved us time and time again throughout our history.

At this time, I yield to the gentleman from Michigan (Mr. BENTIVOLIO). He is retired as a sergeant first class in the Army National Guard. He had service in Iraq in 2007 and served in Vietnam as an infantry rifleman from '70 to '71.

I yield to the gentleman from Michigan.

Mr. BENTIVOLIO. I thank the gentleman from Ohio and brother in arms for the opportunity to speak today.

Mr. Speaker, my grandfather served in World War I, and my father and uncle served in the 1940s. The gentleman who lived in the house across the street from where I grew up was a former sailor in World War II. His aircraft carrier was hit by a kamikaze.

Down the street a few houses, was someone who fought in the Korean war. His daughter, Cookie, gave me my first kiss. Near him lived another veteran who served on a destroyer in the Navy, and there were two men across the street from him who served together in General Patton's 3rd Army as part of the force that relieved the 101st Airborne at Bastogne. I can still see their faces. Their examples of service played a crucial role in why I served in the armed services.

Our next door neighbor was Charles Parker, Sr. As a Marine in World War II, he received the Purple Heart on Iwo Jima. His son, Charles, Jr., was my best friend. When I think of Chuck, I

still smile. He was the guy who stood up for the little guy. I remember one time when this big bully picked on this little kid and a fight started. Chuck rushed into action and broke up the fight. He defended the weak. Doing the right thing matters.

Charles Parker's name is inscribed on the Vietnam Wall memorial, panel 40 west, line 25. He died in service to his country on October 23, 1968. Doing the right thing matters.

I think my understanding of service can be best summed up in the message of the movie ''Saving Private Ryan.'' Perhaps you have seen it. If you haven't, let me tell you what it is about. The movie begins with an elderly man walking through the cemetery off the beach at Normandy. His family is quietly following behind him. The scene then shifts to a landing craft heading for the beaches of Normandy on D-day. Tom Hanks plays the part of Captain Miller, 2nd Rangers. As the landing craft hits the beach, the soldiers quickly experience the horrors of battle.

Many of his comrades are killed and wounded in the scenes that follow. But after securing the beachhead, Captain Miller receives new orders. His new mission is to locate and bring home Private Ryan, played by Matt Damon, who is in the 101st Airborne. Ryan's three brothers were recently killed within weeks of each other, and the Army thinks that no family should lose four sons to war. With a small contingent of soldiers under his command, Captain Miller sets off to locate Ryan.

Over the course of a few days, Miller's group takes several losses. Eventually, they find him in a small village in France, but alas, he decides to stay and fight alongside his brothers in arms as they defend the small bridge in the village. During the battle, most of Miller's soldiers are killed. Only two remain. Captain Miller receives a mortal wound and sits gasping, his back against a motorcycle. He looks up at young Private Ryan and says with his last breaths, ''Earn this. Earn this.''

The scene changes to a close-up of Matt Damon. His face changes from young Ryan to the older man we met at the beginning of the movie. He is overlooking a gravestone that reads, ''Captain Miller, 2nd Rangers.'' Old Ryan falls to his knees in front of the gravestone and says, ''Not a day goes by that I don't remember what you all did for me. I tried to live my life the best that I could. I hope that was enough. I hope that, at least in your eyes, I have earned what all of you have done for me.''

Let me tell you something. Not a day goes by that I don't remember what the fathers of my childhood friends and playmates did for us to protect the American Dream, and my good friend Charles Parker. No matter where your family hails from, no matter what your background is, as citizens of this great Nation, we must never let it be said that we have forgotten what our forefathers did for us.

To my fellow veterans of the 182nd Field Artillery of the Michigan Army National Guard, and to all the veterans past and present, thank you for your service. May God always bless America, and may we continue to be the home of the free because of the brave.

□ 2000

Mr. WENSTRUP. I thank the gentleman from Michigan (Mr. BENTIVOLIO) for his words.

I would like to take a moment to tell you about James McNaughton, Staff Sergeant James McNaughton, Army Reservist, an MP, New York City policeman.

We served on the same base in Iraq; and one day he and some other sergeants were being tasked with a mission that was going to be dangerous, and one of them had to go. James McNaughton volunteered over the other two. He did that because the other two had children.

On that mission, Staff Sergeant James McNaughton was killed by a sniper; and today there are two families that have their father because of James McNaughton. This is the type of selfless service that we see from our troops day in and day out.

I had the opportunity to tell that story on TV one time, national cable TV. A couple of days later I got a call from James McNaughton's father who said they were so shocked to hear their son's name and so honored that he was remembered in that way.

We need to honor and remember all of our veterans, especially those that have made the ultimate sacrifice on behalf of us.

At this time, I am pleased to yield to the gentleman from Illinois, Mr. RODNEY DAVIS. Mr. DAVIS is not a veteran, but he is a supporter of veterans, and he will be speaking on behalf of one of his staff members. Outside of his office he has a sign that says, I hire veterans.

I yield to you, Mr. DAVIS.

Mr. RODNEY DAVIS of Illinois. Thank you to my colleague from the great State of Ohio.

I am humbled to be here as a nonveteran, somebody who has not served our country in our military, but is so proud of those of you who have. And I am just honored to be able to be a part of this Special Order that you have arranged.

Mr. Speaker, this is an opportunity that many in this country will take for granted as they are watching this tonight, and not know that it is because of the sacrifices of those like my colleague BRAD WENSTRUP, who have served their country so well, that give us the freedoms today to stand on this floor and debate the issues that will impact this country for generations to come.

I would like to stand here as somebody who hasn't served to thank all of my colleagues who have come to this floor to honor those who have, who have served with them, those who have served our country and have had the opportunity to come home and, as we have heard tonight, those who have served our country and paid the ultimate sacrifice.

So I would like to personally thank my colleague, TIM GRIFFIN from Arkansas, for his service, not only as a member of our military, but as a Member of this Congress.

I would like to thank my colleague, TODD YOUNG from Indiana, for his service in the military, and also for his service in this body.

I would like to thank my colleague, JOE HECK, Dr. JOE HECK, for his service for our Nation, not only in our Nation's military, but also in this body.

I would like to thank CHRIS STEWART, my good friend and colleague from Utah, for his service for this country and our military and, again, for his service today as a Member of Congress.

Mr. Speaker, I would like to thank one who has yet to rise, Mr. DOUG COLLINS, for his service to our country as a member of our military, protecting our freedoms, and also for his service to the citizens of Georgia.

And, Mr. Speaker, I would like to thank you for your service in our Nation's military and for the service that you provide today for the great citizens in the great State of Michigan.

Thank you on behalf of those of us who have not had the opportunity to serve. I want to say thank you for giving us this great Nation that we now have the opportunity to serve in this body.

Mr. Speaker, I, again, am humbled to rise today to talk about our veterans and the sacrifices they have made to ensure the freedom of every single American, and I want to specifically mention a couple of folks.

One is a good friend of mine who served our country in Vietnam, who came back injured and served my State, my great State of Illinois as a Member of the Illinois General Assembly.

He still serves the citizens of Illinois today as somebody who is a pharmacist, works in the private sector; but my friend, Representative Ron Stephens from Greenville, Illinois, now spends his time, his spare time, raising money to help our wounded warriors. He walked miles upon miles over the last 2 years to raise thousands of dollars to help those who made it back home but paid a price.

Representative Ron Stephens, thank you for your service in Vietnam, thank you for your service to the great State of Illinois, and thank you, sir, my good friend, for serving this country for our heroes who walk the streets with us today.

And one of those heroes, as my colleague from Ohio mentioned, is someone who is not only a good friend of mine, but he works for me in my office in Champaign, Illinois. His name is Garrett Anderson.

Garrett was on patrol in Iraq, ran over an IED. Garrett sacrificed his right arm. He sacrificed time away

from his family, and he sacrificed the road to recovery for the freedoms that we enjoy and take for granted every day.

Garrett now works with the veterans who are trying to access the benefits that they were promised; and Garrett was out here with me a few weeks ago as we stood here and did an unprecedented, bipartisan Special Order that honored all 79 living Congressional Medal of Honor recipients.

We stood here with my colleague, TULSI GABBARD, who has also served her country and continues to serve her country today in this body. We stood there side by side, making sure that we honored every single recipient.

These are our heroes, and I was humbled to see men and women from both parties come here to honor those who have served our country and showed acts of heroism.

But since that time, Mr. Speaker, we had someone else awarded, given the Congressional Medal of Honor, and I would like to stand here today because he didn't have the opportunity to have his story told until now.

I would like to honor today the heroic efforts of the newest Medal of Honor recipient, Captain William D. Swenson of the United States Army. Captain Swenson would have made the 80th living Medal of Honor recipient. However, Sergeant Nicholas Oresko passed away on October 4, leaving the number of Medal of Honor recipients at 79 still.

My thoughts and prayers are with Sergeant Oresko's family and friends.

Captain Swenson, though, was awarded the Medal of Honor for extreme bravery at the risk of his life, above and beyond the call of duty in the Kunar province in Afghanistan on September 8, 2009.

Captain Swenson's combat team was ambushed as it moved into the village of Ganjgal for a meeting with village elders. The enemy began unleashing a barrage of fire onto the team. Captain Swenson immediately returned fire and directed his Afghan border police, while simultaneously calling in suppressive fire.

Surrounded on three sides by enemy forces, Captain Swenson coordinated air assets and medical evacuation helicopter support to allow for the evacuation of the wounded.

He ignored enemy radio transmissions demanding surrender and maneuvered uncovered to render medical aid to a wounded fellow soldier and moved him for air evacuation. With complete disregard for his own safety, Captain Swenson unhesitatingly led a team in an unarmored vehicle, exposing himself to enemy fire to recover the wounded.

Captain Swenson's team returned to the battlefield amidst enemy fire again to recover three fallen marines and one fallen Navy corpsman. His exceptional leadership and gallantry during 6 hours, 6 hours of continuous fighting, rallied his teammates and effectively disrupted the enemy's assault.

It is for his unwavering courage and heroism that I am proud to honor the actions today of Captain William D. Swenson.

And I would be remiss, Mr. Speaker, if I did not mention the role that one of our other colleagues and veterans and heroes who have served this great country in the military and who serve this country now in this body, my colleague, DUNCAN HUNTER, who played a role in making sure that Captain Swenson was awarded this great honor as the now 79th living recipient of the Congressional Medal of Honor.

Thank you, Mr. WENSTRUP, for what you have done for veterans tonight and what you continue to do every single day that you are here. May God bless you. May God bless all those who you have honored this evening, and may God continue to bless the United States of America.

Mr. WENSTRUP. I thank the gentleman from Illinois for that fine tribute.

I would like to share a story about Major John Pryor, John Pryor, MD, trauma surgeon from Philadelphia. He joined the Army Reserve in 2004; but on September 11, 2001, seeing that his Nation was under attack, he got in his car and he drove to Ground Zero, hitchhiked all the way in after he drove as far as he could. And after that, he took care of people.

After that, he started thinking that there is more that he could do for his country. He joined the Army Reserve. We served together in Iraq, became good friends; and after returning, we did a trauma conference together in Cincinnati.

John returned to Iraq in 2008; and on Christmas Day, after attending mass, he walked out and he was hit by a mortar and killed.

John was the type of person that did all for others. He left behind, unfortunately, a wife and three children.

Above his desk he had a quote by Albert Schweitzer that said:

> Seek always to do something good, somewhere. Every man has to seek in his own way to realize his true worth. You must give some time to your fellow man. Even if it is a little thing, do something for those who need help, something for which you get no pay but the privilege of doing it. For remember, you don't live in a world all your own. Your brothers are here too.

It is now my privilege to yield to the gentleman from Georgia, Mr. DOUG COLLINS. He serves as the Air Force Reserve Chaplain with the 94th Airlift Wing.

Doug has ministered to members of our military as a chaplain in the Air Force Reserve since 2002. He served a combat tour, stationed at Balad Air Force Base in Iraq in 2008.

I yield to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Thank you, I appreciate that.

Mr. Speaker, it is just an honor to be here tonight, for in 2 weeks, Americans across this great Nation will pause to remember, to honor, and to commemorate the men and women who have served the cause of liberty while wearing the uniform.

Veterans Day origins come from the battlefields of Europe when, on the 11th hour of the 11th day of the 11th month, the guns of World War I fell silent.

Of all of our Nation's holidays, Veterans Day holds a special meaning for me and my family. This day affords a unique opportunity to reflect and to remember people I have served alongside in the uniform and out.

It also reminds me tonight of not only those that I served in uniform with, but I continue to serve with who are actually members of my staff. I serve with two, one who is with me tonight in the gallery, retired Master Sergeant Bill Kokley, and also Vernon Robinson, Major, United States Army, who serves in my D.C. office as well.

It is just a reminder of the continuity of those who serve and the areas in which they serve as we go forward each and every day in our daily walk.

As a chaplain serving at Balad Air Base in Iraq, I was privileged to know and to comfort those who bore the wounds of battle. I watched in awe at the absolute determination and phenomenal dedication of doctors, nurses and medical technicians as they fought back against death itself to save the lives of our military warriors.

And because of their skills, more than 98 percent of those arriving at Balad alive left Balad alive. That is an amazing statistic and a compliment to you, Congressman, and others like you, and seeing the others at night on the flight line, both Army and Air Force, Marine, Navy, and even Coast Guard, in the middle of the desert.

I also think of the young airman I met one night while he was on guard duty. He didn't come to the gate when I first drove up, and I sat there for a second in the truck, and then he didn't come out. And he finally came out and he came rumbling out of the back. He said, oh, Chap, I'm sorry I didn't see you sitting there. I didn't see you. I apologize.

I looked at him and I said, okay if it is just me, but if the colonel had come along, it might have been a different issue. What were you doing? I was going to try and help him.

And I was ready for some excuse, that he was tired or whatever, and he got out a little piece of paper and he had written down. And I said, what are you doing?

He said, well, I was figuring up my salary, because now I have got a little bit of money, and last year wasn't real good at home. Mom and Dad, Mom was sick and Dad got laid off, and he said, we didn't have a lot of Christmas.

□ 2015

He said, ''But this year, I am making big money.'' He is an A1C. ''Big money.'' He said, ''I want to make sure that I will be able to send stuff home so

my brother and my sister can have Christmas.'' That is what I met that night.

When I came home, I carried with me a reminder, because one day, I picked up the Stars and Stripes—you know, in a war zone, you pick up anything to read, and I would pick up the Stars and Stripes, pick up everything. One of those papers I happened to just be reading while I was eating, and I opened it up, and in the Stars and Stripes, they carry pictures of those who did not make it. They died in combat. I remember opening that page up, and I looked, and along the bottom, there were eight pictures. I remember distinctly four of them because I stood beside their bed and held their hand in Balad. I carry that picture and that flag.

As Congressman WENSTRUP has said, the National Anthem is no longer—if it ever was—just a song. It is a spirit that lives.

The Ninth District of Georgia has a great legacy of citizens who have proudly served in our Armed Forces. This spring, we lost one of our greatest, Colonel Benjamin Purcell, United States Army. Colonel Purcell was the highest-ranking Army officer held as a prison of war.

Colonel Purcell was commissioned a lieutenant through the Army Reserve Officers Training program at North Georgia College, my alma mater. He was stationed at Fort Benning, Georgia, and was subsequently sent to Europe. In August 1967, a year after I was born, he was stationed in Vietnam.

Colonel Purcell became a POW after his helicopter was shot down in Quang Tri City, Vietnam, in 1968. Most of his time as a POW was spent in solitary confinement. He was unable to be with other prisoners until shortly before he was released. On March 27, 1973, Colonel Purcell was freed, as the U.S. was finally pulling out of Vietnam.

During his military career, Purcell was awarded the Silver Star, the Legion of Merit, the Bronze Star, and the Purple Heart, along with the Parachutist and Combat Infantryman badges. Colonel Purcell was laid to rest with full military honors.

Colonel Purcell's courageous story is just one of the many we remember on Veterans Day. He will always have the thanks and admiration of many Georgians.

On this Veterans Day, I will think about a young Marine from my hometown of Gainesville. In 2011, Corporal Sean Adams was on patrol in Afghanistan when he stepped on an improvised explosive device. The IED left him without legs, his left thumb, and his right pinky finger. He told me that when he went to Afghanistan, ''I fought for myself, my family, my country, and the Corps, and now I'm fighting for my life.''

Sean is being medically retired from his beloved Marine Corps and is even now searching for the opportunity to continue to serve his community. He is now fitted with prosthetic legs. His stated goal is to run the Marine Corps Marathon next year. Having seen this young man's courage and strength, I am certain he will make it.

Later this week, I have the privilege of attending a retirement ceremony at Dobbins Air Force Reserve Base for Colonel Timothy E. Tarchick, who has honorably served our Nation for his entire adult life. I am humbled to call him a mentor and, most importantly, my friend.

These are just a few of the veterans who have touched my life. I often think back on the men and women of our Armed Forces with whom I have had the pleasure of serving our Nation, and I think of the conversations, the laughter, and also the tears that we have shared. It is often the very short or one-time interactions with a comrade in arms that leave the most indelible memories.

On my desk, if you were to come to my office, if you can find it on the fifth floor of Cannon, you will see on my desk a little bracelet that was made for me by a young lady in Balad who was struggling every day. I would go by and see her, and I would take her stuff, and I would give her encouragement or I would give her a coke or give her a candy. One night, I came by, and she said, ''Chap, you are always giving me something. I want to give you something,'' and she gave me this parachute bracelet which sits on my desk right now.

So I don't care what goes on on the floor of this House in the big sense because all I have to do is remember that bracelet on my desk and remember why we are here and what that flag means.

This Veterans Day, let us commit ourselves to express our gratitude to America's veterans by remembering their service and sacrifice and, of course, thanking each of the veterans in our own lives in our own way.

Before I yield back, I want it to be known the one who put this together, the gentleman who has become a valued part of my life in the time that we have served together.

Lieutenant Colonel BRAD WENSTRUP has served in the United States Army Reserve since 1998. In 2005 and 2006, he served a tour in Iraq as a combat surgeon and was awarded the Bronze Star and the Combat Action Badge for his service. During his time in Congress, BRAD is fulfilling his Reserve duties by treating patients at Walter Reed National Military Medical Center in Bethesda.

I commit to you, Mr. Speaker, he is serving every day on a place called Capitol Hill with the gifts that he has been entrusted to by his Creator. He is also a soon-to-be dad who will pass along this legacy of service to his child.

With that, I yield back to you, sir.

Mr. WENSTRUP. I thank the gentleman from Georgia, my dear friend, Chaplain DOUG COLLINS, for those kind words.

We are honored to serve here with so many that have served—not all of them are here tonight—on both sides of the aisle.

I think of my colleague from Illinois, TAMMY DUCKWORTH, who suffered severe injuries in Iraq, has bilateral leg prosthesis. She had the courage to serve again and to continue to serve not only in the Guard but here as a Congresswoman from Illinois. It is an honor to serve with her here on Capitol Hill.

Teddy Roosevelt said it so well when he said, ''It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood.''

Our veterans serve. They fight in wars, wars they didn't start, and those who serve in war are probably the greatest lovers of peace, the ones who appreciate it the most.

Our great American veterans, they may be best described in this way: they are what others care not to be. They go where others fear to go, and they do what others fail to do, and they ask nothing from those that gave nothing.

I want to thank everyone for being here tonight to honor those that felt that they should give of themselves for something greater than themselves.

You know, when I was a child, and we would go to bed at night, we would kiss my parents good night, and my father would come in one more time, and he would take his thumb, and he would make the sign of the cross on our forehead.

When you tuck your children in at night, when you go to bed and you close your eyes and you feel safe and secure and unafraid, remember why.

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

IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, tonight we will be talking about a very important accomplishment that this body, the House of Representatives, could make on a bipartisan basis for our country, and that is immigration reform.

By refusing to act on comprehensive immigration reform, there is great cost to the American people in jobs, the undermining of the rule of law, and destruction of the opportunities that will arise by tackling this head-on. The longer we delay passing comprehensive immigration reform, the greater the cost of inaction in both economic, human, and security terms. Every week that Congress is in session for the rest of the year, I will be here on the floor, talking about the cost of inaction on immigration reform.

There is a clear path forward. There is a comprehensive immigration reform bill, a compromise. It took a little give-and-take from both sides, a compromise supported by the business community and labor, by the faith community, by the law enforcement community, by farmers, and by farmworkers, that has passed the United States Senate with more than a two-thirds majority.

We have introduced a similar bill, H.R. 15, here in the House with a growing number of bipartisan cosponsors and are encouraging the Speaker and the majority leader to bring this bill to a vote, where we have confidence that it will pass.

Our economy will suffer tremendously if we fail to pass comprehensive immigration reform. According to the nonpartisan Congressional Budget Office, immigration reform helps grow the economy, creating between 500,000 and 1 million jobs, reduces the deficit by over $200 billion, bolsters job creation, and strengthens the viability of Social Security and Medicare. What is not to like?

Let's restore the rule of law to our country. Let's improve our security, and let's unite families. In human terms, the cost of inaction is inflicting a heavy toll.

Over 135,000 deportations have taken place since the Senate passed immigration reform last June, including thousands of people who are noncriminals who would have benefited from immigration reform and, instead, became a cost to U.S. taxpayers to the tune of more than $10,000 each to deport.

Take a few examples from my district of people that immigration reform will help today. Dianna and Kathia are two young women from Larimer County in my district. They are high school students who were brought here from Mexico as young children by their parents. They are excellent students, both straight-A students. They want to go to college. Kathia wants to go to medical school, and Dianna wants to study cinematography.

Both of these young women are applicants to the President's Deferred Action for Childhood Arrivals, or DACA program, and we hope that they receive their DACA permit soon, but that is only a temporary fix for a limited period of time. They are both ambitious, capable young women who want to give back to our country and make it stronger, if only we will let them.

It is time to find a way for Kathia and Dianna and the so many like them to pursue their dreams and contribute to our communities without having to live in constant fear because of lack of status.

Another woman in my district who feels the pain of our current broken immigration system is Norma. Norma came to the U.S. over a decade ago, like so many of our ancestors, including my great grandparents, in search of a better life. She is the mother and primary caretaker of twin boys who are U.S. citizens. Both of her children suffer from medical conditions, and she works incredibly hard to ensure that her kids have access to what they need. She is a hardworking, honest person, a leader in her community, doesn't have any criminal history or pose any kind of threat to national security. All she wants to do is to give back to our country, to pay taxes, and contribute like every other American.

Nevertheless, Norma was placed in deportation proceedings last year following a traffic stop. If we don't reform our broken immigration system today, how many more families will be torn apart?

People like Kathia, Dianna, and Norma feel the negative impact of this House of Representatives' failure to act on the Senate immigration reform bill every single day. There is no excuse for inaction. We need to finalize and pass immigration reform this year.

I will be talking more about the cost of inaction in a few moments, but I want to yield to my good friend and colleague from Florida (Mr. GARCIA), the sponsor of H.R. 15.

Mr. GARCIA. I thank the gentleman from Colorado.

Mr. Speaker, I have the distinct privilege of representing a district that, in the last several decades, has in large part been built by immigrants.

I lived in south Florida during some very tough times for the immigrant community. I remember as a young man seeing bumper stickers on the backs of cars that said, ''Would the last American please bring the flag.'' But you know what? The flag still flies high in Miami. It is a thriving, growing economy and a beacon of work and opportunity for millions. People from all over are drawn to my community because they believe in the American Dream.

My constituents know that immigrants only add to the American way of life. They make our country better. They create more opportunity for all. A vast majority of Americans recognize this.

Some polls show that 70 to 80 percent of Americans support comprehensive immigration reform, with a pathway to citizenship. Fixing our broken immigration system isn't something that we can tackle on a step-by-step basis, only addressing parts of the problem.

□ 2030

It is a bill that secures our borders, builds our economy, and provides a way forward for millions of undocumented individuals living in the United States.

With every day that passes, millions continue to live in the shadows and jobs continue slipping away overseas. This is an issue that is not simply about justice. It is about fairness. It is about ensuring, also, America's economic prosperity.

In Florida alone, legalizing all of the currently undocumented immigrants would generate $1.3 billion in additional tax revenues and create 97,000 new jobs. Fixing our broken immigration system will help small businesses expand, foster innovation, increase productivity, raise wages, and help create thousands of jobs.

The fight for comprehensive immigration reform is one that makes all Americans better, makes our country richer, and creates opportunity for all. In the history of the world, there has never been a great nation that was shedding citizens. In fact, great nations welcome opportunities.

The last few weeks have not cast a positive light on the House of Representatives, but this is an issue where we can repair that broken image. It is possible to find a bipartisan compromise that is the right thing for our Nation to do. The costs of inaction are simply too high.

More than enough Members of this Chamber understand the benefits of immigration, understand that it is a necessity for our country's prosperity, and understand that it is what we will do inevitably. Let's do it now. Let's do it right. Let's get it done.

Mr. POLIS. I thank the gentleman from Miami, a leader on the effort to reform our broken immigration system.

I want to talk about the overwhelming public support for immigration reform.

More than 70 percent of the American people support immigration reform, including majorities of Republicans, Independents, and Democrats. The American people know that what we are doing now isn't working, and by failing to act and only continuing to perpetuate the undermining of the rule of law, a population of over 10 million people that are here illegally and a system that is out of whack with reality, will only continue to hurt the American people.

With that, I am happy to yield to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. I thank the gentleman from Colorado for yielding the time.

Reforming our immigration system is one of the top issues in our Nation. I was happy to see the Senate act this past June when it passed a comprehensive immigration bill with an overwhelming bipartisan vote.

The Senate bill solves many of the problems with our current immigration system. It creates a pathway to citizenship, secures our borders, addresses the current backlog, and helps the DREAMers, who were brought here through no fault of their own. Unfortunately, the push for immigration reform hit a brick wall when the legislation moved over to the House and Speaker BOEHNER flatly refused to bring it up for a vote.

Sadly, this is not the first time Speaker BOEHNER and his irresponsible faction of the House Republican caucus have stood in the way of what is best for the American people, even though

there is a clear governing majority that is ready to act. Despite Speaker BOEHNER's desperate attempt to follow the so-called rule which requires him only to allow votes supported by a majority of House Republicans, the governing majority has been able to pass several pieces of substantive legislation this year.

Just who is this governing majority? It is made up of nearly the entire Democratic Caucus and a handful of moderate, sensible Republicans.

In January of this year, a governing majority of 172 Democrats and 85 Republicans came together to avoid the fiscal cliff, saving our economy from ruin.

Several weeks later, when a majority of the Republican caucus stood opposed to relief for the victims of Superstorm Sandy, it took overwhelming support from Democrats and a small group of Republicans to help those in need.

Shortly thereafter, the House passed the Senate's version of the Violence Against Women Act, providing protections for victims of domestic violence, with unanimous Democratic support and a portion of the Republican caucus.

Then, in March, facing the deadline of a government shutdown, a temporary budget extension to keep the government funded until September 30 also needed the support of the Democrats to pass the House.

Finally, despite claims indicating that the votes weren't there to pass a clean CR, the House reopened the government and avoided default with the unanimous support of Democrats and a group of Republicans.

The reality is, to pass anything with substance, Speaker BOEHNER needs to stand up to the extreme faction of his party, stop blocking important legislation, and get out of the way and let the House of Representatives work its will. America needs Democrats and Republicans to come together. We have seen what can be accomplished when we are united.

And who are we kidding about the Hastert rule? The Speaker has already violated it multiple times this year.

In the lead-up to the most recent crisis, he said that he didn't want the government to shut down or default on its debts. If Speaker BOEHNER truly meant that, he would have turned to the governing majority and we would have avoided a 16-day shutdown that cost our country $24 billion in economic activity.

The governing majority has done its job with the fiscal cliff, with aid to Superstorm Sandy, with the Violence Against Women Act, and the recent government shutdown and debt ceiling negotiations. We have escaped manufactured crisis after manufactured crisis. I know that the American people are eagerly waiting for the House of Representatives to pass meaningful legislation that addresses our challenges.

The governing majority is ready to do its job once again with comprehensive immigration reform. As millions of Americans and aspiring Americans are waiting for this body to act, it is time to put aside the theatrical displays, Mr. Speaker. Let us govern so we can bring our brothers and sisters out of the shadows.

I believe that if the Senate's comprehensive immigration reform bill came to the floor of the House, the governing majority would once again do what is right for the American people and pass this important legislation. Let's vote on the Senate's bill and fix our broken immigration system. The time is now.

Mr. GARCIA. I thank the gentleman from California.

I take this opportunity to sort of point out that, as he talks about the governing majority, we are seeing a coalition already built around immigration reform. In a bill that was filed less than 3 weeks ago, we already have 187 cosponsors, which puts us in a very good place to pass it if it is allowed to come to the floor. That means that already 95 percent of Democrats have signed on to the bill. That means that a Democratic Senate already passed out a bill and that the President stands ready to sign a comprehensive immigration reform if it gets to his desk.

So our hope is that in the days to come, the 17 days left of working session before the end of the year, that we will find the will to bring something to the floor so that we can move this forward.

With that, I yield to the gentleman from Colorado.

Mr. POLIS. I thank the gentleman from Miami.

I want to talk a little bit about supporting Colorado.

Colorado is a purple State. It is middle of the road, with four Republicans and three Democrats in our congressional delegation. It is a State that is affected by immigration. We have a strong tradition of immigration in our district, a strong exchange of economic ties with our neighboring countries.

Here are some recent polls in a few of our congressional districts in our State:

In the Third Congressional District, represented by my friend, Congressman SCOTT TIPTON, a recent poll showed that 77 percent of the people in the district—this is the district including Pueblo, Grand Junction, and Aspen—support immigration reform with a pathway to citizenship. Only 17 percent oppose it.

In the neighboring district of my good friend CORY GARDNER, the Fourth Congressional District of Colorado, 76 percent support immigration reform with a pathway to citizenship.

In the district of my friend and colleague MIKE COFFMAN of Aurora, Colorado, and Douglas County, 74 percent support immigration reform with a pathway to citizenship.

Failure to act and avoid this issue is, in fact, not delivering for the American people. One cannot speak out of both sides of their mouth forever and say that in some abstract sense we are for immigration reform but not give this body the ability to pass immigration reform. The American people, Mr. Speaker, are smarter than that.

It has been 123 days since the Senate has passed an immigration reform bill. And you know what? We have H.R. 15 in the House. We want that to come to a vote. But there may be other immigration reform packages. I know there has been a bipartisan group that has been meeting for awhile. Recently, some of the Members have pulled out. If there are other ideas, let's put them on the table. But inaction for 123 days is inexcusable—inexcusable.

The time for action is not now. It wasn't just yesterday. It was last year. It was 5 years ago. It was 10 years ago. We can't afford to continue to wait day after day, week after week, year after year, without taking action. The American people, Mr. Speaker, have had enough and are demanding more.

There is something that we know for sure. The enforcement-only approach has failed. It hasn't worked. The number of people here illegally has only increased. We have increased the budget of the Border Patrol by 10 times, and the number of unauthorized people here illegally increased by 3 times during that same period.

So what does that mean? If we increase that budget 20 times, does that mean the number of people here illegally will quadruple? Maybe. But that is clearly not a solution; just look at the data.

And there is a human toll, Mr. Speaker. From 1998 to 2010, over 5,000 people died crossing the U.S.-Mexico border looking for a better life, just as my ancestors did, Mr. Speaker, and just as your ancestors did.

From 1998 to 2007, over 100,000 parents of U.S. citizen children were removed from this country. Yes, little Johnny, little Sara coming home from school, they are American. They were born here. They will vote some day. Coming home from school and, Sorry, Mom is in deportation proceedings. Your mom won't be here for you, little Johnny or little Sara. What did she do? A taillight out on her car or 10 miles over the speed limit.

I got a speeding ticket last year, Mr. Speaker. I have a 2-year-old son, Mr. Speaker. To think something like that could force me to be ripped from my family—not for months, not for years—forever.

There is something called the lifetime bar, Mr. Speaker. Forever being taken away from my family, Mr. Speaker, I would risk crossing that border and dying—like 5,000 people did—to be with my son, Mr. Speaker. And that is an American trait. That is what a good American would do. That is what a good American parent would do, Mr. Speaker.

Let's let people give back to our country and provide for their families. That is an American value, and we can do that now.

My colleague, Mr. TAKANO, talked about a governing majority. There is a governing majority for passing H.R. 15, the Comprehensive Immigration Reform bill, now.

□ 2045

I can't tell you whether it is 25 Republicans or 45 Republicans or 80 Republicans, but they will join nearly every Democrat, if not every Democrat, in passing comprehensive immigration reform now.

I ask my colleague from Miami if he has ever seen this kind of coalition of business and labor and faith-based community and agriculture and farm workers—unlikely suspects—coming together around something that is such common sense. Have you seen this kind of unprecedented coalition of public support on any other issue, and what do you think it means for immigration reform?

Mr. GARCIA. I would like to thank the gentleman from Colorado, and I think he is absolutely right.

This is an unprecedented partnership with business, labor, the tech community all coming together around a basic thing—to help our country move forward. I think about all of the opportunities that we are missing and of all of the places that are doing better than we are in competition because we don't offer a pathway forward.

I would mention to the gentleman from Colorado that there are 130,000 Chinese students in the United States right now, that there are somewhere in the neighborhood of 90,000 Indians studying in the United States, that there are 70,000 South Koreans studying in the United States. Under the present immigration system, if your company thinks, ''Hey, I can hire this guy, and it will be good for us,'' they just can't. He has got to go home. So we are sending them home to come back and compete with our workers when we could offer them a future here and when they could create a better future for other Americans.

This is something we have done always. We take people from all over the world, and we put them to work for America in the best interest of America. Yet, under our broken immigration system, you just can't do it.

Mr. POLIS. I represent a district with two fine universities—the University of Colorado at Boulder and Colorado State University. Both have excellent graduate programs—engineering, physics, environmental engineering, the biological sciences, you name it. Like many of our institutions of higher education, a high number of students there are foreign nationals who are studying under student visas.

Under our current immigration policy, Mr. Speaker, at our public State institutions, we provide this world-class education for people who fill a need in the economy—they are going to be great engineers; they are going to be great mathematicians; they are going to be great computer scientists. Guess what? They graduate with a master's, and they graduate with a Ph.D., and what do we tell them? Oh. Go back to another country, and compete against us.

Compete against us. We are telling them to compete against us. How does that make sense, Mr. Speaker?

What we need to do is to provide a way—and the Senate bill and H.R. 15 do this—for people who graduate with advanced degrees in these fields to be able to stay here, keeping the jobs here, because guess what? Today's companies don't care where the jobs are. You can be a computer programmer in India. You can be a computer programmer in France. You can be a computer programmer here. Out of convenience, we would rather have you here, but the job is going to follow you. It is not the other way around.

In addition, if we act with H.R. 15, it will lead to over $5 billion in additional tax revenues. It will reduce our deficit by over $200 billion. It will create between three-quarters of a million and 900,000 jobs for Americans—jobs for Americans that are created under H.R. 15. It includes provisions around startups and entrepreneurs—people who want to come here to found companies and hire Americans. Don't we want that? Don't we want jobs for our brothers, our sisters, our friends, and our neighbors, jobs for Americans? H.R. 15 is the biggest jobs bill for Americans before the House of Representatives, and that is another reason we need to pass it.

Mr. GARCIA. I would also add to that the report that the Congressional Budget Office has released.

Here is what we know: in the next 10 years, if we move forward with comprehensive immigration reform, it will produce $175 billion to the U.S. economy. Here is what we know even further: in the 10 years after that, it will produce $870 billion to our economy. This is a net positive overall.

For my colleagues across the aisle who love to talk about the deficit, who love to talk about the fact that our country isn't bringing in revenue, here is revenue that is sitting there—people who are working, people who are ready to contribute to the American economy. They are there, and we know that, if we bring them out from the shadows and give them a pathway forward, they will make our Nation richer, and they will make our country better.

Mr. POLIS. So we can improve our security, and we can restore the rule of law, and we can create jobs for Americans, and we can reduce our deficit—all in one bill? What is not to like?

I yield to my colleague from probably the longest congressional district in the country. I don't know if it is the largest in area, but I think it is probably the longest in the country. I yield to my good friend from Texas.

Mr. GALLEGO. Thank you for yielding.

We were visited today by a group called Bibles, Badges and Business. One of the Bible passages which was quoted to me today is in the Gospel according to St. Matthew, in which he talks about, I was hungry, and you gave me to eat. I was thirsty, and you gave me to drink. I was a stranger, and you took me in.

That is the genesis, I think, for a lot of people who want, from a Christian ethics' perspective, to support immigration reform.

You also have the people who support immigration reform, frankly, because of the idea that they are parents. Frankly, I think any parent understands that, once you hold that kid in your arms for the first time, I mean, you will do anything you have to do to make sure your little boy or your little girl eats.

Then there are the economic arguments that we have been talking about. For me, the economic arguments also are so important because the U.S. Chamber of Commerce, for example, has cited a study that shows that immigrant-owned businesses would generate more than $775 billion in revenue with $125 billion in payroll and $100 billion in income. That is pretty impressive.

Do you know what percentage of the American workforce they could employ if they were unleashed? They could employ 1 out of every 10 workers, which is just a phenomenal statistic.

The other thought that I find really interesting is, of course, that immigrants are also consumers, and when they consume, they further drive the job growth. Now, many Members of Congress and, certainly, many people from Texas are familiar with George W. Bush.

Do you know there is now a George W. Bush Institute? Were you aware of that?

The George W. Bush Institute has, frankly, been a very strong proponent of immigration reform, and it has produced a 65-page document titled ''Growth and Immigration'' which states that immigrants serve as catalysts for growth. In fact, the report from the George W. Bush Institute says that communicating the positive economic contributions of immigrants is the first step in helping Americans recognize the hidden advantages of immigration. The institute is confident that bipartisan solutions exist and that, when properly informed, Americans agree more on this topic than they realize. That is pretty impressive coming from the George W. Bush Institute.

Further, the Congressional Budget Office shows that immigration reform wouldn't negatively impact U.S. workers and that it would reduce the Federal budget deficit by $175 billion.

So I think it is important that we get the facts out and that we make a difference because comprehensive immigration reform is so important to everybody from across the border. I have never seen so many groups unified to pass comprehensive immigration reform.

Mr. POLIS. I thank the gentleman from Texas for his words.

This is 123 days. That is 123 days too long. Let's pass immigration reform now.

I yield back the balance of my time.

OBAMACARE ORIGINATION CLAUSE

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

Mr. FRANKS of Arizona. Mr. Speaker, in 2012, the Supreme Court narrowly and specifically upheld the individual mandate at the heart of ObamaCare under Congress' general taxing power. The Court specifically noted:

> Even if the taxing power enables Congress to impose a tax on not obtaining health insurance, any tax must still comply with the other requirements in the Constitution.

Let me read that again, Mr. Speaker:

> Even if the taxing power enables Congress to impose a tax on not obtaining health insurance, any tax must still comply with the other requirements in the Constitution.

In short, ObamaCare was upheld as a tax. The Supreme Court did not and has not yet considered a challenge to the Affordable Care Act's taxing provisions on the grounds that it violated the Origination Clause in the United States Constitution, and it most certainly did exactly that. The Origination Clause is found in article I, section VII of the Constitution, and it states:

> All bills for raising revenue shall originate in the House of Representatives.

In creating ObamaCare, Senator HARRY REID took an entirely unrelated bill, H.R. 3590, containing just 714 words that did not raise taxes, and then stripped it of everything but its bill number. He then put the 400,000-word ObamaCare that raised taxes in 17 different places into its empty shell. Through this bit of legislative trickery, Mr. REID claims that ObamaCare originated in the House, when, in fact, every last provision of ObamaCare, including the largest tax increase in American history, all came from the Senate.

This sort of procedure absolutely ignores and vacates the Founders' intent, and it renders the Origination Clause of our Constitution completely meaningless. If it is allowed to stand, the Origination Clause in the Constitution is a dead letter.

Mr. Speaker, this is not a small or marginal issue. The principle behind the Origination Clause was the moral justification for our entire War of Independence. Its importance was expressed through the Virginia House of Burgesses, the Stamp Act Congress, and the First Continental Congress, all of whom petitioned the Crown and the Parliament in England for redress of their tax grievances. It was with these realities in mind that the Origination Clause of our Constitution was written, and without it at the core of the Great Compromise of 1787, the 13 original States would have never agreed to ratify the Constitution.

When our Founding Fathers wrote the Constitution, they knew it was vital for the power to raise and levy taxes to originate in the people's House, whose Members are closest to the electorate with 2-year terms, rather than in the Senate, whose members sit unchallenged for 6-year terms and who do not proportionally represent the American population and who already enjoy their own unique and separate Senate powers intentionally divided by the Framers between the two Chambers.

If we as Members of the House of Representatives, who took a solemn oath to support and defend the Constitution, including its Origination Clause, fail to assert this right and responsibility as the immediate Representatives of the people and those most accountable to them, we dishonor the Founders' memory, and we fundamentally abrogate our sworn oath to support and defend the Constitution of the United States from all enemies, foreign and domestic.

This fall, the U.S. Court of Appeals for the District of Columbia Circuit will hear an appeal in the case of Sissel v. HHS as to whether ObamaCare violates the Origination Clause of the Constitution. I would urge my colleagues to sign on to H. Res. 153 and to join me in an amicus brief, along with currently 31 other Members of Congress, that I will be filing with the court. This brief expresses our collective conviction that the passage of ObamaCare was and is unconstitutional.

Mr. Speaker, ObamaCare was the largest tax increase in American history. The United States Supreme Court specifically and officially ruled it a tax. Consequently, under NANCY PELOSI and HARRY REID, the House and the Senate, in passing it in the manner that they did, categorically violated the Origination Clause, without which the U.S. Constitution never would have been born in the first place.

It is now the duty of the judiciary to strike down ObamaCare as a clear violation of the Origination Clause.

□ 2100

By following this amicus brief, we hope the judiciary will seize on the opportunity to support and defend the origination clause of the United States Constitution. If the judiciary does not strike down ObamaCare as an unconditional Senate-originated tax, Mr. Speaker, it would allow the Obama administration to blow yet another huge hole into the constitutional fabric of this noble Republic.

Mr. Speaker, Daniel Webster once said:

> Hold on, my friends, to the Constitution and to the Republic for which it stands. Miracles do not cluster and what has happened once in 6,000 years, may never happen again. Hold on to the Constitution, for if the American Constitution should fall, there will be anarchy throughout the world.

U.S.-IRAN NUCLEAR NEGOTIATIONS ACT

Mr. FRANKS of Arizona. Now, Mr. Speaker, I would like to move to another subject.

Mr. Speaker, the greatest security threat in the world today is that of a nuclear-armed Iran. Now, Iran is once again the news of the moment. As talks between the United States and Iran have begun, American leaders given the charge to protect America's national security must not be charmed by wolves in sheep's clothing.

When innocent Syrian civilians were mercilessly attacked by chemical weapons, the Obama administration was caught on its heels in a foreign policy quandary. America was reminded again that the United States must always be vigilant and embrace an international relations framework which enables proactive engagement rather than merely reactionary, crisis response.

Mr. Speaker, I desperately hope that these discussions will proceed in the context of the grave reality the human family will face if nuclear weapons fall into the hands of jihadists in Iran.

To use the slightly altered words of our Secretary of State, Mr. Speaker: In a world of terrorists and extremists, we ignore these risks at our peril. We simply cannot afford to have nuclear weapons become the IED or car bomb of tomorrow. Neither our country, nor our conscience, can bear the costs of inaction.

Mr. Speaker, the U.S.-Iran Nuclear Negotiations Act is: an action that will reinforce the prohibition against illegal nuclear weapons development. We are talking about actions that will degrade Iran's capacity to use these weapons and ensure that they do not proliferate.

With this authorization, the President will simply have the power to make sure that the United States of America means what we say.

Now, Mr. Speaker, actually, the words I have just quoted are really just the essential words of Secretary Kerry's recent justification for wanting to attack Bashar al Assad's regime in Syria. However, I changed the quote a little bit, Mr. Speaker. Whenever he said ''Syria,'' I inserted ''Iran,'' and whenever he said ''chemical weapons,'' I inserted ''nuclear weapons,'' Mr. Speaker. If this line of reasoning of the administration chooses to stand behind this, then we simply cannot refute the parallel argument related to a nuclear Iran which poses an exponentially greater threat in terms of our security to the United States of America.

Secretary Kerry asserted that Mr. Obama ''means what he says.'' But, Mr. Speaker, if the world truly believed that this President means what he says, the chemical weapons crisis in Syria would never have occurred in the first place.

Secretary Kerry said of the Syrian crisis that North Korea and Iran were closely watching our actions. However, Mr. Speaker, the converse is actually

far more accurate: Syria has been closely watching Mr. Obama's inaction toward North Korea and Iran since he became President; and, consequently, Assad felt he could use chemical weapons on innocent men, women, and children with impunity. Unfortunately, Mr. Speaker, the entire world now sees the U.S. under this President as all talk.

However, in this monumentally important issue of preventing Iran from gaining nuclear weapons, our critical diplomatic policies must be backed by our unmovable will to back them up by all means necessary.

The popular narrative of the Obama administration is to embrace Iran's openness and reward their willingness to negotiate, Mr. Speaker. But, Mr. Speaker, we know United Nations resolutions, IAEA declarations, and diplomatic efforts, including 10 rounds of negotiations toward this regime, have produced absolutely no fruit at all. Decades have passed without a single concession from this, the world's leading sponsor of terror.

In 2005, we saw North Korea, another rogue nation, petition for ''talks'' about ending their nuclear weapons program, and demanding U.S. concessions. How did they hold up that end of that bargain? They conducted three flagrant nuclear weapons tests. This, in spite of the fact that North Korea has been sanctioned, in terms of economic sanctions, into the virtual starvation of their people for now a half century.

Mr. Speaker, Iran is closer than ever before and racing toward a full nuclear weapons capability. The Iranian Government's intentions, actions, and capacity to develop nuclear weapons capability and sponsor international terrorism are terrifyingly clear. The time to regain our credibility with both our allies and foes alike in this region is now, before the situation devolves into a Syria-like situation, frantically searching for solutions after the crisis has already begun.

To that end, Mr. Speaker, I have introduced the U.S.-Iran Nuclear Negotiations Act, and I urge my colleagues to cosponsor this bill along with 25 other Members of Congress who are now signed on. The U.S.-Iran Nuclear Negotiations Act will strengthen the United States negotiating position in the upcoming talks with Iran, and it will outline vital congressional priorities on any nuclear negotiations with Iran.

Mr. Speaker, a bad deal with Iran which does not definitively prevent a weapons-capable Iran is worse than no deal at all. I am afraid that is exactly where this administration may take us.

Mr. Speaker, we must not let it happen.

Whatever the cost is to prevent a nuclear-armed Iran, it will pale in significance compared to the cost to our children and the entire human family of allowing the jihadist regime in Iran to gain nuclear weapons.

Now, Mr. Speaker, I have a thought I would like to repeat.

Mr. Speaker, in 2012, the Supreme Court of the United States narrowly, but specifically, upheld the individual mandate at the heart of ObamaCare under Congress' general taxing power. The court noted specifically that ''even if the taxing power enables Congress to impose a tax on not obtaining health insurance, any tax must still comply with other requirements in the Constitution.''

Mr. Speaker, I am going to read that one more time: ''Even if the taxing power enables Congress to impose a tax on not obtaining health insurance, any tax must still comply with other requirements in the Constitution.''

In short, Mr. Speaker, ObamaCare was upheld as a tax. The Supreme Court did not, and has not yet, considered a challenge to the Affordable Care Act's taxing provisions on the grounds that it violated the origination clause in the United States Constitution. Mr. Speaker, it most certainly did exactly that.

Mr. Speaker, the origination clause is found in article I, section 7 of the Constitution, and it states:

> All bills for raising revenue shall originate in the House of Representatives.

In creating ObamaCare, Senator HARRY REID took an entirely unrelated bill, H.R. 3590, containing just 714 words that did not raise taxes, and then he stripped it of everything but its bill number. He then put the 400,000-word ObamaCare that raised taxes in 17 different places into this empty shell bill.

Through this bit of legislative trickery, Mr. Speaker, Mr. REID claims that ObamaCare originated in the House when, in fact, every last provision of ObamaCare, including the largest tax increase in American history, all came from the Senate.

Mr. Speaker, this sort of procedure absolutely ignores and vacates the Founders' intent, and it renders the origination clause of our Constitution completely meaningless. If it is allowed to stand, the origination clause in the Constitution is a dead letter, Mr. Speaker.

This is not a small or marginal issue. The principle behind the origination clause was the moral justification for our entire War of Independence. Its importance was expressed through the Virginia House of Burgesses, the Stamp Act Congress, and the First Continental Congress, all of which petitioned the Crown and Parliament in England for redress of their tax grievances.

It was with these realities in mind that the origination clause of our Constitution was written. Without it at the core of the great compromise of 1787, the 13 original States would never have agreed to ratify the Constitution of the United States.

It is not a small issue, Mr. Speaker. When our Founding Fathers wrote the Constitution, they knew it was vital for the power to raise and levy taxes to originate in the people's House whose Members are closest to the electorate with 2-year terms, rather than the Senate whose Members sit unchallenged for 6-year terms and who do not proportionately represent the American population and who already enjoy their own unique and separate Senate powers intentionally divided by the Framers between the two Chambers.

If we, as Members of the House of Representatives, who took a solemn oath to support and defend the Constitution, including its origination clause, fail to assert this right and this responsibility as immediate representatives of the people and those most accountable to them, Mr. Speaker, we dishonor the Founders' memory and we fundamentally abrogate our sworn oath to support and defend the Constitution of the United States from all enemies foreign and domestic.

Mr. Speaker, this fall the U.S. Circuit Court of Appeals for the District of Columbia Circuit will hear an appeal in the case of Sissel v. HHS as to whether ObamaCare violates the origination clause of the Constitution.

I would urge my colleagues to sign on to H. Res. 153 and to join me in an amicus brief that I will be filing with the court along with currently 31 other Members of Congress. This brief expresses our collective conviction that the passage of ObamaCare was and is unconstitutional.

Mr. Speaker, ObamaCare was the largest tax increase in the history of the United States of America. The United States Supreme Court specifically and officially ruled it a tax. Consequently, under NANCY PELOSI and HARRY REID, the House and the Senate in passing it in the manner that they did categorically violated the origination clause without which the U.S. Constitution never would have been born in the first place.

Mr. Speaker, it is now the duty of the judiciary to strike down ObamaCare as a clear violation of the origination clause.

By filing this amicus brief, we hope the judiciary will seize on the opportunity to support and defend the origination clause of this our United States Constitution.

Mr. Speaker, if the judiciary does not strike down ObamaCare as an unconstitutional Senate-originated tax, it would, Mr. Speaker, allow the Obama administration to blow yet another huge hole in the constitutional fabric of this noble Republic.

Mr. Speaker, DANIEL WEBSTER said something that I think applies so profoundly here. He said:

> Hold on, my friends, to the Constitution and to the Republic for which it stands. Miracles do not cluster and what has happened once in 6,000 years, may not happen again. Hold on to the Constitution, for if the American Constitution should fall, there will be anarchy throughout the world.

Mr. Speaker, we must defend this Constitution. We must as the House of

Representatives do our part to uphold those privileges and responsibilities we have been given by the Constitution, and I hope we do it, sir.

I yield back the balance of my time.

□ 2115

MORE PROBLEMS WITH AFFORDABLE CARE ACT

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

Mr. GOHMERT. Mr. Speaker, to follow on my dear friend Mr. FRANKS from Arizona's discussion about the so-called Affordable Care Act, I continue to hear from people who have lost their insurance, had insurance go up significant amounts, it is not affordable.

Now, I did hear from one of my constituents tonight that about 30 out of 147 people at his place of business actually were helped by the Affordable Care Act, and that is great. Eighty percent of Americans seem to have gotten no help or been greatly harmed by the Affordable Care Act. Their insurance has gone up dramatically. They didn't get to keep their insurance. They didn't get to keep their doctor. They didn't save $2,500. Most Americans have been harmed by the Affordable Care Act.

It is just very hard for me to call it the Affordable Care Act, but in this body so often there have been bills which had for a title, such as the Affordable Care Act, had a name that was exactly opposite of what the bill actually was going to accomplish. The cap-and-trade bill, as it was called, certainly didn't help trade, but it sure did cap a lot of commerce that could have taken place and would not have been able to if that bill had been passed.

There are just all kinds of bills. Some people are pretty creative in the way that they put a name on. There is no law that says the title to a bill has to be truthful, and that is how you can end up with a bill calling it ''affordable care'' when the majority lose their insurance and don't get the care that they need or, for example, find out that in 3 to 5 years, when they need a new pacemaker, the new law will not allow them to get it. Those are problems.

What I have also found more and more of are senior citizens who are now beginning to figure out that when the AARP-endorsed ObamaCare—and I don't think it is disrespectful to the President to call the bill ObamaCare, just as the President and others called the bill that Governor Romney signed in Massachusetts RomneyCare. I don't consider it disrespectful to former Governor Romney to call it RomneyCare, and I don't think it is disrespectful to call the un-Affordable Care Act ObamaCare. So no disrespect to the President intended by referring to his signature bill.

But people have been hurt. People have been moved from full-time employment to part-time employment. They liked their insurance policy, but then they found out they didn't get to keep it. They have lost it. They found out their deductible shot up dramatically, and now they don't think that they can afford the thousands of dollars that will be required before their insurance policy kicks in.

We have seen news reports repeatedly about companies that have had to drop spouses from coverage or families from coverage or drop coverage altogether. We found out that there may be as many as 80 percent of those who individually bought their insurance that will or have lost their insurance. And so when I see a number projected like 14 million Americans will lose their insurance, my understanding is that most of these projections about the millions that are losing their insurance are actually talking about millions of policies that are lost. So, for example, if it were my family when my children were growing up, then it would mean not just one policy was lost, but it would mean five people lost their insurance. So I think we will continue to see millions and millions losing their insurance rather than getting to keep it, which is a broken promise.

Now, there was an article written by Lisa Meyers, and it is referenced here in the blog of Ace of Spades, and I don't have the article itself here, but a great point is made that it is bad enough that we were told over and over: If you like your insurance, you can keep it. If you like your insurance, you can keep it. If you like your insurance, you can keep it. If you like your insurance, we will make sure you can keep it. You want to keep your insurance, you can keep it.

We were told those types of things over and over by the President himself and people speaking for the President as well. And the point is made that actually the law itself did not destroy as many insurance policies as have now been lost, but so many of the lost insurance policies have been forcibly lost by this administration by the law but also by the thousands of pages of regulations that have been written. And this article points out:

> In other words the ACA, Affordable Care Act, did make it incredibly hard for insurers to continue plans for the millions of Americans who don't want comprehensive insurance. Financially, insurers almost certainly had to adjust them in such a way that they would lose the grandfathered status. This isn't ''normal turnover in the insurance market,'' although there is plenty of that in the individual market. There is a reason why an exceptionally large number of Americans are getting cancelation notices this fall.

It points out that very often insurance companies will keep premiums down despite rising costs of insurance by raising deductibles or copayments, and that is precisely what Obama's regulations say makes a policy automatically ungrandfathered. So people were told, if you like your policy, you can keep it because we are going to grandfather them in. The President himself used that term, ''we are going to grandfather in these policies.''

Then his Health and Human Services wrote the regulations in such a way that it forced insurance companies to have to change their policies, mandated some new coverage if it was going to comply with the law, but there were so many things that were written into the regulations that forced insurance companies to change their policies which meant they could not be grandfathered. So it was bad enough that people were promised, if you like your insurance, you can keep it, and then there were going to be some people who lost their insurance anyway, but then the regulations were written in such a way that it was going to force and has forced people to lose their insurance.

So the President's own Health and Human Services Department has created more lost policies by the way they have written the regulations. They could have been written in such a way so that the President would have been allowed to keep his promise. And all it would have taken from a strong leader who wanted to make sure that no Department made a liar out of him would have been to either pick up the phone or write a letter or have an email sent saying, Hey, don't make a liar out of me. Don't you write these regulations in such a way that it causes people to lose insurance policies when I promised them they won't lose their policies.

That could have happened, but it didn't happen. In fact, what the Health and Human Services Department did, by virtue of the Secretary who is in charge, they made sure that millions and millions and millions of Americans would lose their health insurance. So it makes that point, the Affordable Care Act as written and passed, would have protected the grandfathered plans for a longer period of time and with more freedom for adjustment, but the Obama administration filled out the Secretary's ''shalls,'' and there are so many ''shall this,'' ''shall do that,'' ''shall do this'' in such a way as to make it that much harder, if not basically impossible to do.

The Obama administration's original June 2010 rules were actually even stricter and have, for example, made it impossible for an insurer company to change the firms it uses to manage and administer the plan, which needn't affect coverage and is a simple way to lower costs. But those ludicrous restrictions were eliminated, but enough rules remained that it is again near impossible to maintain a grandfathered health insurance policy.

Very tragic. Promises made were not kept.

And also, I had some folks tell me that, gee, it seems disrespectful for Republicans to say, to talk about President Obama without mentioning the word ''President.'' It seems disrespectful. And so, Mr. Speaker, I certainly don't mean any ill will any time I have used the shorthand, and I try to use

''President Obama,'' but I also hope that my friends, probably every one of the Democrats in this body and probably all of the Republicans in this body that have referred to anything that happened in the Bush administration or used the shorthand rendition ''under Bush'' without saying ''President Bush,'' that those people who want President Obama to always have ''President'' before ''Obama'' said that they will go ahead and apologize for ever referring to Bush without ''President'' in front of that.

But the reason that doesn't necessarily need to happen is I know most people didn't mean any ill will by that. Obviously, those who hung President Bush in effigy or said some of the most mean-spirited, nasty things about President Bush, it never crossed my mind that they might be racist, because I thought they just disliked the man. But we are hearing now from so many people that if you say something about the President, then you must be a racist. I just look so forward to the day when the dream of Martin Luther King, one of them, will be realized that people will be judged by the content of their character and not by the color of their skin.

I testified today before the Senate Subcommittee of the Judiciary about the Stand Your Ground Act, and actually that language comes from an 1895 Supreme Court case where the Supreme Court said an individual could stand his ground, so that is not a new invention. But I was reminded, when people began to talk in terms of racism from stand your ground laws, that, as a prosecutor, we didn't care what anybody's race was, not as a defendant nor as a victim. Everybody deserved to have protection regardless of race, creed, color, gender, national origin.

But it did remind me that back when I was a judge, judges did not select the grand jury, their grand jury members. Those were chosen by grand jury commissioners the judges chose, but the commissioners chose the panel members for the grand jury.

□ 2130

There were some defense attorneys that decided to attack the system by claiming judges were by a disproportionate number appointing too many Anglos as grand jury foreman because that is something that judges did in Texas. A judge selected the foreman for the grand jury. He did not select the members. But among the members, they would choose who the foreman would be.

I was subpoenaed at one time back then without the defense attorneys doing their homework, and they intended to put me on the stand in their attack on a racist grand jury foreman system and use that to establish that, gee, it was grossly unfair, the disproportionate number of Anglos that were chosen as grand jury commissioners. Then, after I was subpoenaed and before I testified, they did their homework, and they found out that actually it was a disproportionate appointment if you only looked at race. I had appointed proportionately more African Americans as foremen of my grand jury than the percentage of African Americans in my district. The reason I did that was because I did not care what anybody's race was. It didn't matter to me. I had to look at the backgrounds of the individuals, look at the individuals that were on the grand jury, and then select from among those someone that I believed would be a leader, would be good at organization, would have the respect of the other grand jurors, and be able to work for 6 months as head of the grand jury and make good decisions as a peacemaker and an organizer.

I never looked at their race. I didn't care about that. But I happened to know the people that I appointed as grand jury foremen. Sometimes they were women; sometimes they were men. I couldn't have told them, but they went back and checked and, wow, I had appointed a majority of African Americans during the time I was in charge of the grand jury rather than Anglos. Once they found that out, that blew their theory as far as me as a witness. So they quickly sent word that my subpoena had been dismissed and my testimony was not desired because, clearly, I wasn't going to help them establish a case of district judges being racist.

I can remember a couple of the grand jury foremen I selected. It had nothing to do with race. They were good people. One I remember was a community leader, was in so many organizations that everybody respected her. I knew she was amazing in organization, a former assistant superintendent. Anyway, I feel like so many times people want to use the term ''racist,'' and they are like those defense attorneys that don't bother to check the facts before they start mouthing off.

Another article that I saw in the last couple of days disturbed me greatly because it follows along in a pattern of abuse of law enforcement, of the tools of the administration. It follows along in what really amounted to the weaponization of the Internal Revenue Service. We still need a special prosecutor to go through and indict anyone and bring them to trial, anyone in the IRS that abused their positions, anybody that has committed perjury. We need a special prosecutor to do that. Obviously, the Justice Department will not, and we need someone to do that.

We have seen how abusive this administration can be using the powers of its office to go after people. We also know, despite the promises before being elected that this administration would be the most transparent in history, it has not been so. More and more mainstream reporters are starting to realize that, wait a minute, these guys are not even as open as the Bush administration was. I am sorry, the President Bush administration.

This story by John Hayward in Human Events is entitled ''DHS Raids Human Events Alumnus, Seizes List of Whistleblowers.'' We also know this administration, instead of being the most transparent, has the dishonor of having prosecuted more whistleblower or leakers than any other administration, in fact, than all other administrations put together. It is ruling with an iron fist.

This article points out that:

> Human Events alumnus Audrey Hudson was the target of a Department of Homeland Security raid in August that was ostensibly related to firearms, but in a new interview with the Daily Caller, she revealed that DHS and the Maryland State Police also just happened to confiscate her files and notes, which included information about whistleblowers inside Homeland Security.
>
> Hudson says the files were taken without her knowledge and without a subpoena. The Daily Caller confirmed that the search warrant pertained to firearms and ammunition. Even that part of the story seems rather flimsy, but then we get to all those juicy files that got hoovered up during the raid.
>
> At about 4:30 a.m. on August 6, Hudson said officers dressed—

That is 4:30 in the morning. It is hard to believe that people sleeping peaceably, law abiding citizens, a reporter who has written stories using sources within Homeland Security that the administration didn't like, they bust into her home with a subpoena and say we are here to look for firearms, and instead, without the consent—I would say that if the subpoena did not allow for them to take her notes pertaining to DHS whistleblowers that provided this reporter information, it begs the question that perhaps these law enforcement officers acting under color of State law or Federal law stole these without due process.

So it bears looking into. If we had a Justice Department that was going to do justice in such an abuse of power, the same kind that would actually prosecute people who brought a billy club and intimidated voters at a voting location—but that doesn't seem to be the case.

Anyway, the article says:

> After the search began, Hudson said she was asked by an investigator with the Coast Guard Investigative Service if she was the same Audrey Hudson who had written a series of critical stories about air marshals for The Washington Times over the last decade. The Coast Guard operates under the Department of Homeland Security.
>
> Hudson said that investigator, Miguel Bosch, identified himself as a former air marshal official.
>
> But it wasn't until a month later, on Sept. 10, that Hudson was informed by Bosch that five files, including her handwritten and typed notes from interviews with numerous confidential sources and other documents, had been taken during the raid.
>
> In particular, the files included notes that were used to expose how the Federal Air Marshal Service had lied to Congress about the number of airline flights there were actually protecting against another terrorist attack, Hudson wrote in a summary about the raid provided to The DC.
>
> The Coast Guard was involved because Audrey's husband works for them as an ordnance technician. What was the reason given for grabbing his wife's files?

She said she asked Bosch why they took the files. He responded that they needed to run them by TSA to make sure it was ''legitimate'' for her to have them.

I am sorry. Legitimate for a reporter to have her own handwritten notes? What kind of a country are we living in that busts into somebody's home at 4:30 in the morning to take her notes regarding whistleblowers at Homeland Security? We are living in a scary time.

Back to the article.

This guy basically came in here and took my anonymous sources and turned them over—took my whistleblowers—and turned it over to the agency they were blowing the whistle on,'' Hudson said. ''And these guys still work there.''

Hudson says none of the documents were classified, and no laws were broken in obtaining them. She said the government papers in her possession were obtained through a Freedom of Information Act request, an assertion the Coast Guard confirmed. And how did they confirm it? They handed the material over to the ''source agency'' for review—or, as Hudson put it, they turned the whistleblower information over to the agency that had the whistle blown against it.

It wasn't just official documents that were seized, however. Hudson says they also ''took four other files with my handwritten and typed interview notes with confidential sources, that I staked my reputation as a journalist to protect under the auspices of the First Amendment of the Constitution.'' One of her major reasons for coming forward with the story is to give the whistleblowers a heads-up, because she's ''terrified to contact them'' directly.

This is unbelievable. This is happening in America. Mr. Speaker, I think we should defund the Department of Homeland Security until such time as they start being honest about what they are doing and we get answers from the Justice Department. They need to be addressed until they provide the information that the Attorney General has been held in contempt for. We want to make sure law enforcement services are done, we fund those, but we don't defund the Attorney General himself or the head of DHS until such time as they start complying with the requirements of the law, like Americans across the country are required to do without this kind of abuse.

We have got to stop the abuse. We have the power to do it. All we have to do is defund it until they come within the letter of the law themselves.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Ms. PELOSI) for October 28 through October 30 on account of attending to family acute medical care and hospitalization.

PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2013, 2014 AND THE 10-YEAR PERIOD FY 2014 THROUGH FY 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, October 29, 2013.

Hon. JOHN A. BOEHNER,
Speaker, Office of the Speaker, U.S. Capitol, House of Representatives, Washington, DC.

Mr. RYAN of Wisconsin. Mr. Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal years 2013, 2014 and for the 10-year period of fiscal year 2014 through fiscal year 2023. This status report is the last update for fiscal year 2013, which ended on September 30, 2013. For fiscal year 2014, the report is current through October 22, 2013.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues with the overall limits set in H. Con. Res. 112 (112th Congress) for fiscal year 2013 and H. Con. Res 25 (113th Congress) for fiscal year 2014 and the 10-year period of fiscal year 2014 through 2023. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2014 because appropriations for those years have not yet been considered.

Table 2 compares the current levels of budget authority and outlays for action completed by each authorizing committee with the ''section 302(a)'' allocations made under H. Con. Res. 112 (112th Congress) for fiscal year 2013 and H. Con. Res. 25 (113th Congress) for fiscal years 2014 and the 10-year period 2014 through 2023. ''Action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Table 3 compares the current status of discretionary appropriations for fiscal years 2013 and 2014 with the ''section 302(b)'' sub-allocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) sub-allocation. The table also provides supplementary information on spending in excess of the base discretionary spending caps allowed under section 251(b) of the Budget Control Act.

Table 4 gives the current level for fiscal year 2015 of accounts identified for advance appropriations under section 601 of H. Con. Res. 25. This list is needed to enforce section 601 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation during the FY 2013 and FY 2014 fiscal years against the budget resolution aggregates in force during those years.

If you have any questions, please contact Paul Restuccia.

Sincerely,

PAUL RYAN,
Chairman.

TABLE 1—STATUS OF THE FISCAL YEAR 2013 AND 2014 CONGRESSIONAL BUDGET AS ADOPTED IN H. CON. RES. 112 AND H. CON. RES. 25

[Reflecting Action Completed as of October 22, 2013 (On-budget amounts, in millions of dollars).]

	Fiscal Year 2013 [1]	Fiscal Year 2014 [2]	Fiscal Years 2014–2023
Appropriate Level:			
Budget Authority	2,793,848	2,761,945	n.a.
Outlays	2,891,589	2,811,517	n.a.
Revenues	2,089,540	2,310,972	31,089,081
Current Level:			
Budget Authority	3,021,853	2,904,124	n.a.
Outlays	3,065,784	2,922,851	n.a.
Revenues	2,015,873	2,310,977	31,089,104
Current Level over (+)/under (−)			
Appropriate Level:			
Budget Authority	+228,005	+142,179	n.a.
Outlays	+174,195	+111,334	n.a.
Revenues	−73,667	+5	+23

n.a. = Not applicable because annual appropriations Acts for fiscal years 2015 through 2022 will not be considered until future sessions of Congress.

[1] The appropriate level for FY2013 was established in H. Con. Res. 112, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 5. The current level for FY2013 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2012 to 2022, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

[2] The appropriate level for FY2014 was established in H. Con. Res. 25, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 243. The current level for FY2014 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2013 to 2023, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

TABLE 2—DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Reflecting Action Completed as of October 22, 2013 (Fiscal Years, in millions of dollars).]

House Committee–	2013——		2014–		2014–2023–	
	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture						
Allocation–	−1,577–	−1,503–	−2,631–	−2,501–	−209,044–	−208,556
Current Level–	−106–	−106–	0–	0–	0–	0
Difference–	+1,471	+1,397	+2,631	+2,501	+209,044	+208,556
Armed Services———						
Allocation–	0–	0–	0–	0–	0–	0
Current Level–	+77–	+94–	0–	0–	0–	0
Difference–	+77–	+94–	0–	0–	0–	0
Education and the Workforce———						
Allocation–	−18,098–	−7,096–	−21,712–	−7,430–	−217,458–	−198,921
Current Level–	+16,870	+11,355	+14,400	+12,670–	−16,770–	−8,795
Difference–	+34,968	+18,451	+36,112	+20,100–	+200,688	+190,126
Energy and Commerce–						
Allocation–	−20,137–	−4,661–	−22,996–	−20,659–	−1,604,166–	−1,596,356
Current Level–	+9,762–	+11,695–	0–	0–	0–	0
Difference–	+29,899–	+16,356–	+22,996–	+20,659–	+1,604,166–	+1,596,356
Financial Services———						
Allocation–	−8,562–	−8,495–	−11,465–	−10,428–	−94,439–	−94,325
Current Level–	+5,245 –	+5,245 –	0	0–	0	0
Difference–	+13,807	+13,740	+11,465–	+10,428	+94,439	+94,325
Foreign Affairs———						
Allocation–	0	0–	0	0	0	0
Current Level–	0	0–	+2	+2	+20–	+20
Difference–	0–	0	+2	+2	+20	+20
Homeland Security———						
Allocation–	0	0–	−305–	−305–	−12,575	−12,575
Current Level–	0–	0–	0–	0–	0–	0
Difference–	0	0–	+305–	+305–	+12,575	+12,575
House Administration———						
Allocation–	0	0–	−34–	0–	−295	−130
Current Level–	0	0–	0	0–	0	0
Difference–	0	0–	+34	0–	+295–	+130
Judiciary———						
Allocation–	−8,490	−594–	−11,506	−637	−47,461	−45,809
Current Level–	0–	0–	0–	0–	0–	0
Difference–	+8,490	+594–	+11,506	+637	+47,461	+45,809
Natural Resources———						
Allocation–	−460–	−229–	−900–	−632–	−17,995–	−17,225
Current Level–	+259–	+596–	−16–	−58–	−95–	−95
Difference–	+719–	+825–	+884–	+574–	+17,900	+17,130
Oversight and Government Reform———						
Allocation–	−8,146–	−8,113–	−11,758–	−11,758–	−165,996–	−165,996
Current Level–	−9–	−9–	0–	0–	0–	0
Difference–	+8,137	+8,104	+11,758	+11,758–	+165,996	+165,996
Science, Space and Technology———						
Allocation–	0	0–	0	0–	0	0
Current Level	0	0–	0	0–	0	0
Difference–	0	0–	0	0–	0	0
Small Business———						
Allocation–	0	0–	0	0–	0	0
Current Level	0	0–	0	0–	0	0
Difference–	0	0–	0	0–	0	0
Transportation and Infrastructure———						
Allocation–	−36,626	−9,354	−78	−47	−116,444	−951
Current Level	+6,588	+6,200	0	0	0	0
Difference–	+43,214	+15,554	+78	+47–	+116,444	+951
Veterans' Affairs———						
Allocation–	0	0–	0	0–	0	0
Current Level	−36–	−36	−1	−1–	−4	−4
Difference–	−36	−36	−1	−1	−4	−4
Ways and Means———						
Allocation–	−5,970	−8,211	−22,567	−21,667	−1,298,202	−1,291,946
Current Level	+23,031	+23,031	0	0	0	0
Difference–	+29,001	+31,242	+22,567	+21,667–	+1,298,202	+1,291,946

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2013—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF SEPTEMBER 30, 2013

[Figures in Millions] [1]

	302(b) Allocations (H. Rept. 112–489)		302(b) for GWOT		Current Status General Purpose		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	19,405	22,759	0	0	20,531	22,910	0	0	+1,126	+151	0	0
Commerce, Justice, Science	51,129	62,853	0	0	50,210	62,708	0	0	−919	−145	0	0
Defense	519,220	573,770	88,480	48,420	517,632	572,413	87,226	48,044	−1,588	−1,357	−1,254	−376
Energy and Water Development	32,098	40,682	0	0	36,744	41,350	0	0	+4,646	+668	0	0
Financial Services and General Government	21,150	23,939	0	0	21,453	24,370	0	0	+303	+431	0	0
Homeland Security	44,598	45,194	0	0	51,385	46,785	254	203	+6,787	+1,591	+254	+203
Interior, Environment	28,000	31,058	0	0	29,827	31,583	0	0	+1,827	+525	0	0
Labor, Health and Human Services, Education	150,002	162,699	0	0	157,355	167,544	0	0	+7,353	+4,845	0	0
Legislative Branch	4,289	4,381	0	0	4,284	4,315	0	0	−5	−66	0	0
Military Construction and Veterans Affairs	71,747	79,069	0	2	71,930	79,400	0	2	+183	+331	0	0
State, Foreign Operations	40,132	48,569	8,245	2,454	42,093	49,660	11,203	3,510	+1,961	+1,091	+2,958	+1,056
Transportation, HUD	51,606	115,161	0	0	51,817	115,117	0	0	+211	−44	0	0
Full Committee Allowance	2	0	0	249	0	0	0	0	−2	0	0	−249
Total	1,033,377	1,210,134	96,725	51,125	1,055,261	1,218,155	98,683	51,759	+21,883	+8,021	+1,958	+634

Comparison 302(a) and Total Appropriations [1]	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	1,033,377	1,210,134	96,725	51,125
Total Appropriations	1,055,261	1,218,155	98,683	51,759
302(a) Allocation vs. Total Appropriations	+21,884	+8,021	+1,958	+634

Memorandum:	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	224	72	0	0	0	0

Memorandum: Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
	BA	OT	BA	OT	BA	OT	BA	OT
Commerce, Justice, Science	0	0	363	97	0	0	0	0
Defense	0	0	88	42	0	0	0	0
Energy and Water Development	0	0	1,889	327	0	0	0	0
Financial Services and General Government	0	0	811	430	0	0	0	0
Homeland Security [2]	5,481	274	6,693	283	11,779	1,453	0	0
Interior, Environment	0	0	1,443	153	0	0	0	0
Labor, Health and Human Services, Education	0	0	827	108	0	0	483	430
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	261	24	0	0	0	0
State, Foreign Operations	0	0	0	0	0	0	0	0
Transportation, HUD	0	0	29,070	588	0	0	0	0
Totals	5,481	274	41,669	2,124	11,779	1,453	483	430

[1] Spending designated as emergency is not included in the current status of appropriations shown above.

[2] On May 22, 2012 the House Budget Committee provided an adjustment to the 302(a) allocation for the Committee on Appropriations to accommodate $5.481 billion in budget authority and $274 million in outlays for disaster designated spending. On September 28, 2012 the Continuing Appropriations Act, 2013 was signed into law which provided $6.400 billion in budget authority and $320 billion in outlays for disaster designated spending through March 27, 2013. This amount was subsequently extended through September 30, 2013 as part of P.L. 113–6. On January 29, 2013, the Disaster Relief Appropriations Act was signed into law which provided a full-year appropriation of an additional $5.379 billion in budget authority and $1.133 billion in outlays for disaster designated spending.

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2014—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF OCTOBER 22, 2013

[Figures in Millions] [1]

	302(b) Allocations (H. Rept. 113–143)		302(b) for GWOT		Current Status General Purpose		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	19,450	21,300	0	0	19,450	21,294	0	0	0	−6	0	0
Commerce, Justice, Science	47,396	58,700	0	0	47,396	58,700	0	0	0	0	0	0
Defense	512,522	543,685	85,769	42,994	512,510	543,674	79,741	41,051	−12	−11	−6,028	−1,943
Energy and Water Development	30,426	38,363	0	0	30,414	38,369	0	0	−12	+6	0	0
Financial Services and General Government	16,966	19,711	0	0	16,966	19,707	0	0	0	−4	0	0
Homeland Security	44,617	45,961	0	0	44,617	45,961	0	0	0	0	0	0
Interior, Environment	24,278	25,207	0	0	0	12,537	0	0	−24,278	−12,670	0	0
Labor, Health and Human Services, Education	121,797	133,809	0	0	24,642	104,421	0	0	−97,155	−29,388	0	0
Legislative Branch	4,124	4,085	0	0	3,233	3,385	0	0	−891	−700	0	0
Military Construction and Veterans Affairs	73,320	76,204	0	0	73,320	76,204	0	0	0	0	0	0
State, Foreign Operations	34,103	36,308	6,520	5,016	34,103	41,824	6,520	2,182	0	+5,516	0	−2,834
Transportation, HUD	44,100	114,931	0	0	44,100	114,928	0	0	0	−3	0	0
Full Committee Allowance	0	0	0	0	0	0	0	0	0	0	0	0
Total	973,099	1,118,264	92,289	48,010	850,751	1,081,004	86,261	43,233	−122,348	−37,260	−6,028	−4,777

Comparison 302(a) and Total Appropriations [1]	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	973,099	1,118,264	92,289	48,010
Total Appropriations	850,751	1,081,004	86,261	43,233
302(a) Allocation vs. Total Appropriations	−122,348	−37,260	−6,028	−4,777

Memorandum Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	0	0	0	0	0	0
Commerce, Justice, Science	0	0	0	0	0	0	0	0
Defense	0	0	0	0	0	0	0	0
Energy and Water Development	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	0	0	0	0	0	0
Homeland Security	5,626	281	0	0	5,626	281	0	0
Interior, Environment	0	0	0	0	0	0	0	0
Labor, Health and Human Services, Education	0	0	0	0	0	0	0	0
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	0	0	0	0	0	0
Transportation, HUD	0	0	0	0	0	0	0	0
Totals	5,626	281	0	0	5,626	281	0	0

[1] Spending designated as emergency is not included in the current status of appropriations shown above.

TABLE 4—2015 ADVANCE APPROPRIATIONS PURSUANT TO H. CON. RES. 25 AS OF OCTOBER 22, 2013

[Budget Authority in Millions of Dollars]

Section 601(d)(1)Limits–	2,015
Appropriate Level—	55,634
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs	
Medical Services—	0
Medical Support and Compliance—	0
Medical Facilities—	0
Subtotal, enacted advances [1]—	0
Section 601 (d) (2) Limits—	2015
Appropriate Level—	28,852
Enacted Advances:–	
Accounts Identified for Advances:	
Payment to Postal Service—	0
Employment and Training Administration—	0
Education for the Disadvantaged –	0
School Improvement Programs –	0

TABLE 4—2015 ADVANCE APPROPRIATIONS PURSUANT TO H. CON. RES. 25 AS OF OCTOBER 22, 2013—Continued

[Budget Authority in Millions of Dollars]

Special Education—	0
Career, Technical and Adult Education –	0
Tenant-based Rental Assistance –	0
Project-based Rental Assistance—	0
Subtotal, enacted advances [1]—	0
Previously Enacted Advance Appropriations [2]—	2,015
Corporation for Public Broadcasting—	445
Total, enacted advances [1]—	445

[1] Line items may not add to total due to rounding.

[2] Funds were appropriated in Public Law 113–6.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 24, 2013.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2013 budget and is current through September 30, 2013. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 112, the Concurrent Resolution on the Budget for Fiscal Year 2013, as approved by the House of Representatives and subsequently revised.

Since my last letter dated September 9, 2013, there has been no Congressional action affecting budget authority, outlays, or revenues for fiscal year 2013.

Sincerely,

DOUGLAS W. ELMENDORF, *Director*.

Enclosure.

FISCAL YEAR 2013 HOUSE CURRENT LEVEL REPORT THROUGH SEPTEMBER 30, 2013

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted [a]			
Revenues	n.a.	n.a.	2,293,339
Permanents and other spending legislation	1,869,081	1,818,079	n.a.
Appropriation legislation	0	553,169	n.a.
Offsetting receipts	−729,799	−729,799	n.a.
Total, Previously enacted	1,139,282	1,641,449	2,293,339
Enacted Legislation:			
Authorizing Legislation			
Temporary Bankruptcy Judgeships Extension Act of 2012 (P.L. 112–121)	0	0	1
Moving Ahead for Progress in the 21st Century Act (P.L. 112–141)	8,795	9,439	2,291
Food and Drug Administration Safety and Innovation Act (P.L. 112–144)	−16	−16	0
Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (P.L. 112–154)	−36	−36	0
An act to amend the African Growth and Opportunity Act . . . and to make technical corrections to the Harmonized Tariff schedule . . . for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (P.L. 112–163)	0	0	−59
FDA User Fees Corrections Act of 2012 (P.L. 112–193)	0	−195	0
National Defense Authorization Act for Fiscal Year 2013 (P.L. 112–239)	−33	−16	0
American Taxpayer Relief Act of 2012 (P.L. 112–240)	57,428	49,804	−279,700
Medicare IVIG Access and Strengthening Medicare and Repaying Taxpayers Act of 2012 (P.L. 112–242)	3	3	0
An act to amend title 5, United States Code, to make clear that accounts in Thrift Savings Fund are subject to certain Federal tax levies (P.L. 112–267)	0	0	1
An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program (P.L. 113–1)	5,250	5,250	0
Bipartisan Student Loan Certainty Act of 2013 (P.L. 113–28)	14,290	8,080	0
Total, Authorizing Legislation	85,681	72,313	−277,466
Appropriations Legislation			
Continuing Appropriations Resolution, 2013 (P.L. 112–175) [b]	423	423	0
Disaster Relief Appropriations Act, 2013 (P.L. 113–2) [c]	8,840	1,479	0
Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113–6)	1,867,246	1,426,973	0
Reducing Flight Delays Act of 2013 (P.L. 113–9)	0	203	0
Total, Appropriations Legislation	1,876,509	1,429,078	0
Total, Enacted Legislation	1,962,190	1,501,391	−277,466
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−79,619	−77,056	0
Total Current Level [d]	3,021,853	3,065,784	2,015,873
Total House Resolution [e]	2,793,848	2,891,589	2,089,540
Current Level Over House Resolution	228,005	174,195	n.a.
Current Level Under House Resolution	n.a.	n.a.	73,667
Memorandum:			
Revenues, 2013–2022:			
House Current Level	n.a.	n.a.	28,846,212
House Resolution [f]	n.a.	n.a.	28,957,333
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	111,121

Source: Congressional Budget Office.

Note:–n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues and were cleared by the Congress in 2012, but before adoption of the Concurrent Resolution on the Budget for Fiscal Year 2013 (H. Con. Res. 112): the FAA Modernization and Reform Act of 2012 (P.L. 112–95), the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112–96), and an act to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes (P.L. 112–99).

[b] Sections 140(b) and 141(b) of the Continuing Appropriations Resolution, 2013 provided $423 million for fire suppression activities, available until expended.

[c] Pursuant to Section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2013, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Disaster Relief Appropriations Act, 2013	41,667	2,122	n.a.

[d] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[e] Periodically, the House Committee on the Budget revises the totals in H. Con. Res. 112, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution	2,793,848	2,891,589	2,293,339
Revisions:			
For the American Taxpayer Relief Act of 2012	0	0	−203,799
Revised House Resolution	2,793,848	2,891,589	2,089,540

[f] Periodically, the House Committee on the Budget revises the 2013–2022 revenue totals in H. Con. Res. 112, pursuant to various provisions of the resolution.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 24, 2013.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2014 budget and is current through October 22, 2013. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 25, the Concurrent Resolution on the Budget for Fiscal Year 2014, as approved by the House of Representatives and subsequently revised.

Since my last letter dated September 9, 2013, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2014:

Department of Veterans Affairs Expiring Authorities Act of 2013 (Public Law 113–37);

Helium Stewardship Act of 2013 (Public Law 113–40);

An act to extend the period during which Iraqis who were employed by the United States Government in Iraq may be granted special immigrant status and to temporarily increase the fee or surcharge for processing machine-readable nonimmigrant visas (Public Law 113–42); and

Continuing Appropriations Act, 2014 (Public Law 113–46).

Sincerely,

DOUGLAS W. ELMENDORF, *Director*.

Enclosure.

FISCAL YEAR 2014 HOUSE CURRENT LEVEL REPORT THROUGH OCTOBER 22, 2013

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted [a]			
Revenues	n.a.	n.a.	2,310,972
Permanents and other spending legislation	1,848,718	1,778,493	n.a.
Appropriation legislation	0	504,662	n.a.

FISCAL YEAR 2014 HOUSE CURRENT LEVEL REPORT THROUGH OCTOBER 22, 2013—Continued

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Offsetting receipts	−707,692	−707,792	n.a.
Total, Previously enacted	1,141,026	1,575,363	2,310,972
Enacted Legislation: [b]			
Bipartisan Student Loan Certainty Act of 2013 (P.L. 113–28)	14,400	12,670	0
Department of Veterans Affairs Expiring Authorities Act of 2013 (P.L. 113–37)	−1	−1	0
Helium Stewardship Act of 2013 (P.L. 113–40)	−16	−58	0
An act to extend the period during which Iraqis who were employed by the United States Government in Iraq may be granted special immigrant status and to temporarily increase the fee or surcharge for processing machine-readable nonimmigrant visas (P.L. 113–42)	2	2	5
Continuing Appropriations Act, 2014 (P.L. 113–46) [c]	635	635	0
Total, Enacted Legislation	15,020	13,248	5
Continuing Resolution: [d]			
Continuing Appropriations Act, 2014 (P.L. 113–46)	1,000,318	602,907	0
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	747,760	731,333	0
Total Current Level [e]	2,904,124	2,922,851	2,310,977
Total House Resolution [f]	2,761,945	2,811,517	2,310,972
Current Level Over House Resolution	142,179	111,334	5
Current Level Under House Resolution	n.a.	n.a.	n.a.
Memorandum:			
Revenues, 2014–2023:.			
House Current Level	n.a.	n.a.	31,089,104
House Resolution [g]	n.a.	n.a.	31,089,081
Current Level Over House Resolution	n.a.	n.a.	23
Current Level Under House Resolution	n.a.	n.a.	n.a.

SOURCE: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before adoption of the Concurrent Resolution on the Budget for Fiscal Year 2014 (H. Con. Res. 25): an act to temporarily increase the borrowing authority of the FEMA for carrying out the National Flood Insurance Program (P.L. 113–1), the Disaster Relief Appropriations Act, 2013 (P.L. 113–2), the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (P.L. 113–5), the Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113–6), and the Reducing Flight Delays Act of 2013 (P.L. 113–9).

[b] Pursuant to Section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2014, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Continuing Appropriations Act, 2014 (Sec. 155)	0	50	n.a.

[c] Sections 135 and 136 of the Continuing Appropriations Act, 2014 (P.L. 113–46) provide $636 million for fire suppression activities, available until expended. Section 146 of the Act freezes the pay of Members of Congress, which is estimated to result in a reduction in spending of $1 million in 2014.

[d] The Continuing Appropriations Act, 2014 (P.L. 113–46) provides funding through January 15, 2014.

[e] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[f] Periodically, the House Committee on the Budget revises the totals in H. Con. Res. 25, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution:	2,769,406	2,815,079	2,270,932
Revisions:.			
Pursuant to section 603 of H. Con. Res. 25	−14,089	−4,100	40,040
Adjustment for Disaster Designated Spending	6,079	230	0
Adjustment for Technical Correction to the Budget Control Act Spending Caps	549	308	0
Revised House Resolution	2,761,945	2,811,517	2,310,972

[g] Periodically, the House Committee on the Budget revises the 2014–2023 revenue totals in H. Con. Res. 25, pursuant to various provisions of the resolution.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE ALLOCATIONS OF THE FISCAL YEAR 2014 BUDGET RESOLUTION RELATED TO LEGISLATION REPORTED BY THE COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, October 29, 2013.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to section 314(a) of the Congressional Budget Act of 1974, I hereby submit for printing in the Congressional Record revisions to the aggregate budget levels set forth pursuant to H. Con. Res. 25, the Concurrent Resolution on the Budget for Fiscal Year 2014, as put into effect by H. Res. 243. The revision is a correction for disaster designated spending that was incorrectly included in a previous revision to the budget aggregates. A corresponding table is attached.

This revision represents an adjustment for purposes of enforcing sections 302 and 311 of the Budget Act. For the purposes of the Budget Act, these revised aggregates are to be considered as aggregates included in the budget resolution, pursuant to section 101 of H. Con. Res. 25 and H. Rept. 113–17, as adjusted.

Sincerely,

PAUL D. RYAN OF WISCONSIN,
Chairman,
House Budget Committee.

BUDGET AGGREGATES—

[On-budget amounts, in millions of dollars]—

	Fiscal Year–	
	2014–	2014–2023
Current Aggregates:—		
Budget Authority	2,767,571	(1)
Outlays	2,811,798	(1)
Revenues	2,310,972	31,089,081
Correction for Disaster Designated Spending:—		
Budget Authority	−5,626	(1)
Outlays	−281	(1)
Revenues	0	0
Revised Aggregates:—		
Budget Authority	2,761,945	(1)
Outlays	2,811,517	(1)
Revenues	2,310,972	31,089,081

[1] Not applicable because annual appropriations acts for fiscal years 2015–2023 will not be considered until future sessions of Congress.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 893. An act to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 30, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3418. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Maryland: Accident, Town of, Garrett County; [Docket ID: FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8299] received October 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3419. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA) Approval of Lending Institutions and Mortgages: Streamlined Reporting Requirements for Small Supervised Lenders and Mortgages [Docket No.: FR-5536-F-02] (RIN: 2502-AJ00) received October 3, 2013, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3420. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Regulatory Capital Rules: Regulatory Capital, Implementation of Basel III, Capital Adequacy, Transition Provisions, Prompt Corrective Action, Standardized Approach for Risk-weighted Assets, Market Discipline and Disclosure Requirements, Advanced Approaches Risk-Based Capital Rule, and Market Risk Capital Rule [Docket No.: R-1442; Regulations H, Q, and Y] (RIN: 7100-AD87) received October 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3421. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received October 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3422. A letter from the Director of Government Affairs, Corporation for Public Broadcasting, transmitting the Corporation's 2011 annual report on the provision of services to minority and diverse audiences by public broadcasting entities and public telecommunication entities; to the Committee on Energy and Commerce.

3423. A letter from the Chairman and Co-chairman, Congressional-Executive Commission on China, transmitting the Commission's annual report for 2013; to the Committee on Foreign Affairs.

3424. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations (EAR) To Make the Commerce Control List (CCL) Clearer [Docket No.: 110818512-3478-02] (RIN: 0694-AF37) received October 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3425. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

3426. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Initial Implementation of Export Control Reform; Correction (RIN: 1400-AD37) received October 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3427. A letter from the Secretary, Department of the Treasury, transmitting As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Foreign Affairs.

3428. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Foreign Affairs.

3429. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Allowability of Legal Costs for Whistleblower Proceedings [FAC 2005-70; FAR Case 2013-017; Item II; Docket 2013-0017, Sequence 1] (RIN: 9000-AM64) received September 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3430. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-70; Small Entity Compliance Guide [Docket: FAR 2013-0078, Sequence 6] received September 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3431. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Update on Non-Reporting Public-Private Development Construction Projects''; to the Committee on Oversight and Government Reform.

3432. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Audit of the Department of Small and Local Business Development Certified Business Enterprise Program''; to the Committee on Oversight and Government Reform.

3433. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Audit of the Department of General Services Fiscal Year 2012 Procurement of Snow and Ice Removal and Pretreatment Services''; to the Committee on Oversight and Government Reform.

3434. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2013 Winter II Quota [Docket No.: 121009528-2729-02] (RIN: 0648-XC749) received September 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3435. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2013 Annual Islamorada Swim for Alligator Lighthouse, Atlantic Ocean; Islamorada, FL [Docket Number: USCG-2013-0663] (RIN: 1625-AA00) received September 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3436. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule — Regulations Governing Fees for Services Performed in Connection With Licensing and Related Services — 2013 Update [Docket No.: EP 542 (Sub-No. 21)] received October 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3437. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Eligibility of Disabled Veterans and Members of the Armed Forces With Severe Burn Injuries for Financial Assistance in the Purchase of an Automobile or Other Conveyance and Adaptive Equipment (RIN: 2900-AO31) received September 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

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. SENSENBRENNER (for himself, Mr. CONYERS, Ms. LOFGREN, Mr. AMASH, Mr. NADLER, Mr. ROE of Tennessee, Ms. JACKSON LEE, Mr. FARR, Mr. POLIS, Ms. CHU, Ms. BASS, Mr. RICHMOND, Mr. THOMPSON of Mississippi, Ms. DELBENE, Mr. ROHRABACHER, Mr. MICA, Mr. YOUNG of Alaska, Mr. PETRI, Mr. SANFORD, Mr. WELCH, Mr. GRAYSON, Mr. DUNCAN of South Carolina, Ms. ESHOO, Mr. ROKITA, Mr. SMITH of Missouri, Mr. STEWART, Mr. AMODEI, Mr. YOHO, Mr. JEFFRIES, Ms. NORTON, Mr. DEUTCH, Mr. SCOTT of Virginia, Mr. QUIGLEY, Mr. HUNTER, Mr. GARAMENDI, Mr. MULLIN, Mr. MASSIE, Ms. LEE of California, Ms. MOORE, Mr. DUFFY, Ms. GABBARD, Mr. COBLE, Mr. TERRY, Mr. GRAVES of Georgia, Mr. POCAN, Mr. O'ROURKE, Mr. LABRADOR, Mr. HUFFMAN, Mr. GOWDY, Mr. COFFMAN, Mr. MULVANEY, Mr. BURGESS, Mr. ISSA, Mr. MORAN, Mr. GIBSON, Mr. HONDA, Ms. SPEIER, Mr. JOHNSON of Georgia, Mr. GOHMERT, Mr. YODER, Mr. GENE GREEN of Texas, Mr. HUELSKAMP, Mr. CAPUANO, Mr. BENTIVOLIO, Mr. JONES, Mr. THOMPSON of Pennsylvania, Mr. BUCHANAN, Mr. LONG, Mr. ELLISON, Mr. DAINES, Mr. MICHAUD, Mr. LOWENTHAL, Mr. PEARCE, Mr. POE of Texas, Mr. BERA of California, Mr. GRIFFIN of Arkansas, Mr. BLUMENAUER, Mr. SCHWEIKERT, and Mr. FITZPATRICK):

H.R. 3361. A bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), and Financial Services, 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. TERRY (for himself and Mr. CASSIDY):

H.R. 3362. A bill to amend the Patient Protection and Affordable Care Act to require transparency in the operation of American Health Benefit Exchanges; 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. POMPEO:

H.R. 3363. A bill to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STIVERS (for himself and Mr. AL GREEN of Texas):

H.R. 3364. A bill to authorize and request the President to issue a posthumous commission in the regular Army to Milton Holland, who, while sergeant major of the 5th Regiment, United States Colored Infantry, was awarded the Medal of Honor for gallantry during the Civil War; to the Committee on Armed Services.

By Mr. WALBERG (for himself, Mr. GRAVES of Missouri, Mr. TIBERI, and Mr. MESSER):

H.R. 3365. A bill to exempt certain long-term care hospitals operating in a single-hospital MSA from the Medicare threshold payment adjustment policy for long-term care hospitals, and for other purposes; to the Committee on Ways and Means.

By Mr. WALDEN:

H.R. 3366. A bill to provide for the release of the property interests retained by the United States in certain land conveyed in 1954 by the United States, acting through the Director of the Bureau of Land Management, to the State of Oregon for the establishment of the Hermiston Agricultural Research and Extension Center of Oregon State University in Hermiston, Oregon; to the Committee on Natural Resources.

By Mr. BOUSTANY (for himself and Mr. BERA of California):

H.R. 3367. A bill to amend section 9010 of the Patient Protection and Affordable Care Act to delay the application of the health insurance provider annual fee until 2016 and to provide a process to return to consumers any amounts attributable to the expected application of the annual fee to 2014 or 2015; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 3368. A bill to require employers to provide veterans with time off on Veterans Day; to the Committee on Education and the Workforce.

By Mr. COSTA (for himself, Mr. BENTIVOLIO, Ms. BORDALLO, Ms. CHU, Mr. CICILLINE, Mr. CONNOLLY, Mr. COOK, Mr. COURTNEY, Mr. DUFFY, Mr. FALEOMAVAEGA, Mr. HANNA, Mr. HONDA, Mr. LOWENTHAL, Mr. MCNERNEY, Ms. MENG, Ms. MOORE, Mrs. NEGRETE MCLEOD, Ms. NORTON, Mr. O'ROURKE, Mr. PETERSON, Mr. PIERLUISI, Mr. POE of Texas, Mr. RIBBLE, Mr. RICHMOND, Mr. RUIZ, Mr. SCHIFF, Ms. TITUS, Mr. WELCH, and Mr. KIND):

H.R. 3369. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era; to the Committee on Veterans' Affairs.

By Mr. GRIMM (for himself, Ms. WATERS, Mr. RICHMOND, Mr. OLSON, Mr. PALAZZO, Mr. CASSIDY, Ms. MATSUI, Mr. CRAMER, Mr. KEATING, Ms. ROS-LEHTINEN, Ms. BROWN of Florida, Mr. HINOJOSA, Mr. MEEKS, Mr. MCINTYRE, Mr. NADLER, Mr. NUGENT, Mr. SCOTT of Virginia, Mr. LANGEVIN, Mr. CROWLEY, Ms. MOORE, Mr. THOMPSON of Pennsylvania, Mr. JONES, Mr. WELCH, Mr. ENYART, Mr. LOBIONDO, Mr. LYNCH, Mr. CARNEY, Mr. SCALISE, Mr. CULBERSON, Ms. CASTOR of Florida, Mr. GARCIA, Ms. FRANKEL of Florida, Ms. VELÁZQUEZ, Ms. SCHAKOWSKY, Mr. KING of New York, Mr. PASCRELL, Mrs. CAROLYN B. MALONEY of New York, Ms. WILSON of Florida, Mr. VELA, Mr. STOCKMAN, Mr. BOUSTANY, Mr. FITZPATRICK, Mr. RODNEY DAVIS of Illinois, Mr. PERLMUTTER, Mr. WHITFIELD, Mr. MCNERNEY, Mr. MURPHY of Florida, Mr. ELLISON, Mr. DIAZ-BALART, Mrs. ELLMERS, Mr. GENE GREEN of Texas, Mr. BUCHANAN, Mr. ANDREWS, Mr. CLEAVER, Mr. DEUTCH, Mr. GARAMENDI, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. CLAY, Mrs. MCCARTHY of New York, Ms. PINGREE of Maine, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, Mr. DAVID SCOTT of Georgia, Mr. HARPER, Mr. MAFFEI, Mr. SIRES, Mr. CONNOLLY, Mr. POLIS, Mr. PALLONE, Mr. KENNEDY, Ms. LORETTA SANCHEZ of California, Mr. SCHRADER, Mr. BISHOP of New York, Ms. SLAUGHTER, Mr. GUTIÉRREZ, Ms. DEGETTE, Mr. DANNY K. DAVIS of Illinois, Mr. AL GREEN of Texas, and Mr. HOLT):

H.R. 3370. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes; to the Committee on Financial Services, 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. HINOJOSA (for himself and Mr. CASTRO of Texas):

H.R. 3371. A bill to exempt certain education loans made by States from certain preferred lender requirements under the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. HONDA:

H.R. 3372. A bill to provide a process for ensuring the United States does not default on its obligations; to the Committee on Ways and Means, 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. JOHNSON of Ohio:

H.R. 3373. A bill to prohibit incurring further obligations with respect to the healthcare.gov website without offsetting savings; to the Committee on Energy and Commerce.

By Mr. KILMER (for himself, Mr. COTTON, and Ms. TSONGAS):

H.R. 3374. A bill to provide for the use of savings promotion raffle products by financial institutions to encourage savings, and for other purposes; to the Committee on Financial Services, 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. LAMBORN (for himself, Ms. DEGETTE, Mr. POLIS, Mr. TIPTON, Mr. GARDNER, Mr. COFFMAN, and Mr. PERLMUTTER):

H.R. 3375. A bill to designate the community-based outpatient clinic of the Department of Veterans Affairs to be constructed at 3141 Centennial Boulevard, Colorado Springs, Colorado, as the ''PFC Floyd K. Lindstrom Department of Veterans Affairs Clinic''; to the Committee on Veterans' Affairs.

By Mr. LONG (for himself, Mr. MEEHAN, Mr. CALVERT, and Mr. BACHUS):

H.R. 3376. A bill to provide a 12-month exemption from the health insurance mandate for individuals whose employer-sponsored health plan coverage or individual health insurance coverage is terminated for a plan year beginning during 2014, and for other purposes; to the Committee on Ways and Means.

By Mr. THORNBERRY:

H.R. 3377. A bill to clarify the definition of navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WELCH (for himself and Mr. GIBBS):

H.R. 3378. A bill to amend the Internal Revenue Code of 1986 to extend the nonbusiness energy property credit to include the insulation component of insulated siding; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 3379. A bill to amend title 14, United States Code, to authorize the Commandant of the Coast Guard to lease tidelands and submerged lands under the control of the Coast Guard for periods longer than 5 years; to the Committee on Transportation and Infrastructure.

By Mr. BECERRA:

H. Res. 393. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Ms. BASS (for herself, Mr. ROYCE, Mr. ENGEL, and Mr. SMITH of New Jersey):

H. Res. 394. A resolution condemning the September 2013 terrorist attack at the Westgate Mall in Nairobi, Kenya, and reaffirming United States support for the people and Government of Kenya, and for other purposes; to the Committee on Foreign Affairs.

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. SENSENBRENNER:

H.R. 3361.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 and Article I, section 8, clause 18

By Mr. TERRY:

H.R. 3362.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution. (Commerce Clause)

By Mr. POMPEO:

H.R. 3363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. STIVERS:

H.R. 3364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 of the United States Constitution

By Mr. WALBERG:

H.R. 3365.

Congress has the power to enact this legislation pursuant to the following:

Article I, 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 defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. WALDEN:

H.R. 3366.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BOUSTANY:

H.R. 3367.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. BRALEY of Iowa:

H.R. 3368.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. COSTA:

H.R. 3369.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

By Mr. GRIMM:

H.R. 3370.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 3

By Mr. HINOJOSA:

H.R. 3371.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.

By Mr. HONDA:

H.R. 3372.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. JOHNSON of Ohio:

H.R. 3373.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. KILMER:

H.R. 3374.

Congress has the power to enact this legislation pursuant to the following:

Article I, 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 Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3: ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Article I, Section 8, Clause 18: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. LAMBORN:

H.R. 3375.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. LONG:

H.R. 3376.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. THORNBERRY:

H.R. 3377.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WELCH:

H.R. 3378.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. YOUNG of Alaska:

H.R. 3379.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 1.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Ms. ROS-LEHTINEN and Mr. TIERNEY.

H.R. 241: Mr. HULTGREN.

H.R. 351: Mr. AMODEI, Mr. MARINO, Mr. KELLY of Pennsylvania, Mr. FARENTHOLD, Mr. RUNYAN, Mr. SAM JOHNSON of Texas, Mr. GRAVES of Missouri, Mr. SCHWEIKERT, and Mr. COBLE.

H.R. 366: Mr. ROONEY, Mrs. MCCARTHY of New York, and Mr. YODER.

H.R. 411: Mr. COHEN.

H.R. 455: Ms. BROWN of Florida, Mr. BISHOP of New York, and Mr. SMITH of Washington.

H.R. 495: Mr. KELLY of Pennsylvania.

H.R. 543: Mr. COHEN.

H.R. 556: Mr. SESSIONS.

H.R. 562: Mr. MCGOVERN.

H.R. 611: Mr. COHEN.

H.R. 721: Mr. FOSTER and Mr. QUIGLEY.

H.R. 724: Mr. YODER.

H.R. 736: Mr. DEFAZIO.

H.R. 778: Mr. CRENSHAW.

H.R. 961: Mr. KILDEE.

H.R. 1020: Mr. RANGEL and Mr. RUSH.

H.R. 1030: Mr. SABLAN.

H.R. 1108: Mr. NOLAN.

H.R. 1129: Ms. KUSTER.

H.R. 1146: Mr. JOYCE.

H.R. 1186: Mr. MARCHANT.

H.R. 1201: Mr. BRADY of Pennsylvania and Ms. SHEA-PORTER.

H.R. 1339: Mr. GUTHRIE and Mr. GIBSON.

H.R. 1354: Mr. FOSTER and Mr. COTTON.

H.R. 1507: Mr. HONDA.

H.R. 1508: Mr. VAN HOLLEN, Mr. BUCHANAN, Mr. JOHNSON of Georgia, Ms. BROWN of Florida, Mr. HIGGINS, Mr. SEAN PATRICK MALONEY of New York, Mr. POLIS, Mr. DUNCAN of Tennessee, Ms. SEWELL of Alabama, Ms. CLARKE, and Mr. FATTAH.

H.R. 1518: Mrs. ELLMERS, Mr. DIAZ-BALART, Mr. COLLINS of New York, Mr. YODER, Mr. BARLETTA, and Mr. MAFFEI.

H.R. 1690: Ms. KELLY of Illinois.

H.R. 1692: Mrs. MCCARTHY of New York and Mr. KEATING.

H.R. 1694: Mr. HINOJOSA.

H.R. 1708: Mr. STIVERS.

H.R. 1726: Mr. YOUNG of Alaska and Mr. VAN HOLLEN.

H.R. 1767: Mrs. BEATTY, Mr. LANGEVIN, Mr. GRIJALVA, Ms. NORTON, Ms. SPEIER, Mr. GUTIÉRREZ, Mrs. CHRISTENSEN, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Mr. RANGEL, and Mr. CÁRDENAS.

H.R. 1770: Mr. GALLEGO.

H.R. 1771: Mr. YODER.

H.R. 1801: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1814: Ms. DELBENE, Mr. COLLINS of New York, Mr. PETERS of Michigan, and Mr. TIPTON.

H.R. 1827: Mr. HECK of Washington.

H.R. 1832: Mr. ISRAEL, Ms. MOORE, Mr. HUFFMAN, Mr. CARTER, Ms. WASSERMAN SCHULTZ, Mrs. KIRKPATRICK, and Mr. BRADY of Pennsylvania.

H.R. 1920: Mr. RUSH.

H.R. 1921: Ms. EDWARDS and Mr. HONDA.

H.R. 1975: Mr. ISRAEL, Mr. GRAYSON, Mr. HONDA, and Mr. LIPINSKI.

H.R. 1992: Mr. YOHO.

H.R. 1998: Ms. MENG.

H.R. 2001: Ms. ESTY, Ms. WILSON of Florida, Mr. JOHNSON of Ohio, Mr. CARTWRIGHT, Ms. SINEMA, Mr. PAYNE, Mr. O'ROURKE, and Mr. CALVERT.

H.R. 2066: Mr. WITTMAN.

H.R. 2144: Ms. BONAMICI.

H.R. 2250: Mr. CRAMER.

H.R. 2424: Mr. CICILLINE.

H.R. 2429: Mr. HECK of Nevada and Mr. JOYCE.

H.R. 2485: Ms. KELLY of Illinois.

H.R. 2504: Mrs. MCCARTHY of New York, Mr. PAYNE, Mr. COHEN, Mr. CONNOLLY, and Mr. MCINTYRE.

H.R. 2590: Mr. GARCIA.

H.R. 2663: Mr. DUFFY.

H.R. 2726: Mr. VALADAO.

H.R. 2734: Ms. HANABUSA, Mr. MCDERMOTT, and Mr. MORAN.

H.R. 2744: Mr. DOGGETT.

H.R. 2767: Mr. BURGESS, Mr. AMASH, Mr. WEBER of Texas, Mr. GOWDY, Mr. KING of Iowa, and Mr. STEWART.

H.R. 2780: Ms. DELBENE, Ms. PINGREE of Maine, Mr. SIRES, Mr. BLUMENAUER, Mr. POCAN, and Ms. BROWNLEY of California.

H.R. 2810: Mr. BERA of California.

H.R. 2866: Mr. SCALISE, Mr. HOLDING, Mr. GENE GREEN of Texas, Mr. BOUSTANY, Mr. ROGERS of Alabama, Mr. PETRI, Mr. GUTHRIE, Mr. CRAMER, Mr. POMPEO, Mr. KINGSTON, Mr. DUNCAN of South Carolina, Ms. ROS-LEHTINEN, Mrs. CAPITO, Mr. POE of Texas, Mr. OLSON, Mr. DUNCAN of Tennessee, Mr. GRIFFIN of Arkansas, Mr. GINGREY of Georgia, Mr. GOODLATTE, Mr. DAINES, Mrs. LUMMIS, Mr. PAULSEN, Mr. COFFMAN, Mrs. WALORSKI, Mr. GARDNER, Mr. BENISHEK, Mr. RIGELL, Mr. RODNEY DAVIS of Illinois, Mr. REED, Mr. JOYCE, Mr. VALADAO, and Mr. FITZPATRICK.

H.R. 2894: Mr. GIBSON.

H.R. 2909: Mr. KEATING, Mr. DINGELL, Mr. LOEBSACK, Mr. TONKO, Mr. ELLISON, Mr. SCHIFF, Mr. ENGEL, Mr. MCGOVERN, Mr. GARAMENDI, Ms. PINGREE of Maine, Mr. OWENS, and Mr. VELA.

H.R. 2932: Mrs. KIRKPATRICK.

H.R. 2997: Mrs. BROOKS of Indiana.

H.R. 2998: Mr. HECK of Washington and Mr. DEFAZIO.

H.R. 3077: Mr. TERRY.

H.R. 3111: Mr. BISHOP of New York and Mr. LATTA.

H.R. 3121: Mr. MCHENRY.

H.R. 3154: Mr. GOODLATTE.

H.R. 3172: Mr. POLLS, Ms. LEE of California, and Ms. CLARKE.

H.R. 3186: Mr. DAVID SCOTT of Georgia and Mr. TIBERI.

H.R. 3196: Mr. DINGELL.

H.R. 3279: Mr. NEUGEBAUER and Mr. KING of New York.

H.R. 3286: Mr. PASTOR of Arizona.

H.R. 3292: Mr. PRICE of Georgia, Mr. ROE of Tennessee, Mr. MILLER of Florida, Mr. FLEMING, Mr. WALBERG, Mr. PITTS, Mr. MESSER, Mr. CRAMER, Mr. GOSAR, Mr. BROOKS of Alabama, Mr. BENTIVOLIO, Mr. NEUGEBAUER, and Mrs. BACHMANN.

H.R. 3309: Mr. CHABOT, Ms. MCCOLLUM, and Mr. HUFFMAN.

H.R. 3311: Mr. CHAFFETZ, Mr. DAINES, Mr. GOSAR, Mr. MCCLINTOCK, Mr. COFFMAN, and Mr. BISHOP of Utah.

H.R. 3319: Mr. CULBERSON and Mr. PRICE of Georgia.

H.R. 3333: Mr. VARGAS, Ms. CHU, and Mr. SCHIFF.

H.R. 3336: Mr. POLIS.

H.R. 3349: Mr. ISSA.

H.R. 3350: Mr. PRICE of Georgia, Mrs. LUMMIS, Mr. HARRIS, Mr. KINGSTON, Mr. ROKITA, Mrs. WALORSKI, Mr. FITZPATRICK, Mr. LATHAM, Mr. HULTGREN, Mr. POSEY, Mr. BENISHEK, Mr. BUCSHON, Mr. NUNNELEE, Mr.

BUCHANAN, Mr. ROE of Tennessee, Mrs. CAPITO, Mr. FLORES, Mr. MEEHAN, Mr. YODER, Mr. WEBSTER of Florida, Mr. HENSARLING, Mr. HUIZENGA of Michigan, Mr. MCHENRY, Mr. WALBERG, Mr. WOMACK, and Mrs. MILLER of Michigan.

H.R. 3358: Mr. CHABOT.

H.R. 3359.: Mr. WENSTRUP, Mr. BENTIVOLIO, Mr. WALBERG, Mrs. BACHMANN, Mr. SALMON, and Mr. WEBER of Texas.

H. Con. Res. 60: Ms. ESTY.

H. Con. Res. 61: Mr. PETERS of Michigan.

H. Res. 30: Mr. KILDEE.

H. Res. 75: Mr. GRIFFIN of Arkansas.

H. Res. 110: Mr. YOUNG of Indiana.

H. Res. 131: Ms. KELLY of Illinois.

H. Res. 302: Ms. BASS.

H. Res. 327: Mr. WOLF, Mr. COLLINS of New York, Mr. HUELSKAMP, and Mr. BROUN of Georgia.

H. Res. 359: Mr. TIPTON and Mr. COLLINS of New York.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, OCTOBER 29, 2013 No. 152

Senate

The Senate met at 10 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Eternal God, how great You are. You are clothed with majesty and glory, riding on the wings of the wind. From the rising of the Sun to its setting, we lift our hearts in gratitude for You have done marvelously.

Lord, continue to sustain our Senators with Your constant love and faithfulness, answering them when they call to You in prayer. Help them to make every effort to do Your will on Earth, giving You their doubts and fears as they trust You to order their steps. May they realize that weakness provides an opportunity for Your strength to be revealed.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 29, 2013.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Republican leader or his designee will move to proceed to S.J. Res. 26, which is a joint resolution of disapproval regarding the debt ceiling. The time until 12:30 will be equally divided and controlled.

The Senate will recess from 12:30 to 2:15 p.m. for our weekly business meetings of each caucus.

At 2:15 Senators should expect two rollcall votes, first on the motion to proceed to S.J. Res. 26 and, second, a cloture vote on the nomination of Richard F. Griffin, Jr., to be general counsel of the National Labor Relations Board for a term for 4 years.

MEASURE PLACED ON THE CALENDAR—S. 1592

Mr. REID. Mr. President, I am told S. 1592 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1592) to provide for a delay of the individual mandate under the Patient Protection and Affordable Care Act until the American Health Benefit Exchanges are functioning properly.

Mr. REID. Mr. President, I object to any further proceedings with respect to this legislation at the present time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed upon the calendar.

NOMINATIONS

Mr. REID. Mr. President, today the Senate will proceed to consider the motion to proceed to a resolution of disapproval filed by the Republican leader, which would cause the country to default on its debts for the first time in its history. The Democrats will oppose this motion and vote to preserve the full faith and credit of our great country. I remind my Republican friends that every Democrat and 27 Republicans in the Senate, as well as 285 Members of the House of Representatives, already voted to do the right thing and pay the Nation's debts.

I look forward to quickly dispensing with this Republican resolution, which would risk America's economic security, as well as a global depression. This vote will take place this afternoon, after our weekly business meetings.

I want to spend a little bit of time talking about nominations. Directly after the vote on the default legislation, we will have the vote to break a filibuster of President Obama's nomination of Richard Griffin to serve as general counsel of the National Labor Relations Board.

There have already been 67 of President Obama's nominations filibustered. Let's just vote on these nominations. I cannot imagine why it would be a good thing for this country, or the Senate, to not allow us to go forward on the nomination. If you don't like him, vote against him, but don't stop the debate from going forward.

If cloture is invoked, there will be up to 8 hours of debate under the new rules we have established in the Senate. We will have 4 hours and the minority will have 4 hours. So I think that would be appropriate.

Few Americans are aware of the job that the National Labor Relations

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

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Board does. It looks out for the rights of millions of U.S. workers every day—Democratic workers, Republican workers, independents, tea party workers—regardless of whether they are in a union.

Mr. Griffin has extensive experience in employment law. He is highly respected by his fellow labor lawyers on both the union and the business sides. As general counsel for the NLRB, he will safeguard fair compensation and working conditions for all American workers.

This week the Senate will also vote on a number of other crucial executive nominations, some of which have been stalled for more than a year. The Senate will consider the nomination of Katherine Archuleta to serve as Director of the Office of Personnel Management. That is an extremely important position. She started her career in public service as an elementary school teacher. She will be the agency's first Hispanic director. Her desire to serve is earnest. This is what she said:

> You do it [as a public service] because you have a deep passion for public good, for civic engagement.

She has worked in both the Transportation and Energy Departments under President Clinton. She served as chief of staff to Labor Secretary Hilda Solis for 3 years. She is eminently qualified. Yet Ms. Archuleta is the first OPM Director to be filibustered in the entire history of this agency.

This week the Senate will also consider the stalled nomination of Alan Estevez to be Principal Deputy Under Secretary of Defense. This man's nomination has been stalled for 402 days. He will be responsible for a $170 billion logistics budget—$170 billion. That is a year. This budget supports our men and women in uniform as well as millions of machines that take them where they want to go. He specialized in military logistics for more than 10 years. It is unfortunate that Republicans will hold up confirmation of such a crucial Defense Department nomination.

I am told most of it is that it is held up for an unrelated matter, dealing with some other issue. It is just wrong. If you do not like this guy, stand and say why you don't like him and vote against him. Don't stop us from moving forward on the nomination.

Most of the opposition to this man, who has been held up for 200 days, is, I am told, by the senior Senator from Texas.

The junior Senator from Texas has placed a hold on another nomination, a man by the name of Tom Wheeler to be Democratic member of the Federal Communications Commission, FCC, a very important agency. In addition to writing two books, Mr. Wheeler has founded several technological companies—important companies. He cofound the largest online targeted news service and helped develop the U.S. Government's telecommunications policy.

President Obama nominated Tom Wheeler as well as Republican Michael O'Rielly to fill two vacant seats on the FCC; so what is stopping us from filling these vacancies with a bipartisan pair of nominees? Listen to this. The Senator from Texas has stalled the nomination because he opposes legislation proposed by Democrats in Congress that would require shadowy groups that spend millions on political advertising to disclose their donors.

This next one is really a doozy: the U.S. Secretary of the Treasury. It is an extremely important job. This man is qualified. He has run the Office of Management and Budget. He has been the President's Chief of Staff. He is now Secretary of the Treasury. What a fine, fine man—Jack Lew. Jack Lew, even though he is the Secretary of the Treasury of this great country, cannot go to meetings that other finance ministers from around the world can go to. Why? Because Republicans are holding up his nominations to all these important bank boards, finance boards, the International Monetary Fund. He is supposed to be there. He cannot go.

He is a talented and dedicated public servant. He has already been approved by the Senate, confirmed by the Senate. Every Treasury Secretary serves as the U.S. representative on the international bank boards and offers input on America's position on global financial matters. That is his job. He cannot do that because of what I have just said. It is an embarrassment that we have not acted more swiftly to confirm him in this role. To think that we have to file cloture on this. Yet the junior Senator from Kentucky has subjected this nomination to partisan wrangling—and others have joined with him, I assume—as he threatens to do with the nomination of Janet Yellen to serve as the Chairman of the Federal Reserve.

The Presiding Officer and others who serve in this body and have served in the House of Representatives have served with a fine public servant by the name of MEL WATT. I got to know MEL WATT when he was chairman of the Congressional Black Caucus. He would come over and visit with me every month or so—a fine man. He has represented North Carolina's 12th Congressional District since 1993, and as senior Member of the House Financial Services Committee he understands the mistakes that led to the housing crisis.

He also has proposed legislation to crack down on the worst abuses in mortgage lending and helped to pass the Dodd-Frank bill to prevent predatory lending. By any measure Congressman WATT is qualified to help struggling homeowners recover from the worst downturn in generations. My Republican colleagues should give him the up-or-down vote he deserves, not filibuster him.

I know some Republicans do not like Dodd-Frank. Obviously, they didn't mind the abuses that took place that led to the crashing of Wall Street. But he should not be punished for that.

At a time when America faces difficult economic times at home and various threats abroad, it is crucial the Senate confirm these talented and dedicated individuals to serve in the executive branch of government. Let us vote on these nominations. These normally easily confirmable positions should not have a filibuster. Not long ago I can remember Republicans who, in this body, were concerned because they could not get the votes they wanted on their nominees for President Bush. They spread on this record, clearly, that it is a right of the President to choose the players on his team. We should return to that custom, remove partisanship from the confirmation process and ensure highly qualified nominees receive the fair and speedy confirmation they deserve.

RECOGNITION OF THE MINORITY LEADER

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

OBAMACARE

Mr. MCCONNELL. Mr. President, I think at this point Senators from both parties can agree that healthcare.gov is a rolling disaster. Every day seems to bring more near-comic calamities. We hear about visitors being told things like their wife is really their daughter or that they have multiple spouses or that they are unable to apply ''due to current incarceration.''

Unsurprisingly, just 12 percent of Americans think the rollout has gone well. That is less than the 14 percent of Americans who believe in Bigfoot. Those who have succeeded in actually enrolling in a plan are vastly outnumbered by those who have lost their plan. The real tragedy is that many who have succeeded are finding out the product is actually worse than the Web site.

The only thing the Web site seems to be good at right now is creating punchlines for late-night comedians. It is almost as though Americans are being forced to live through a real-life ''Saturday Night Live'' sketch. If you caught last week's opener, it is getting harder to tell the ObamaCare headlines from the ObamaCare punchlines these days.

Paper applications, 800 numbers, applying by fax—ObamaCare appears to be leading us boldly into the 1980s. Remember, before this thing launched, the administration swore up and down that ObamaCare was ready to go. Democratic leaders in Congress told Americans that the law's implementation was fabulous and that ObamaCare was wonderful. The President reassured everyone it was working the way it was supposed to, and of course Washington Democrats bragged about their fancy new Web site, the Web site that cost taxpayers—$100 million? $200 million? $300 million? No one is quite sure. That is just one of the unanswered questions we hope they will clarify soon.

To be fair, the President likes to say that ObamaCare is about more than just a Web site. He is absolutely right, and that is why fixing a Web site will not solve the larger problem. The larger problem is ObamaCare itself. The larger problem is what the few people who actually have signed up for coverage have discovered about this law. The larger problem is how ObamaCare is hurting people out there.

It is about college graduates and middle-class families getting hit with massive premium increases they cannot afford. It is about workers seeing their hours cut and their paychecks shrink because of this law. It is about millions of Americans who will lose their current health coverage because of ObamaCare, despite the President's promises.

According to news reports, the Obama administration knew for at least 3 years that millions of Americans would not be able to keep their health care coverage. The President's press secretary basically admitted yesterday that Americans would lose coverage too. Remember, this is the same President who said:

> If you like your health care plan, you'll be able to keep your health care plan, period . . . No one will take it away, no matter what.

This is just one of the many reasons Americans feel betrayed. One woman who was quoted in the Los Angeles Times put it this way:

> All we have been hearing for the last 3 years is if you like your policy, you can keep it . . . [well] I'm infuriated because I was lied to.

Here is how one North Carolinian put it to NBC News:

> Everybody's worried about whether the website works or not, but that's fixable. That's just the tip of the iceberg. This stuff isn't fixable.

That was after he lost a $228-a-month plan and was faced with a choice of taking a comparable plan for $1,208 or the best option he could find on the exchanges, one for $948 a month.

After looking at all of that, he said: ''I'm sitting here looking at this, thinking we ought to pay the fine and get insurance when we're sick.''

Americans up and down the country are beginning to experience the cost of ObamaCare firsthand, and they are realizing they are the ones stuck with the bill. It is not fair, it is not right, and Republicans are going to keep fighting to get our constituents relief from this partisan law.

Of course, the most logical course would be to stop this train wreck and start over, but Washington Democrats still appear more interested in protecting the President's namesake and legacy than protecting their constituents from this law. I hope that will change because we cannot move forward without Democrats.

We have seen some signs that at least some Democrats are coming around slowly—slowly—much more slowly than we would like. I am happy to engage in discussions to see where we might find common ground. Hopefully, we will eventually get to the increasingly obvious endgame: Repeal, followed by true bipartisan health care reform. It may be universally accepted that healthcare.gov is a disaster, but as the President reminds us, that disaster does not exist in a vacuum. The failure of the ObamaCare Web site is emblematic of the larger failure of ObamaCare itself and of the kind of problems we can expect if Washington Democrats continue their stubborn defense of this partisan law.

FISCAL RESPONSIBILITY

Politicians regularly come to Washington promising fiscal responsibility, but too often they can't agree to cut spending when it counts, and that is why the Budget Control Act is such a big deal. Since Congress passed the BCA with overwhelming bipartisan majorities in 2011, Washington has actually reduced the level of government spending for 2 years running. That is the first time this has happened since the Korean war.

The BCA savings are such a big deal, in fact, that the President campaigned on it endlessly in 2012. He bragged about the bipartisan cuts in Colorado and in Iowa. He trumpeted the reductions from coast to coast, telling audiences from California to Baltimore that he ''signed $2 trillion of spending cuts into law.''

As our Democratic friends like to say these days, elections matter, and the President explicitly staked his reelection on the back of these bipartisan spending cuts.

Look at the exit polls from November. A majority of Americans said the government was doing too much. About two-thirds said raising taxes to cut the deficit was a nonstarter. Compared to ObamaCare, which more voters said they wanted to repeal, these levels of support are striking.

If our friends on the other side want to keep trying to claim an electoral mandate for retaining ObamaCare—contradicted by the facts as that might be—using their own logic, we would then have to call the mandate for reducing the size of government a supermandate. That is why their new plan to undo the cuts the President campaigned on and increase the debt is so outrageous.

We hear that the senior Senator from New York will soon announce a proposal to give the President permanent power to borrow more; in other words, he wants to extend the debt ceiling permanently by going around Congress. Let me repeat that. The so-called Schumer-Obama plan is a plan to permanently hand the President a credit card without spending limits and without lifting a finger to address the national debt. It is truly outrageous, especially when we consider that our debt is now $17 trillion, which makes us look a lot like a European country. We have to get our debt under control before we move any further down the road to Greece or Spain, and time is not on our side.

I hear the Senator from New York is going to try and sell his proposal as a ''McConnell'' plan. I appreciate the attempt at a PR gimmick, but there are two huge differences between the Schumer-Obama plan and what I have proposed in the past.

First, Schumer-Obama would raise the debt ceiling permanently. I reject that idea entirely. Second, unlike Schumer-Obama, I believe that increases in the debt ceiling should be accompanied by reforms. That is what we did in 2011 when Congress raised the debt ceiling in return for enacting $2 trillion in bipartisan spending control—the spending control the President endlessly campaigned on last year. That is the real ''McConnell'' plan.

If the Senator from New York is interested in working with me to enact another $2 trillion in bipartisan cuts, then let's get down to brass tacks. The American people would love to see us working in a bipartisan way to actually help them. If he insists on pushing the Schumer-Obama plan, he is not going to find any dance partners on this side of the aisle. Handing the President a permanent blank check, increasing the size of government, and trying to overturn the most significant bipartisan accomplishment of the Obama years is a nonstarter.

Our debt is a serious problem. I know Kentuckians think so. Similar to Americans all across the country, they understand it is completely unsustainable over the long run, and they understand it is standing in the way of jobs and economic growth today.

Let's shelve the gimmicks and the blank checks and get to work on bipartisan plans to get spending under control. That is what our constituents expect.

DISAPPROVAL OF THE PRESIDENT'S EXERCISE OF AUTHORITY TO SUSPEND THE DEBT LIMIT—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to S.J. Res. 26.

The ACTING PRESIDENT pro tempore. The clerk will report the motion to proceed.

The legislative clerk read as follows:

> Motion to proceed to Calendar No. 223, S.J. Res. 26, a joint resolution relating to the disapproval of the President's exercise of authority to suspend the debt limit, as submitted under section 1002(b) of the Continuing Appropriations Act, 2014 on October 17, 2013.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved. Under the previous order, the time until 12:30 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Utah.

Mr. HATCH. Mr. President, before I make my remarks, I understand the distinguished Senator from Tennessee has been waiting to make some remarks himself. I ask unanimous consent that he go first, and then if Senator BAUCUS is here, he goes second, and I go third, but if Senator BAUCUS is not here, I will go second.

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

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I thank the Senator from Utah. If that suits his convenience, I appreciate that courtesy very much. I will not take more than 8 or 10 minutes.

The President should ask the Secretary of Health and Human Services, Kathleen Sebelius, to resign her position because of the disastrous rollout of ObamaCare.

Taxpayers have spent $400 million to create exchanges that—after 3½ years—still don't work. As a result, the White House had to announce last night that the key enforcement mechanism to their individual mandate—a $95 fine that increases every year—will be waived until the end of March of next year. That may be fine for those currently without insurance, but for the millions being forced into the exchanges and losing their current insurance, there is no relief, just higher prices, a likely lapse in insurance coverage, a broken Web site, and broken promises.

We already know of 1.5 million Americans who are losing their policies because starting January 1, many insurance policies they now have will not be legal under ObamaCare, and because the exchange will not be working, they will not be able to choose another policy. This chart gives an example of what is going on. Just in three States—California, Florida, and New Jersey—there are 1.4 million insurance policies that will not be valid after January 1 because they are not legal under ObamaCare.

Compare that number, 1.4 million, to the number of Americans in those three States who have reportedly applied or enrolled on the Web site for insurance, 7 or 8 percent of all the people who will lose their current policy have applied for a different policy through the exchange. That is what is going on with families across this country as people worry about health care.

These are policies in the individual market. There are 19 million Americans in the individual market. We also heard on NBC News over the last couple of days that the Obama administration knew that 47 to 60 percent of the policies in the individual market would not be legally offered under ObamaCare. Yet they still said to people: ''If you like your insurance, you can keep it.''

At some point there has to be accountability. Expecting this Secretary to be able to fix what she has not been able to fix during the last 3½ years is unrealistic. It is throwing good money after bad. It is time for her to resign and for someone else to take charge. No private sector chief executive would escape accountability after such a poor performance. The principle of accountability is not and should not be foreign to the public sector.

Admiral Hyman Rickover, father of the nuclear navy, told his submarine captains they were not only accountable for their ships, they were also accountable for the nuclear reactors on their ships. If anything went wrong with the reactor, their career in the Navy was over, the Admiral said. As a result of that dose of accountability, since the 1950s, there has never been a death as a result of a problem with a nuclear naval submarine reactor.

Americans deserve that kind of accountability in the implementation of the new health care law. Instead, the Secretary appears not even to have told the President about known problems with the ObamaCare Web site in the months and days leading up to the launch. Despite repeated requests, she has refused to tell Congress or the public the reasons the ObamaCare Web site continues to fail, while insisting on more time and an undisclosed amount of money to fix it.

Before the Internet, RCA knew how many records Elvis was selling every day, Ford knew how many cars they were selling every day, and McDonald's could tell us how many hamburgers they were selling each day. Yet, here we are in the advanced stages of the Internet age and, under Secretary Sebelius's leadership, the Obama administration will not tell us how many Americans have tried to sign up for ObamaCare, or how many have actually signed up, or what level of insurance they have purchased, or in what ZIP Code they live. Not only will they not tell us, they have done their best to keep us from finding out.

With WikiLeaks and Edward Snowden spilling our beans every day, what is happening on the ObamaCare exchanges is the best kept secret left in Washington, DC. The National Security Agency could learn some lessons from Secretary Sebelius.

Later today I will ask unanimous consent to approve a six-page bill I introduced yesterday to require the administration to answer these questions every week. Secretary Sebelius is not responsible for enacting ObamaCare, but she has been responsible for 3½ years for implementing it. Now many Americans have only a few weeks to purchase new insurance or be without health insurance. To expect the Secretary to correct in a few weeks what she has not been able to do in 3½ years is unrealistic.

It is time for the President to ask the Secretary of Health and Human Services to resign.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, during the debt limit impasse in 2006, then-Senator Obama stated:

> The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. Leadership means the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership, and Americans deserve better.

That was former Senator Barack Obama.

At that time our gross debt was $8.3 trillion. It is now well above twice that, currently standing at $17.1 trillion, which is over 100 percent of the size of our economy.

During that same 2006 debt limit debate, then-Senator BIDEN said:

> My vote against the debt limit increase cannot change the fact that we have incurred this debt already and will no doubt incur more. It is a statement that I refuse to be associated with the policies that brought us to this point.

That was then-Senator BIDEN. Things have certainly changed since 2006.

Now President Obama and Vice President JOE BIDEN preside over an administration which tells us that raising the debt limit is merely a matter of paying our bills and is a reflection of decisions made in Congress. Yet while it is ostensibly true that the Congress has the power to raise the debt limit, it is not true that Congress makes spending decisions unilaterally, with no role being played by the executive branch. No amount of spending can be enacted without the President signing it into law.

In addition, the President submits a budget every year. The White House also issues policy statements and veto threats on spending bills on a more or less frequent basis. And, of course, every administration works with Congress to enact its domestic agenda which inherently includes setting priorities on Federal spending. So, in short, the commonly repeated notion that questions surrounding spending and the debt limit are Congress's and Congress's alone to answer is simply an attempt by this administration to avoid accountability on these issues.

Ultimately, regardless of what President Obama and those in his administration are saying now, both Congress and the executive branch are to blame for our current predicament.

The President has exercised his authority to suspend the debt limit under the Continuing Appropriations Act of 2014, which he signed into law on October 17. On October 16, public debt subject to the limit was around $16.7 trillion. On October 17—the very next day—public debt subject to the limit was over $17 trillion. In one day, Treasury increased the debt subject to the limit by over $328 billion. Let me repeat that. The debt increased by over $328 billion in a single day. That brings the increase in total public debt under this administration to more than $6.4 trillion, an amount that is, by all accounts, unprecedented.

Echoing earlier sentiments of then-Senator BIDEN, I refuse to be associated with the policies that brought us to this point.

The debt limit debate provides us with an opportunity to reexamine our Nation's fiscal course and take steps to correct it. Sadly, we have a President who appears unwilling to have that conversation. Instead, he apparently wants to press forward, full steam ahead, on our already unsustainable course, saddling future generations with unheard-of debts and broken entitlement promises in the process. Unfortunately, as the Congressional Budget Office has made clear, over the course of President Obama's administration, the Federal Government has recorded the largest budget deficits relative to the size of the economy since 1946, causing our debt to soar, as we all know. Federal debt as a percent of the economy's annual output is higher than at any point in U.S. history, except for a brief period around World War II.

CBO makes three other points equally clear. No. 1, our debt path is unsustainable, threatening our economy and putting us at risk of a fiscal crisis. No. 2, the root of our fiscal problem is Federal spending, not a lack of revenue. No. 3, the main source of our spending problem is our unsustainable entitlement programs. That being the case, any serious talk about raising the debt limit must include a real, concrete discussion about entitlement reform.

As every credible analyst tells us, we need to face the fiscal facts and enact serious structural reforms to our entitlement programs. So far, President Obama has been unwilling to even engage in this discussion. These days, every fiscal discussion with the White House begins and ends with demands for additional tax hikes to fuel even more spending. I guarantee it will be spending, not paying down the national debt or paying down what we owe; it will be to spend more.

Of course, the President will occasionally resurrect offers he has made in past failed fiscal negotiations to include small entitlement changes, including, for example, movement to a different price index for certain cost-of-living adjustments, but at the same time the President and his administration have made clear that even those small entitlement changes will only be on the table if tax hikes are delivered first. That is the President's precondition for even entertaining tax reform or entitlement reform, even on the heels of a more than $630 billion tax hike at the beginning of this year and another $1 trillion in revenue delivered courtesy of ObamaCare.

Entitlement reform is not an option, it is a necessity.

Structural reforms to our health care entitlements should not hinge on another tax-and-spend operation. And structural reforms to Social Security should not be held hostage to another tax hike.

Earlier this year I personally presented to the President, in detail and in writing—again, I emphasize I personally gave him this—five reform proposals relating to Medicare and Medicaid that have received bipartisan support—Democratic and Republican support—in the past. I asked him to consider the proposals and have since asked members of his administration to likewise give the proposals consideration.

By the way, when we had our supper at the White House in the family dining room, I brought it up again. By the way, I brought it up with the Secretary of the Treasury over and over. I did not wait until an impending debt limit debate. Rather, I put my proposals forward in a good-faith effort to begin timely discussions. Unfortunately, thus far, I have not received even the slightest response, while the clock on Medicare and Medicaid keeps ticking, and both of them are running more and more deficits as we speak. By the way, the five points were bipartisan. They were bipartisan measures that both Democrats and Republicans supported.

The situation with Social Security isn't much better. The trustees of the trust funds embedded in the Social Security system, including top administration officials such as the Treasury Secretary, have, in no uncertain terms, urged Congress to act quickly on reforming the retirement and the disability insurance programs to move them toward sustainability. Quite simply, it would be folly to approve of yet another debt limit increase without also working to address these programs, which are the main drivers of our debts and deficits.

Therefore, I disapprove of the President's exercise of an authority to suspend the debt limit, and I urge all of my colleagues to similarly disapprove.

The recent debt limit impasse and the impasse of 2011 also provided a good deal of information about lack of accountability of the Treasury Department and of our regulatory agencies.

I currently serve as the ranking member on the Senate Finance Committee which has oversight responsibility toward the Treasury Department. To fulfill those responsibilities, I have been asking questions of Treasury about debt and cash management procedures, and I have repeatedly been stonewalled by the Treasury Department. I don't know that I have ever seen this happen before in either Republican or Democratic administrations.

For example, when we have approached the debt limit, I have asked questions about how much cash our Nation has in the till, only to find that Treasury won't tell me and that they prefer the Congress rely on estimates from think tanks and Wall Street firms.

Furthermore, during the most recent debt limit impasses, administration officials were busy frightening seniors, our troops, and financial market participants about whether they would be paid in the event the Treasury were to run out of cash. Officials also identified threats of massive financial instability stemming from a breach of the debt limit and of potential disruption from a downgrade of the rating on U.S. Government securities.

So, naturally, I asked Treasury and, in fact, every voting member of the Financial Stability Oversight Council, or FSOC, to provide Congress and the American people information regarding the plans they had in place to respond to such catastrophes. Out of close to 20 letters I sent to FSOC members, I received only 3 responses. Apparently, the FSOC, which was empowered by the so-called Dodd-Frank Act to monitor and respond to merging threats to financial stability, does not identify or share response plans with respect to any threat that could emerge as a result of government policies.

That being the case, I believe we should strip FSOC of any notional oversight of financial stability and call it what it really is: another unrestrained regulatory agency created only to enact additional regulations.

After the fact, we have found that Treasury and some financial regulators had plans for how to respond to a debt limit breach or a ratings downgrade. Yet none of these plans were shared with Congress.

Put simply, if we are going to empower a Federal regulatory body such as the FSOC to develop contingency plans to respond to threats to financial stability, then that body should be required to share those plans with the American people. Sadly, thus far that has not been the case.

Another thing I have learned from our recent debt limit impasses is that we need to take a closer look at the Treasury Department's use of so-called extraordinary measures, which have become all too ordinary. These ''extraordinary measures'' are merely ways for the Treasury Department to temporarily delay facing a debt limit increase by issuing shadow debt. For example, Treasury can simply declare a debt issuance suspension period and stop issuing debt that it normally would issue while instead effectively telling the lender: Don't worry, I will pay you back later with interest. I believe the authority to use these types of extraordinary measures needs to be reexamined.

As you can see, Mr. President, there are a number of problems that need to be confronted with regard to our Nation's ever-growing debt. As I said, we need to work together to address our Nation's unsustainable entitlement programs; otherwise, any effort to rein in our debts and deficits will amount to little more than tinkering around the edges.

In addition, we need to improve information sharing between Congress and the executive branch on issues relating to our debt. The Treasury Department and our financial regulators

have a lot to do with maintaining the depth, liquidity, and efficiency of the market for Treasury securities, and Congress has a duty to exercise oversight over these functions. Unfortunately, the administration, far more often than not, opts to keep Congress in the dark on these issues. And, the Treasury and financial regulators choose to keep their plans secret. This has to stop.

By using his authority to suspend the debt limit through February 7, 2014, President Obama has opted not to confront any of these serious issues. Instead, he is leading us even further down a path that we already know is unsustainable. That being the case, I plan to vote in favor of the resolution of disapproval of this debt limit suspension, and I urge my colleagues to do the same.

Having said all this, we are in a really big mess on ObamaCare—or if you want to call it the ''Affordable Care Act'' that nobody believes is affordable at all. They know it is going to lead us right into even more unsustainability than we have right now. I suspect that over time our brilliant people in the IT world, the information technology world, many of whom I know personally, will find some way to resolve what really has been a horrible, horrible situation with the broken introduction of the ObamaCare website. We all know it is horrible, and I hope they can resolve that. I think it is going to be hard because it is such a mess. I hope Mr. Zients is successful in his efforts to try to cure the broken system, but that does not cure the faults or problems with ObamaCare as a whole.

What about the 30-hour rule? A lot of people, a lot of businesses, especially small businesses today, are making sure their employees do not work more than 30 hours because if they do, it triggers their having to pay what appear to many to be outrageous health care costs. That is just one thing, and that is not going to be easily resolved because the bill is such a stupid bill. It was stupid to begin with. We knew it would not work to begin with. We made the case that it would not work, and frankly we are here in this really ridiculous posture where we have been stymied because of an ineptly implemented introduction of a flawed law, and there is certainly some incompetency here. I hope they can resolve that, but that still does not resolve the 30-hour rule, which is very important.

How about the 50-employee rule? A lot of businesses that would have expanded, small businesses that would have grown, that would have tested the market and really gotten going, do not want to employ more than 49 people and trigger a massive sudden cost to their businesses.

These are problems that basically are unsolvable under the bill, and they may be even larger problems than those we have with regard to the website problems I have been mentioning.

ObamaCare is full of cliffs: to implicit tax rates; to hours of work; to numbers of employees. And those cliffs have led and will lead to more economic damage.

That is just the beginning. I could speak for hours about what is wrong with this lousy Act called ObamaCare. I wish some of my colleagues on the other side would start saying what they actually know. They know it is a lousy Act. They know it is something that is not going to work. And if it does—if they continue to maintain that it has to work—it is going to be a massive cost to society, with less effective health care than we have ever had before.

It is not just these technical problems that we have to solve; it is the economic problems that arise from ObamaCare. And I know what is going to happen. Within the next year or two, our friends on the other side—or should I say the White House in particular—President Obama is going to throw his hands in the air and say: It is not working. We have to go to a single-payer system, meaning socialized medicine. Anybody who believes that is the way to go—it sounds easy, but anybody who believes that is the way to go has not looked at socialized medicine around the world. They can point to some instances where it has worked for a short time, but over time it results in less health care, higher costs, and stultification of what really could be a great health care system.

I want to solve these problems in health care, but I believe they ought to be solved on a bipartisan basis and not just a partisan basis, which is where we are with regard to ObamaCare—or should I say the ''Affordable Care Act.''

There are a number of people in this body and in the other body who, like me, have worked in health care areas and on health care issues ever since they have been in the Congress who would be willing to sit down and get this resolved. But I have to say there was no real consultation, there was no real effort to work in a bipartisan way, as far as I could see, even at the lower levels in Congress, in developing the partisan product called ObamaCare. It was just they were going to pass this and that is the way it will be. Now they are stuck with it—should I say they are not really the ones who are stuck with it; it is the American people and the American taxpayers who are stuck with it. We have to, sooner or later, get together to resolve this problem without going to socialized medicine.

I have talked to a number of doctors, health care providers, who are going to get out of the profession. They do not want to be governed by this type of governance. Frankly, you are going to find that if we go to socialized medicine, doctors are not going to work more than 6 or 8 hours a day, where today they will work as long as it takes to serve people who need their help. We are going to find a real dearth of doctors. We are going to find a real dearth of the ability to provide the health care people need. We are going to start doing what that payment advisory board really is set up for, and that is rationing. Once that starts, the American people are going to rebel.

It is going to happen sooner or later if we do not get our friends on the other side to at least work with us on finding some resolution. I have to say that we are working on our side to come up with a resolution, and I hope I can interest our colleagues on the other side. I admit that we can do a lot better than we are doing around here. We can do it in a much better bipartisan way than we are doing it. I think some people get a joy out of creating battles around here when we should get a joy out of resolving problems.

I yield to the distinguished Senator from South Dakota.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from South Dakota.

Mr. THUNE. Mr. President, I thank my colleague from Utah and appreciate his very eloquent remarks. He has been a great leader on health care issues for a lot of years around here and was a fierce opponent of ObamaCare when it passed and laid out very compelling arguments at the time about why we should not adopt this law. Unfortunately, for the people of this country, many of the predictions he made are coming out to be true. I appreciate the leadership he provides for us as a member of the Finance Committee and his continued advocacy for policies that are good for consumers in this country when it comes to the issue of health care.

This Friday marks a full month since healthcare.gov went live. This is the Web site that, in conjunction with the new health care law, was promised as a solution to all of the problems in the delivery and cost of health care in this country.

To be frank, I do not think anybody on either side of the political aisle would deny this fact: These past 29 days have been nothing short of a disaster. The administration will not disclose how many Americans were actually able to enroll in plans. They are not forthcoming when it comes to disclosing exactly what the problem is with the Web site, other than calling the problems glitches. Well, glitches refer to temporary problems that are easily remedied. The problems with the health care law cannot merely be called glitches. The problems go deeper than technical problems on a Web site which, by the way, cost $400 million to develop.

As the President said last week, ObamaCare '' . . . is not just a website. It's much more.'' Well, that is true. It is much more. It is a fundamentally flawed piece of legislation that is resulting in real-life consequences for middle-class Americans.

My colleagues and I, the Senator from Utah and others, have been speaking about the broken promises of this

legislation since it came to the floor of the Senate almost 4 years ago. We know this law will not work as promised. Unfortunately, thousands of Americans are realizing it too as they face higher costs and canceled insurance plans.

Many Americans are experiencing sticker shock when it comes to their health care costs. Middle-class Americans already struggling to make ends meet are now facing steep premium increases in the ObamaCare exchanges.

Last month, Avik Roy of Forbes reported on a recent study that said:

> ObamaCare will increase insurance rates for younger men by an average of 97 to 99% and for younger women by an average of 55 to 62%.

In my home State of South Dakota, that is more than just a statistic; that is a grim reality facing thousands of young men and women.

By comparing a typical low-cost plan for a healthy 30-year-old person in my State of South Dakota this year with a bronze plan that they would be able to get in South Dakota's health care exchange next year, the premium increases are nothing short of staggering. Younger women are going to face a 223-percent premium increase and younger men are going to face a 393-percent premium increase when you compare data from HHS with data from GAO about premiums in South Dakota in January of this year. That is more than a $1,500 annual increase for women and a $2,000 increase in health care premiums each year for 30-year-old men in my State of South Dakota.

But it is not just South Dakota. It is not confined to South Dakota alone, and people in my State are not alone in their experience of sticker shock. Look at what is happening in the State of Nebraska where premium increases are 143 percent or in Georgia where premium increases are 198 percent. Money that could be used to pay off student loans, save for a home, or start a family is now going to be used to pay for ObamaCare.

According to a new analysis by Avalere Health, Americans could face steep cost-sharing requirements—such as copayments, co-insurance, and deductibles—layered on top of their monthly premiums.

It is clear that health care costs are going up—they are not going down—particularly for younger Americans.

Additionally, President Obama promised that health care premiums would go down by an average of $2,500 per family. Well, if you look at what family premiums have done, they have actually jumped by more than $2,500 since ObamaCare became law.

While costs continue to increase despite the President's promises to the contrary, household income has fallen by over $3,700 since President Obama first took office. No IT specialist can fix the problem of increased health care costs due to ObamaCare. The only fix is to repeal this law and to start over.

In addition to higher costs, families are discovering other grim news. For example, they cannot keep the plan they like, despite the fact that the President promised they would be able to. Over and over the President told Americans they would be able to keep the insurance they have.

Well, millions are now facing health insurance cancellation notices due to ObamaCare. That number is expected to increase up to nearly 10 million by the end of this year. In fact, just this morning, CBS News published a story. The headline read, ''More than 2 million people getting booted from existing health insurance plans.'' These are Americans who had coverage they liked and now cannot continue to purchase.

Finally, after dozens of media reports of Americans who are losing plans they like, the White House spokesman said, it is true that some Americans will not be able to keep the health care plan that they like under ObamaCare. Well, you do not have to tell people in this country, as Deborah from Westchester, CA, said in an article last week in the Los Angeles Times:

> All we've been hearing the last three years is if you like your policy you can keep it . . . I'm infuriated because I was lied to.

CareFirst BlueCross BlueShield is being forced to cancel plans that cover 76,000 individuals in Virginia, Maryland, and Washington, DC, due to changes made by President Obama's health care law. That represents more than 40 percent of the 177,000 individuals covered by CareFirst in those States.

President Obama said on July 21, 2009: If you like your current plan, you will be able to keep it. Let me repeat that. He said: If you like your plan, you will be able to keep it. That is from 2009.

But he also went on to say, ''I won't sign a bill that somehow would make it tougher for people to keep their health insurance.'' That is from another conference he had with bloggers back in 2009. It is abundantly clear that this is not a simple misstatement or a glitch in the law, it is another broken promise that reveals serious underlying problems with the core principles of this law.

No IT specialist can fix the problem of canceled plans due to ObamaCare. The only fix is to repeal this law and to start over. The President promised the people could keep a health care plan they liked. But an NBC News article published yesterday shows that the administration knew as early as 2010 that this was not going to be the case.

NBC is reporting that 50 to 70 percent of the 14 million consumers who buy their insurance individually—in the individual marketplace—can expect to receive a cancellation letter or the equivalent over the next year, because their existing policies do not meet the standards mandated by the new health care law. One expert predicts that number could reach as high as 80 percent. All say that many of those forced to buy pricier new policies will experience ''sticker shock.'' You do not have to look any further than George Schwab, a 62-year-old man from North Carolina who said he was ''perfectly happy'' with the plan from Blue Cross Blue Shield, the plan he currently had, which also insured his wife for a $228 monthly premium. But this past September he was surprised to receive a letter saying his policy was no longer available. The comparable plan the insurance company offered him carried a $1,208 monthly premium and a $5,500 deductible. The best option he has found on the exchange so far offered a 415-percent jump in premiums, to $948 a month.

> The deductible is less—

He said.

> But the plan doesn't meet my needs. Its unaffordable. I am sitting here looking at this, thinking we ought to just pay the fine and just get insurance when we're sick.

That is what Schwab said.

> Everybody's worried about whether the website works or not, but that's fixable. That's just tip of the iceberg. This stuff isn't fixable.

That is from Mr. Schwab of North Carolina. That is just one of many stories out there about how this law is affecting average Americans, so much so that now even Democrats have come out criticizing parts of the health care law. Most recently there were 10 Senate Democrats who asked the administration to delay the deadline to sign up for ObamaCare before the tax on the individual mandate kicks in.

While I agree that Americans should not be expected to pay a fine for not having a product they cannot even access, delaying implementation does not solve the underlying problem that this bill is simply bad policy. It was a partisan bill. It was rushed through without adequate forethought in the implementation problems and the serious adverse effect it would have on Americans' daily lives.

Giving people more time to try to navigate a broken Web site with glitches is not going to fix this underlying fundamental flaw in this law. A majority of Americans, 56 percent, believe the Web site glitches are part of a broader problem with the health care law. ObamaCare is more than a Web site. Its real-life consequences squarely hit middle-class Americans.

Americans are facing sticker shock discovering they are being dropped from an insurance plan they like. As one woman said: I was all for ObamaCare until I found out I was paying for it. That too was a story that the LA Times ran over the weekend. ObamaCare is not ready for prime time. The President has got a new healthcare.gov czar, Jeffery Zients, who has been tasked with coming in and trying to fix the Web site by the end of November. But a fix to the Web site by the end of November does not rectify the underlying problems with this law. The problems with this law

are more than just problems with a Web site. We need to continue to work to repeal the onerous parts of this law and replace it with solutions that actually lower the cost of health care and give Americans continued access to a doctor they choose at a cost they can afford.

Republicans here at the time when this law was being debated and passed in the Senate several years ago and subsequent to that time have consistently put forward solutions to the health care challenges that we face in this country that do not entail having government take over literally one-sixth of the American economy. As we can see from the rollout, the government does not do complicated things very well.

This is a disaster at the rollout, but it is a train wreck in terms of substance and what it is going to do and the harm it will cost middle-class Americans. There are so many better solutions. We should allow people to buy insurance across State lines, create interstate competition, allow market forces to drive insurance costs down, allow people and businesses to join groups so they can get the benefit of group purchasing power, do away with the issue of defensive medicine by getting rid of a lot of the junk lawsuits that are clogging up our legal system in this country, allowing people to have a tax credit where they can buy their own insurance and use their judgment and allow for transparency when it comes to pricing and outcomes so that the market in the competition that exists out there works in a way that makes insurance rates come down for everybody and improves the quality of health care in this country.

There are so many good ideas out there that do not involve a government takeover of health care and the results we have seen that has caused. So I hope that not only will the American people who I think are quickly coming to the conclusion that this is a bad law, it is a flawed policy to start with, but Members of Congress here in Washington, DC, Members of the Senate will also come to that conclusion and will decide it is time to not only delay this but to repeal it and start over.

We need a do-over. The American people need a do-over. We need an opportunity to put policies in place that actually put downward pressure on insurance rates in this country, rather than increasing them, which is what we have seen with ObamaCare, dramatic increases for many people across this country, loss of coverage that people like. They were told by the President repeatedly, over and over the President went out there and said: If you like the insurance you have, you can keep it. We now know that is not true. We know that the administration knew that was not true.

So it is time we acknowledge we need a do-over. The American people need a do-over. We need health care policies in this country that drive down costs for people, for families, middle-class Americans, that improve the quality of health care delivery in this country, and that do not create costly harm to the economy.

We hear over and over that the mandates and the requirements and the costs associated with ObamaCare are making it more difficult and more expensive to create jobs in this country. We are seeing an economic growth rate that is sluggish, in the 1-percent to 2-percent range. We are seeing the lowest labor participation rate literally in the last 35 years, since Jimmy Carter was the President of the United States, chronically high unemployment, lower take-home pay, an economy that is suffering from too much cost and too many policies that actually make it more difficult and more expensive to create jobs.

We need to be looking at health care policies that improve coverage, lower costs, and make it less difficult and less costly to create jobs in this economy so we can get Americans back to work, we get our economy growing and expanding at a more robust rate and improve the standard of living and the quality of life for people all across this country.

This policy, the ObamaCare health care policy, was ill-fated, was misguided from the beginning. Now we are seeing the effects and the results of that. Hopefully, politicians in Washington, DC, on both sides of the aisle will come to the correct conclusion; that is, it is time to start over and do this the right way.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

SUPERSTORM SANDY

Mr. CARPER. As many of us recall, on October 29, 2012, Superstorm Sandy made landfall in my part of the United States. Its impacts up and down the east coast were devastating and heartbreaking. New York, New Jersey, and parts of New England were hit particularly hard. In Delaware we did not experience the level of devastation that was inflicted on our neighbors to the north and to the east, but our State did receive significant damage. In total there were over 200 deaths attributed to Superstorm Sandy. Today we remember the lives lost and those forever impacted by this storm.

As I traveled through Delaware during and after the storm, I saw some of the massive impacts of that storm firsthand, but I saw something else as well. I saw people from all walks of life pulling together, helping one another, and taking care of their neighbors. The impacts of that superstorm are still fresh in my mind today as we continue to rebuild in Delaware, New Jersey, in New York, and in other places up the East Coast.

But not only are the impacts of the superstorm still fresh in my mind, something else is as well, and that is this: the extraordinary efforts of ordinary people who left the comfort of their own homes in Delaware, Maryland, Pennsylvania, New Jersey, New York, Connecticut and in other States as well to help people they had never met and will probably never see again. They did so not because they were paid to do it, not because someone told them to do it, but because they wanted to do it.

This morning I met a handful of Delawareans who were called to action by the Red Cross to volunteer in the shelters and communities in Delaware and New Jersey and New York. Those volunteers included Charlotte and Richard Duffy, Joe Miller, and Glenn Sholley, who are joining us today in the Senate, and we welcome them. In the days and weeks following Sandy, they stopped their lives to help others, and for that we are truly grateful. I thank you all for your extraordinary service.

As our rebuilding efforts continue, I am so thankful for the first responders, for the volunteers, and for the Good Samaritans who pulled together not only in Delaware but in our States to the north to ensure the safety and health of our neighbors.

A few minutes ago I told the folks who gathered in my office for some light refreshments before we came over here—the same group that is joining us here today—that last night I had heard a speech from Paul Begala, who our Presiding Officer will remember was a key member of President Clinton's team during his Presidency. He was on television a million times and widely known for his wit. We saw another side of Paul Begala last night. We saw his wit as well, but we also heard from him a recounting or retelling of the story of the Old Testament and of the question that was asked in the Bible. He asked the audience: Who asked the first question? Nobody knew. He said, actually, the first question was asked by Abel, who had slain his brother Cain. The Heavenly Father, of course, knew what had happened. He tracked down Abel and said: Where's Cain? And Cain said: Am I my brother's keeper? Am I my brother's keeper?

That story is retold in the Bible in a number of places as the Golden Rule, to look out and help other people the way we would like to be helped, treat other people the way we would want to be treated. Not only does that show up in the Old and New Testaments, including in the parable of the Good Samaritan, but it shows up in the sacred scriptures whether you happen to be Jewish, Christian, Muslim, Buddhist or Hindu. It shows up in the scriptures of virtually every major religion on Earth—the idea that we have an obligation to

help our neighbors, whoever they may be.

In the parable in the New Testament, Jesus is asked by some of the Pharisees: Who is my neighbor? And that is when he tells the story of the Good Samaritan, who ultimately was helped not by someone from his community, not by a clergyman who walked by, but he was helped by somebody from another part of that country who didn't care at all for the fellow who was beaten and left for dead.

The financial costs of Superstorm Sandy were also severe and estimated to be in not just the hundreds of millions of dollars but billions of dollars. It will take years to recover from devastation such as this. As my colleagues and I know, it is important we get that recovery right.

I want to take a look at a few pictures of Seaside Heights, NJ, before Sandy and after. Before I turn to the photographs on my left here, I would just say to the Presiding Officer that a lot of people who might be watching this across the country on C–SPAN may wonder where Seaside Heights, NJ, is. I wondered that myself, and I am from Delaware, less than 100 miles away. A lot of people have heard of Asbury Park, where Bruce Springsteen is from. Asbury Park is just a little bit north of Seaside Heights, NJ. About 50 miles south of Seaside Heights is a place called Atlantic City that a lot of us have heard of.

This is a shot taken in May of 2009 in Seaside Heights, NJ. This is a before shot. This is a little more than 3 years before the hurricane. There are a couple of buildings here where we have these yellow arrows. They are there for a purpose—so that when we look at the after shot we can figure out what happened to those structures. Here is a red arrow on this building.

This is about 3½ years later when Sandy came a-calling. Here we go. These buildings aren't in the same place. They do not look the same. What looked to have been a pier along through here is gone. There used to be roads through here and now there are what appear to be sandy trails. Virtually every house here is badly damaged, many of them absolutely totally destroyed.

We have another shot here, same town, Seaside Heights. This is obviously the beach, the boardwalk, and this is an amusement park. A lot of people went there over the years, for decades, and had a great time with their families. They had a roller coaster here. There were a lot of rides here. I must admit I like rides. My wife says: Are you ever going to grow up? I say: I hope not, because this stuff is still fun to me. But here is the roller coaster. Again, this is taken in late May 2009. There is the roller coaster.

Let's see what it looks like after Hurricane Sandy. Here is the roller coaster. Here is the roller coaster. It is in the ocean. And here is what is left of the pier and of the amusement park.

The power of that storm is demonstrated graphically by these photos, which I said earlier destroyed not just this amusement park, the beaches and the homes in this community, but wreaked havoc throughout the mid-Atlantic and northeastern seaboard and took the lives of over 200 people.

In the aftermath of Hurricane Katrina, we saw many problems during the recovery phase that held communities back and created great suffering, and not only great suffering, also a lot of anger in terms of the inadequate response, the untimely response, the inept response. Money was not always well spent, the efforts were not well coordinated, and the recovery moved slowly as a result.

Thanks in part to the Post-Katrina Emergency Management Reform Act of 2006, which was shepherded through the Homeland Security and Governmental Affairs Committee and through Congress by Senators SUSAN COLLINS and Joe Lieberman, many of the problems we saw during Katrina's recovery efforts have been fixed, and we have seen a great deal of improvement in the emergency response efforts as a result.

I have a friend who, when you ask him ''How are you doing?'' he always says, ''Compared to what?'' So when speaking of how are we doing with respect to the recovery after Superstorm Sandy, I say: Well, compared to what? Compared to Katrina, we are doing great. Can we do better? You bet we can. We have learned a lot, and 7 years later you can tell we have learned not all our lessons but certainly a number of them.

That act that was passed about a half dozen years ago required FEMA to bolster their regional offices in order to build strong relationships with State, local, and tribal governments. As an old recovering Governor—and the Presiding Officer is a recovering Lieutenant Governor—we know the Federal Government can't do everything, particularly in responding to emergencies. It is the relationships with the State and the local folks, in some cases with tribal units, with the emergency responders, with the National Guard, and all of the above, that is critical. Those strong relationships not only improve the ability of the Federal Government to respond to disasters, but they also enhance FEMA's capability to support State, local, and tribal governments as they rebuild.

That law also required FEMA to coordinate with other Federal departments to write a national disaster recovery strategy. This eventually lead to the National Disaster Recovery Framework, which has helped to organize and coordinate recovery efforts to Hurricane Sandy.

A key question we need to ask, however, after a storm such as this, is whether it was an aberration or a harbinger of things to come. I would like to think it was an aberration. There is a good chance it was not. Just a few short years ago, hurricanes hitting the areas along the northeastern half of the East Coast were relatively uncommon. Hurricane Sandy is actually the third major hurricane to threaten or strike the northeastern coast of our country in the last 3 years. Fortunately, we are almost through this hurricane season—knock on wood—without a major storm hitting our coast. Unfortunately, the Northeast, mid-Atlantic, and other vulnerable areas are expected to see more frequent and larger storms such as Sandy in the future.

Earlier this year, the Government Accountability Office, affectionately known as GAO, added a new area to its recently updated High Risk List—the impact of climate change on the Federal Government and on our country. GAO explained that, among other things, climate change ''could threaten coastal areas with rising sea levels, alter agricultural productivity, and increase the intensity and frequency of severe weather events.''

The GAO also argued the Federal Government is not prepared to deal with the impacts of climate change. I might add State governments and local governments as well are not prepared to deal with the impacts of climate change. They recommended we take a strategic look at them and start to prepare accordingly.

The costs associated with responding to and recovering from a hurricane such as Sandy, both in human and financial costs, are so severe we simply cannot afford to face this devastation over and over again.

It might have been Einstein who defined the definition of sanity as doing the same thing over and over and expecting a different result. We can't do the same thing over and over. It is a different world in which we live, and we have to respond to those changes.

Fortunately, we have seen States take promising steps toward addressing some of the issues GAO has identified. In particular, the States of New York and New Jersey have begun to plan to mitigate against future disasters. We know all too well that an ounce of prevention is worth a pound of cure.

In fact, a few years ago the National Institute of Building Sciences issued a report that concluded that for every $1 we spend on various mitigation measures we can save $4 in response and recovery costs. For $1 of investment we end up saving $4. Through mitigation, then, we can get better results—save money and, most importantly, we can save lives.

We must ensure that sound and effective mitigation policies are thoroughly incorporated into this recovery effort. This is especially important as climate change drives the sea level to rise and increases the severity and frequency of coastal storms. By working together, we can rebuild and become stronger by better protecting ourselves from future storms. But in doing so, we can't ignore what I and many experts believe may be the underlying cause of storms such as Hurricane Sandy. It is not

enough to just address the symptom—that is the storm, the wind, the sea level rise, the surge—we need to address the underlying cause or causes.

As we recover from Sandy and put in place the protections, we need to reduce the impact of the next big one. We would make a mistake if we didn't think about what we need to do to address not just the symptoms of climate change but the underlying cause itself.

We have been joined on the floor by my colleague Senator MENENDEZ from New Jersey. Through the Presiding Officer, let me just say to my colleague, we have some folks here today from Delaware who ended up, as I said earlier, in New Jersey, and I think in New York. Our State was hit, but nothing like the Senator's State. These folks, serving in the spirit of the Good Samaritan, with the encouragement and actually the organizational skills of the Red Cross, came to his State, across the Delaware River, in order to lend a hand to people they didn't know, had never met, and will probably never see again.

Someday the tables will be turned, someday it will be our State, someday it will be Delmarva that is reeling from the impact of such a storm. We know when that happens, the Senator will be there for us as well.

I am pleased to yield the floor for my friend from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, let me start by thanking my distinguished colleague, the senior Senator from Delaware, for his remarks, and the people of Delaware who came to New Jersey to help us. That is the essence of why we call this great country the United States of America. In moments of challenge and adversity we come together. We appreciate the Delawareans who came to help us. We hope we never have to repay the kindness, but if perchance it comes, we will.

I come to the floor on this anniversary of Superstorm Sandy a year ago. We all remember what has now become an iconic photo. It is hard to believe that it has been 1 year since Sandy, but it has. For a year, under difficult and trying circumstances, New Jerseyans have pulled together, worked together, and helped each other to recover. I rise today in praise of their tenacity, their resilience, their spirit of community, and remembering all of the hard work of the many first responders, Federal, State, and local officials, community leaders, and volunteers who helped in those recovery efforts.

Just yesterday I was with Secretary Donovan in New Jersey to announce another $1.4 billion in community development grant disaster relief funding. This is $1.4 billion in flexible-use funding that comes in addition to the $1.8 billion we have already received from the hard-fought $60 billion disaster relief package we secured a year ago. We secured that funding after a long debate over whether we as a nation and the Congress were prepared to provide disaster relief to the people of my State and others who suffered devastating losses. Standing with me in that effort were many in this Chamber, and one who is no longer with us, our late colleague and friend Senator Frank Lautenberg. He and I worked against many who did not want to provide New Jersey the disaster relief we needed. We were in the midst of a debt ceiling debate, a fiscal cliff at the end after a congressional session, and even after Sandy relief had passed the Senate with bipartisan support, the House Republican leadership chose not to immediately bring the relief package to a vote, unnecessarily delaying our recovery from Sandy by 6 weeks.

There were those in Congress who believe that even in times of disaster and crisis we are on our own. I don't believe that. I believe we are all in this together and in times of crisis we come together as a community.

That is why when the State of New Jersey submitted its application last March to use $1.83 billion in Federal Sandy relief to help thousands of homeowners and small businesses rebuild, the Obama administration, through HUD Secretary Donovan, approved the application in April, the following month.

We have come a long way since October 29th when Sandy made landfall in southern New Jersey. One hundred and fifty-nine people lost their lives, 8.5 million customers lost power, more than 650,000 homes were damaged and 40,000 in our State were severely damaged or destroyed.

Here is a perfect example of how far we have come. You can see here the damage Sandy brought on this home one year ago today. And, as you can see in this second photo, today it is well on its way to being fully restored. But we have a long way yet to go in every community to fully recover from the extent of the damage and to make families and businesses whole again.

A year ago, this headline ran in the Record: ''Business losses mount; Some choosing to close rather than rebuild.'' Hundreds of thousands of businesses were forced to close, causing an estimated $65 billion in economic loss and resulting in emergency declarations or disasters in 13 States up and down the East Coast.

In a matter of minutes, people had lost loved ones, they lost their homes, their property, and their livelihoods, but they stood strong and began to rebuild. Beyond the headlines of this story, we see the Jersey spirit that came through in person after person. Despite the uphill climb, New Jersey rebuilt one home at a time, one business at a time, one community at a time. That's what makes us Jersey Strong.

For 10 days, millions along the East Coast lived without power, without phones, seniors were stranded on the upper floors of buildings where elevators were out, and the loss of power led to fuel shortages and long gas lines. You can see in this photograph of the PATH Train Terminal in Hoboken, the extent of damage to our transportation infrastructure.

It was a wake-up call to what could happen again in the future and the investment we need to make in our infrastructure to avoid future damage from future storms.

The Sandy Recovery package we passed last year included $13 billion in critical funding I sought to help restore our transit and highway systems from what they looked like then, as you can see in this photograph.

The Port Authority was able to repair the PATH station at Hoboken and harden electrical equipment to prevent future damage. NJDOT was able to elevate roads that were washed away by Sandy.

At the end of the day, the legislation included necessary policy reforms that helped streamline recovery efforts and improve FEMA's Public Assistance Programs, allowing us to rebuild what was in place before the storm and build it stronger and better than before.

Since then, almost $400 million in FEMA grants have been approved to help individuals and families recover. That is over $341 million for housing assistance and more than $54 million for additional needs.

Homeowners, renters, and business owners have received over $764 million in SBA disaster loans and $314 million in FEMA Public Assistance grants to help local communities and local nonprofits that serve the public and provided relief.

National Flood Insurance Program payments to New Jersey have amounted to $3.5 billion to help people rebuild and get their lives back on track. In New Jersey alone, more than 261,000 people contacted FEMA for help and information and over 126,000 homes have been inspected.

While these numbers show the progress we have made, the reality is that for thousands of people in New Jersey, recovery is a round-the-clock, 24–7 effort.

Many New Jersey families have been hit with the ''triple whammy,'' having been flooded by Sandy, then facing repair and mitigation costs and then facing astronomical increases in flood insurance costs built into a flood reform bill that was passed before Sandy hit.

Even as we slowly recover from the worst natural disaster in our State's history, a manmade disaster is looming in the distance, jeopardizing our recovery.

The combination of updated flood maps and the phaseout of premium subsidies for the National Flood Insurance Program threatens to force victims out of their homes and destroy entire communities.

Many homeowners will be forced to pay premiums that are several times higher than the current rate they pay. Those who cannot afford the higher premiums will be forced to either sell

or be priced out of their home—probably at a fire-sale price. This in turn will drive down property values and local revenues at the worst possible time.

I have heard from countless New Jerseyans, many who have come to me in tears, who are facing this predicament. These are hardworking middle class families, who played by the rules, purchased flood insurance, and are now being priced out of their home.

In order to stop this manmade disaster from doing even more damage, I am leaving the floor in a few minutes and going to introduce bipartisan legislation to take a time-out and assess the impact these premium hikes will have on homeowners and the flood insurance program as a whole.

The Homeowners Flood Insurance Affordability Act, which we will be announcing in a few minutes, would delay flood insurance premium increases imposed in the Biggert-Waters legislation for most primary residences until FEMA completes an affordability study that I had offered, and proposes a regulatory framework to address the issues found in the study.

This will give current homeowners some breathing room before their flood insurance premiums go up. For prospective homebuyers, the certainty that they will not see their rate dramatically increase simply because they purchased a home is critically important to maintaining property values.

At the end of the day, we look back at the year since the storm struck and remember those who lost their lives and those who came together to help their neighbors rebuild. We remember the efforts of first responders and government and community leaders pulling together.

It is often said that ''the hardest steel must go through the hottest fire,'' and Sandy tested what we were made of.

When we look at this photograph of twisted metal that once was a rollercoaster, we associate it with the destruction of Sandy, but we also associate it with how far we have come and what we have learned. We learned that it is not enough to live in a community, we have to be part of it. We have to remember that citizenship comes with responsibility not just to ourselves, but to each other.

In the face of Sandy—in the aftermath, the tragedy, and the loss—we pulled together as a community. We worked together, helped each other rebuild lives, businesses, homes, our beaches and boardwalks—and, in doing so, we strengthened New Jersey's sense of pride and a belief that we are, in fact, all in this together. It is that spirit, that unity, that has made New Jersey stronger and better than before.

Let me conclude by saying that recovery from any disaster depends on our continuing cooperation within our communities at every level of government. The business of government is people—their lives, their hopes, their dreams of a better life for themselves and their families.

In New Jersey, we proved that—at every level of government—with various agencies working together—we all came together. There can be no tolerance of partisan division when it comes to the future of my State or any State's efforts to help families rebuild from a disaster like Sandy. The storm was extraordinary, but what makes me extraordinarily proud is that New Jerseyans rose to the challenge as they always do.

There is much work left to do. We have learned that recovery from a disaster is not a one-size-fits-all endeavor. Full recovery from Sandy will take more than a village.

But at the end of the day the biggest reason New Jersey has made the progress that it has, and why our State will come back better and stronger than before, is because of the people who live there. It hasn't been easy. But I have never been more proud to represent the people of New Jersey than I have during this last year since Sandy struck.

I have seen the best of who we are and what we can do when we pull together, each of us working for the recovery of all of us. Looking back at the last year, I would say we are all New Jersey proud as well as New Jersey strong.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

FAREWELL TO THE SENATE

Mr. CHIESA. Mr. President, nearly 5 months ago I had the high honor to stand in this historic Chamber, surrounded by my family, and be sworn in as a Member of the Senate. My service as a Senator will soon draw to a close, so I wish to take this opportunity to share with my colleagues a few thoughts before I leave.

I want to begin by thanking Governor Christie for providing me with this incredible opportunity. Our professional relationship, and our friendship, began more than 20 years ago as young lawyers working together in a New Jersey law firm. We had our entire careers ahead of us. If someone had suggested that one day Chris Christie would have been Governor, I would not have been surprised. I would, however, have dismissed out of hand any suggestion that I might someday be the New Jersey attorney general, let alone a Member of the Senate.

To have served here representing the people of New Jersey has to rank as the greatest honor of my professional life. I will always be grateful to Governor Christie for the confidence he has shown in me by appointing me, and I will always be thankful for the wonderful opportunities he has given me, time and again, to serve in public life.

I also thank my colleagues in the Senate from both sides of the aisle who have gone out of their way to make me feel welcome, to help me navigate the sometimes confusing rules and traditions of the Senate, and for assisting me in making the most of my time here.

One thing I did know for certain when I arrived here in June was that I wanted to use my time as effectively as possible. To the extent I have, I have so many of my colleagues to thank. The senior Senator from New Jersey, who will have to break in another new Senator from our State, has been a supportive colleague. I truly appreciate his willingness to assist me in my time in the Senate. I thank the Senator.

The Republican leader has gone above and beyond to give me the opportunity to work and make a difference during my tenure here, and I thank him very much.

I also thank the senior Senator from Delaware and the junior Senator from Oklahoma for agreeing to my request to hold a hearing on human trafficking in the Homeland Security and Government Affairs Committee. Eliminating human trafficking or, more directly, abolishing modern-day slavery has been a priority for me throughout my career in public service. The chairman and ranking member of the committee could not have been more helpful in my efforts to raise awareness of this evil crime, a crime that robs people of their innocence and dignity, taking a terrible toll on our victims and society as a whole.

The junior Senators from New Hampshire and North Dakota, both former attorneys general themselves, stood alongside me in this effort. When I first spoke with them about my desire to hold a hearing, they immediately agreed to work with me to make it work as productively as possible. I am grateful to them for partnering with me and I know they will continue to make this issue a top priority.

I also thank the senior Senator from Arizona for attending and contributing to the hearing on a day when no votes were scheduled and for his strong commitment for righting this terrible wrong. These are important and forceful voices for the victims of human trafficking, and I appreciate their support of my efforts.

I want all of my colleagues to know I will continue to work to abolish this scourge on our Nation and on the entire human family. I hope they will feel free to call on me if I can ever be helpful to them in their efforts, just as I may call on them from time to time.

So many of my colleagues have made this a wonderful experience, and I am proud to call all of them my friends.

I know I looked pretty lost on more than one occasion here, but I always had someone pointing me in the right direction. I am particularly grateful to my good friends from Utah, Wyoming, Tennessee, Ohio, and Illinois, who have repeatedly helped me over the past 5 months both by listening and also providing good advice.

As every Senator knows, the work we do here would not be possible without the work of the people who serve on

our staffs. I have been incredibly fortunate to have an outstanding group of people on my Senate staff—a group that jumped right in with me on very short notice and a group I am so proud to have worked with. They were fully aware that their tenure, like mine, would be short. They interrupted and, in many cases, disrupted their lives to serve with me.

My chief of staff Donna Mullins did an amazing job assembling a talented and dedicated group of professionals to serve both here in Washington and back in New Jersey. Their willingness to do so reflects their commitment to the people of New Jersey, the Senate, and to our Nation. Some of them I have worked with for years, others only for a few short months. All of them have earned my everlasting respect and friendship.

I want to acknowledge each of them by name: Donna Mullins, John Lutz, Tomi-Anne Nolino, Nick DiRocco, Jeannette Larkins, Chip Sinders, Ken Lundberg, Bob Bostock, Ryan Berger, Krista Powers, Tyler Yingling, Marissa Watkins, Michael Rebuck, Chris Mindnich, Taylor Holgate, Nicole Dube, Jamie Rhoades, Michael Pock, and Shante Palmer. They reflect the best of public service, and I will always be thankful to them and the work we have done together.

Of course, the greatest thanks goes to my family. My wife Jenny and our children Al and Hannah have always given me their unconditional love and support. I could not have done this without them. I am lucky to have them.

I was born and raised in New Jersey. It is not just my home State, it is my home in every sense of the word. The honor of representing the people of my State—my friends, my neighbors—is almost beyond description. After all, there could be no greater calling for any citizen than to have the opportunity to represent the people of your State in the highest councils of government. Although the past 5 months have passed very quickly, my deep sense of gratitude for the opportunity to serve will stay with me for the rest of my life.

My experience as a Member of this body has confirmed what I already thought was true—every Member of the Senate is a dedicated public servant. Every Senator is deeply committed to the work they do. Every Senator is here because he or she wants to contribute to the centuries-old work of forming a more perfect union. We do not always agree on how this is best accomplished, but vigorous, respectful debate is critical in a government such as ours.

There is so much talent, so much commitment, and so much love of country here. I urge my colleagues to advance their efforts to find common ground in pursuit of their common purpose, to continue to advance the success of the country we love and secure the blessings of liberty for the people we serve.

Soon there will be a new Senator-elect from New Jersey who will stand where I stood just a few months ago to be sworn in. When he takes his place in this body, he will be joining a long list of dedicated public servants who have served New Jersey—stretching back to the very first Congress. I urge him to continue to work as hard for the people of our State as he did while serving as the mayor of New Jersey's largest city. I know he will always put the people of New Jersey first.

New Jersey's new Senator will have a very long list of priorities waiting for him when he arrives in Washington—all of them important. There is one area that will require his immediate and ongoing focus, and that is New Jersey's continued effort to recover and rebuild from the devastation of Superstorm Sandy, which struck my State a year ago today. Working together New Jerseyans have made incredible progress in coming back from what the storm delivered, but our work continues.

For those who have suffered so much loss, a year seems like an eternity. They must know that until all the damage done by the storm is undone, and until all the work needed to protect our State and its people and their property from future storms like this is completed, we will not rest.

As I prepare to make the transition back to private life, I do so with a deep sense of gratitude to all of those who made my service in the Senate possible, and an even deeper sense of humility for having been given this opportunity.

This has been, for me, a remarkable 5 months. I know I will in the years ahead look back on this time with gratitude and appreciation for the privilege of having served the people of New Jersey and the Senate of the United States of America.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, while Senator CHIESA is still on the floor, I want to take a moment to say to him how much we have enjoyed getting to know him, work with him, and come away with a wonderful—not just a first impression but a lasting impression. Governor Christie did the State of New Jersey well by appointing Senator CHIESA to serve as the interim Senator.

We had a similar experience with losing an elected Senator when JOE BIDEN was elected as Vice President and to the Senate at the same time. He had to choose between being the Senator from Delaware or Vice President. I don't know if he ever regrets it, but he made the choice to be our Vice President, as we know. The Governor of our State appointed Ted Kaufman to serve as the interim Senator for 2 years, and he was subsequently succeeded by CHRIS COONS when Chris was elected a couple of years ago.

We have a tradition of folks who are appointed as interim Senators who turn out to do an extraordinary job. Sometimes I wonder—with tongue in cheek—if maybe that is not a better approach, in some cases, for populating this place with men and women from across the country.

The Senator from New Jersey has been here for 5 tumultuous months, and he has seen the good, the bad, and the ugly—in some cases the very ugly. If we had more people who would bring Senator CHIESA's values and commitment to comity—not comedy with a ''d,'' but comity with a ''t''—communicating, and his willingness to compromise, not on principles but on policy, this would be a better place and a better country.

As the chairman of the Homeland Security and Government Affairs Committee, I say on behalf of TOM COBURN, ranking Republican—and on behalf of those of us who have the privilege to serve on that committee—what a privilege it has been for the Senator from New Jersey to be one of our members.

We are joined on the floor by Senator BARRASSO, and it has been my privilege to serve on the Environment and Public Works Committee with him. As Senator BARRASSO knows, JEFF CHIESA came early and stayed late. He asked great questions and brought forth good issues—including the issue of human trafficking, which has reminded us in extraordinary ways of the terrible situation that is faced by millions of women and children in this country and around the world. That is a gift the Senator from New Jersey has brought to this body, and I think ultimately to our country.

Senator CHIESA is going to leave us now and sail off into the sunrise, and we look forward to having our paths cross many times in the future—maybe even in Delaware on a summer vacation. My friend can bring his wife Jenny and his two kids. He is always welcomed in the first State.

Good luck, God bless, and Godspeed. I thank my friend for serving our country and his State so well.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I wish to add in a bipartisan way my thanks to Senator CHIESA for his service and add to the kind words the Senator from Delaware has spoken of our friend and our colleague.

In Wyoming we talk about the code of the West, and there are 10 parts to that code, but No. 1 is live each day with courage; and No. 2 is take pride in your work. Members on both sides of the aisle have seen that sort of code lived day by day by the Senator from New Jersey who has joined us.

I join my colleague from Delaware in thanking our friend from New Jersey. I say that with great admiration, great appreciation, and deep respect for his time in the Senate, and I know we are going to continue to hear great things from him in the future.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak for such time as I may consume.

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

Mr. BAUCUS. Mr. President, Franklin Delano Roosevelt said:

> Our capacity is limited only by our ability to work together. What is needed is the will.

I have just returned from a week at home in Montana traveling from Fort Benton to Billings to Bozeman. I visited with constituents from all across our State. At each one of my meetings, the conversation would touch on the first snow of the season or football and the Bobcats or the Grizzlies. Those are, in this case, football teams. But inevitably every conversation turned to the challenges we face in Washington and the standoff we just had over the country's borrowing limit and funding the government.

People have lost faith in our ability to serve them. They are worried about what the dysfunction means for the future of our country.

For more than 2 weeks, Congress was stuck in a stalemate, unable to agree on a course for our Nation. The political standoff shook America's confidence and threatened the global economy. Thankfully, compromise was able to overcome conflict. Cooler heads finally prevailed. But our Nation didn't emerge from the fight unscathed.

The 16-day government shutdown took a $24 billion bite out of the U.S. economy, according to Standard & Poor's. The rating agency now projects the U.S. economy will only grow at 2.4 percent in the fourth quarter as opposed to the already slow 3 percent predicted prior to the shutdown. That is a staggering self-inflicted wound, and defaulting would have been even worse.

Thankfully, that didn't happen. Leader REID and Minority Leader MCCONNELL were able to find the will and come together to provide a path that averted default. Their bipartisan legislation, passed on October 16, pulled us back from the brink. It created a conference committee to negotiate a budget compromise and it gave the President the power to suspend the debt limit until early February. It also gave Senators an opportunity to object and overturn the suspension using what is called a resolution of disapproval. That is what we are considering today.

I strongly urge my colleagues to reject this resolution. For the good of our economy, it cannot pass. Passing this resolution would plunge this Nation back into the same economic crisis we were facing just a few weeks ago. With economic confidence still suffering from the shutdown, another debt ceiling crisis could drive the Nation—and the world—back into recession. We cannot let that happen. It is time to be responsible leaders. Congress needs to stop governing from one self-created crisis to another.

Tomorrow, the budget conference committee will begin discussions on a plan to resolve the fiscal challenges before us. The conference will be led by Chairman MURRAY and Chairman RYAN. They are smart, hardworking and solutions oriented and I am confident they can craft a compromise.

I began my remarks with a quote from President Roosevelt and I will close with another. Roosevelt once said:

> The great test for us in our time is whether all the groups of our people are willing to work together for continuing progress.

Today, we face our test. Can we work together for continuing progress?

I strongly urge Members of the Senate to reject the resolution before us. It is a step backward, a return to shutdowns and showdowns. Enough is enough. Instead, we must find the will to work together for progress, for the good of our economy and the good of our country.

Thank you. I yield the floor.

● Mr. INHOFE. Mr. President, earlier this month, I expressed my opposition to S. 1569, which allowed our debt limit to increase through February 7, 2014. Today, the Senate considers S.J. Res. 26, which would reject the suspension in the debt limit and immediately halt any new debt issuances by the United States. I support this resolution.

My position remains unchanged from earlier this month. Our national debt is topping $17 trillion and has nearly doubled since the beginning of the Obama administration. If we allow the Nation to continue on its current path, it will only lead to economic destruction. Allowing the debt to continue increasing without any commonsense solutions to rein in the federal government would be irresponsible and reckless.

The recent increase in the debt limit is President Obama's sixth since coming to office. In that time, no significant action has been taken to reduce the long term trajectory of the debt. If we continue to do nothing to rein in spending, the national debt will skyrocket to $25 trillion in the next decade. Even the President agrees with these numbers. We cannot allow this to happen, which is why I support the resolution prohibiting a continued suspension of the debt limit.●

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

DISAPPROVING OF THE PRESIDENT'S EXERCISE OF AUTHORITY TO SUSPEND THE DEBT LIMIT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to the motion to proceed to S.J. Res. 26.

Mr. DURBIN. Madam 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.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

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

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 220 Leg.]

YEAS—45

Alexander	Cruz	McConnell
Ayotte	Enzi	Moran
Barrasso	Fischer	Murkowski
Blunt	Flake	Paul
Boozman	Graham	Portman
Burr	Grassley	Risch
Chambliss	Hatch	Roberts
Chiesa	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker

NAYS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NOT VOTING—1

Inhofe

The motion was rejected.

EXECUTIVE SESSION

NOMINATION OF RICHARD F. GRIFFIN, JR., TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The assistant legislative clerk read the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote on the motion to invoke cloture on the nomination.

Who yields time? The Senator from Iowa.

Mr. HARKIN. Madam President, we are getting ready to vote to end debate.

This is a cloture vote on the nomination of Richard Griffin to serve as general counsel of the National Labor Relations Board. As I stated yesterday, this is an important role for making sure the NLRB can do its job.

This summer, as we know, we voted to fill the Board with the requisite number of Republicans and Democrats on the Board. I thought that was a good vote. This is the one left over; that is, the general counsel position. Mr. Griffin is very well qualified. He has been thoroughly vetted.

I have received absolutely not one objection to his qualifications or his background. He has had 30 years' experience as a labor lawyer and he deserves strong bipartisan support. I urge my colleagues to vote for cloture so we can get to the vote later today.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I am not going to vote to confirm Mr. Griffin because I think his nomination to be general counsel to the Board does not do anything to keep it from moving toward advocacy instead of being an umpire. But I do think it is time to close the debate and have an up-or-down vote. I am going to vote yes on cloture.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board.

Harry Reid, Brian Schatz, Barbara Boxer, Carl Levin, Bill Nelson, Jeff Merkley, Robert P. Casey, Jr., Debbie Stabenow, Mark R. Warner, Tammy Baldwin, Jeanne Shaheen, Kirsten E. Gillibrand, Mark Udall, Tom Udall, Michael F. Bennet, Amy Klobuchar, Elizabeth Warren, Ron Wyden.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Richard F. Griffin, Jr., of the District of Columbia to be General Counsel of the National Labor Relations Board shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

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

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 221 Ex.]

YEAS—62

Alexander	Franken	Murkowski
Ayotte	Gillibrand	Murphy
Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Blunt	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Corker	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Flake	Mikulski	

NAYS—37

Barrasso	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Chiesa	Hoeven	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McConnell	Wicker
Enzi	Moran	
Fischer	Paul	

NOT VOTING—1

Inhofe

The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Pursuant to Senate Resolution 15 of the 113th Congress, there will now be 8 hours of debate on the nomination equally divided in the usual form.

The Republican whip.

Mr. CORNYN. Mr. President, in the aftermath of the battle over the continuing resolution and the debt ceiling, I am sure I am not alone in hearing from my constituents they are hoping that Democrats and Republicans can now work together on some of the most important and chronic problems that challenge our country. But instead of doing that, my friends across the aisle have taken this opportunity to engage in what can only be described as a power grab that will result in even more polarization and partisan acrimony here in Washington.

What I am talking about specifically is the effort of the President and Democratic leadership to pack the District of Columbia Court of Appeals. For those who may not follow the Federal court system, America has 13 different Federal appellate courts, but the DC court stands out as the most powerful in the country. Some have called it the second most important court in the Nation because it has jurisdiction over a variety of regulatory and constitutional matters. Whether it relates to Dodd-Frank in financial services, to ObamaCare and its implementation, or to national security matters, all of those types of cases get heard in the DC Circuit Court. No other appellate court in the Nation wields such vast influence over hot-button issues, ranging, as I said, from health care to the Environmental Protection Agency and its activities, which I know are as important to the Presiding Officer as they are to me, as well as gun rights and the war on terrorism.

President Obama argues the DC Circuit Court needs three more judges in order to get its work done, but the facts simply don't bear that out. That is not true. For example, between 2005 and 2013, the DC Circuit's total number of written decisions per active judge actually went down by 27 percent. The number of appeals filed with the court fell by 18 percent. So instead of having more work to do, it has less work to do than it did in 2005.

As one commentator has observed: The DC Circuit already has the lowest caseload in the Nation and, if anything, trends show their workload is decreasing—decreasing, going down—not up.

Indeed, one DC Circuit Court judge recently told the senior Senator from Iowa that if any more judges were added now, there wouldn't be enough work to go around. So one might wonder why then the President and Senator REID would want to pack the DC Circuit Court with three additional judges if there is not enough work to go around today.

Let me also note the DC Circuit Court has a unique record in that it actually took 4 months off between May and September of this year. That is hardly the record of a court that has too much work to do and simply can't get it done.

Meanwhile, there are courts across our country, both appellate courts and district courts, that are overburdened. Some of these courts are labeled as judicial emergencies because they simply have such a heavy caseload they can't get the work done. Why wouldn't we want to allocate more judicial resources, more help, to those courts that need the help rather than to pack the DC Circuit Court with judges it simply doesn't need?

Don't just take my word for it. Prominent Democratic leaders have actually made no secret of what is happening here. One might wonder what the rationale is, if there is not enough work to do. Why would Senator REID and other Democratic leaders want to add new judges to a court that doesn't have enough work to do? Well, back in March, the senior Senator from New York, Senator SCHUMER, said the following of the DC circuit judges:

> Here's what they have done in the last year: They have overturned the EPA's ability to regulate existing coal plants . . . They have rendered the SEC impotent by saying that the SEC can't pass rulings unless they do what is called a cost-benefit analysis . . . They have ruled that recess appointments couldn't be taken into account.

Senator SCHUMER also said:

> We will fill up the DC circuit one way or another.

Well, I disagree with Senator SCHUMER's characterization on some of these cases, but it is true the DC Circuit Court has a unique role in American jurisprudence in deciding some

very important cases for the entire country. There are administrative agencies that are part of the executive branch, and when they make decisions—whether it relates to financial services, the Environmental Protection Agency, Health and Human Services, or any administrative agency—those decisions typically get decided and reviewed by the DC Circuit Court of Appeals.

More recently, the majority leader put it this way when he said:

> We're focusing very intently on the DC Circuit. We need at least one more. There's three vacancies. We need at least one more and that will switch the majority.

So this isn't about the efficient administration of impartial justice. This is about stacking the court by changing the majority. That was a quote from the majority leader of the Senate. So there is no mystery about what is going on here. The majority leader and his allies are attempting to pack the court with judges who will rubberstamp their big-government agenda.

The majority leader is also threatening to use the nuclear option again unless Senate Republicans simply snap to attention and salute smartly. Well, that is not going to happen. In simple terms, Democrats are prepared to violate the Senate's own rules to help flip the DC circuit in favor of the Obama administration's aggressive administrative overreach. If these tactics succeed, the Senate will be weakened as an institution and the Nation's second highest court will be transformed into a far-left ideological body.

But I will remind my colleagues that what goes around comes around in the Senate. When Republicans control the Senate and we have a Republican in the White House, I warn my colleagues the same rules they put into effect with the nuclear option will be used to their disadvantage then. We shouldn't do it. We shouldn't go there.

But it is clear what the motivation is. Again, this is not about the efficient administration of impartial justice. This is about getting your way and getting a rubberstamp on the actions of regulatory overreach that are far too common here in Washington, DC.

It is true the DC Circuit Court has ruled against the Obama administration and its regulatory agencies, but it is also true they have affirmed many of the most important and far-reaching decisions of the Obama administration's regulatory agencies. One example where it ruled against the administration is in 2011, when it struck down the ''proxy access'' rule of the Securities and Exchange Commission by declaring the agency failed to conduct a cost-benefit analysis required by law before adopting the regulation.

I don't know about anyone else, but I wish the government would do more cost-benefit analyses, not less, and so I am glad the DC Circuit Court struck down that rule because of the failure of the Securities and Exchange Commission to conduct a cost-benefit analysis.

In another example last year, the court vacated the cross-State air pollution rule of the Environmental Protection Agency, noting it would ''impose massive emissions reduction requirements'' on certain States ''without regard to the limits set by the statutory text.''

In other words, they acted beyond their congressional authorization. This was also an example, in Texas—Texas got swept into this cross-State air pollution rule without even an opportunity to be heard and to offer competing analyses of the models the Environmental Protection Agency used. No matter how committed we all are to clean air, we should not sanction an administrative agency run amok, doing what is not authorized by the statutory text.

The DC Circuit has also rejected as unconstitutional a pair of appointments the President made to the National Labor Relations Board. Talk about overreach. This is where the President tried to trump the confirmation powers of the U.S. Senate in the Constitution—the power of advice and consent, it is called—by making unconstitutional so-called recess appointments. The DC Circuit called him on it and held that it was unconstitutional.

More recently, the court held that the President's Nuclear Regulatory Commission was simply flouting the law. Do we not want a court to call the President when administrative agencies are simply flouting the law if we are a nation of laws? In this case, they flouted the law by delaying a decision on whether to use Yucca Mountain as a nuclear waste repository.

These were all commonsense decisions, and you can probably tell from my comments that I think they were well grounded in the law and the facts and I agree with the decision. In that case, they all went against the Obama administration's preferred position, but it is true that the DC Circuit has also ruled in favor of the administration's position in a number of cases. Again, here is an EPA decision. Since 2012, Jeremy Jacobs reports, the Agency has won 60 percent of the cases that have been reviewed by the DC Circuit Court of Appeals. In 60 percent of the lawsuits where the Environmental Protection Agency has been taken to court for exceeding its authority, 60 percent of the time the EPA position has prevailed. That is a better performance than the EPA had at the circuit during George W. Bush's administration. In particular, the EPA has scored landmark victories related to greenhouse gas regulations, ethanol-blended gasoline, and mountaintop-removal coal mining. But beyond energy and environmental issues, the DC Circuit Court has upheld President Obama's Executive order regarding embryonic stem cell research on two separate occasions, in 2011 and 2012.

Again, these are not my preferred outcomes, but I think they demonstrate that the DC Circuit Court has learned to strike a balance and certainly is not pro-administration or anti-administration. It epitomizes what a court should be, which is an impartial administrator of justice. Again, this same court upheld the Affordable Care Act in 2011, ruling that the individual health insurance mandate was constitutional under the commerce clause. We know what happened when it got to the U.S. Supreme Court. They had a different view.

It demonstrates the kind of judicial restraint that the current DC court, balanced as it is with four nominees by a Republican President and four nominees by a Democratic President—how it has administered evenhanded justice, which would be destroyed if the President is successful and if Senator REID is successful in packing this court with three more of their liberal allies. As I said, this court is currently split right down the middle. Four of the active judges were appointed by a Republican President and four were appointed by a Democratic President. Yet it is clear that the DC Circuit Court is in the crosshairs of the majority leader and his Democratic allies, including the President, because they want to tilt the court in their direction—a more liberal, bigger government direction, one that is more deferential to administrative agencies, such as the Environmental Protection Agency and other agencies that refuse to take into account a cost-benefit analysis, which we ought to have more of, not less.

The truth is that there is an answer to this standoff in terms of the court-packing President Obama and Senator REID are attempting. There actually is a way to reallocate these unneeded seats from the DC Circuit Court of Appeals to other courts that actually need the judges, unlike this court that has the lightest caseload of any circuit court in the Nation.

Senator GRASSLEY, the senior Senator from Iowa, has offered a reasonable compromise which would allow several of President Obama's appellate nominees to be approved for district courts or courts of appeals where they are actually needed. In other words, President Obama would still get to pick them; he would just have to pick them for courts where they would actually have enough work to do and where they are needed.

Again, based on current caseloads, the DC Circuit Court does not need new judges, but other appellate courts really do. I would think that during a time when judgeships are constrained after the Budget Control Act, when discretionary spending is down, and when the courts need more resources allocated, we would want to allocate the resources to courts and to jurisdictions where they are actually needed, not to places where they are not needed.

For all these reasons and more, I hope Members of both parties will agree that the reasonable way to do it would be to pass the Grassley bill, the Grassley compromise to reallocate

these judges to the places where they are really needed and to prevent the stacking of this court and this reckless power grab.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

SUPERSTORM SANDY

Mr. BLUMENTHAL. Mr. President, I rise today in recognition of the 1-year anniversary of Superstorm Sandy's landfall in the Northeast and the destruction it brought on a ruinous path through Connecticut, New York, New Jersey, and Rhode Island. I will be joined today on the floor—and I ask unanimous consent that we be permitted to engage in a colloquy—by my colleague from New York, Senator SCHUMER, and from Rhode Island, Senator WHITEHOUSE, if there is no objection.

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

Mr. BLUMENTHAL. Mr. President, I can scarcely capture in words the awesome, monstrous power of this storm as it hit the Northeast as I traveled there. I was near the coastline of Connecticut, traveling some of the roads in the midst of this storm as it ripped through my State, tearing apart communities along the coast, destroying homes and businesses, displacing families, and forever altering the shoreline itself. Anybody who questions the power of nature at its most destructive should have seen this storm as it unfolded and the damage it left in its wake—in fact, in Connecticut, $770 million in damages.

What I remember from touring Connecticut is not only the size and magnitude of the destruction but also the resilience and strength of Connecticut's people as they struggled through the pain and anguish of coping with this devastation, wondering how they would ever rebuild. In fact, they have rebuilt with the courage and relentless strength and fortitude that have so marked the character of Connecticut and New England and New York as they rallied around one another and exhibited that sense of optimism and hope. It was as important as any material resources that were brought to bear. They rallied around each other with gratitude and with hope because they had each other, and they have succeeded in clearing the debris, reconstructing, rebuilding in a way that is inspiring.

I only wish Congress's response was as effective and courageous as that of the citizens of Connecticut that I viewed in the storm's aftermath. The Senate was slow to act, but it was before the House in passing the $60 billion recovery package for the Northeast. The effort was stalled in the House, quite bluntly, with bipartisan politics of the worst kind and trivial obstruction.

There are lessons to be learned. No. 1 is that partisanship and politics should have no role in our response to disasters, whether in Oklahoma or Colorado or Louisiana or the Northeast. We are all in this effort together when disaster strikes. We should rally around each other as the people of Connecticut rallied.

Our response has to be quicker, smarter, stronger than it was in this institution. We owe it to ourselves as well as to the people who suffered the financial and emotional loss. For many of them, there were physical injuries as a result of this natural disaster.

Those two lessons are reinforced by a third, which is that these superstorms have become a new normal. We can no longer regard the once-in-a-century storm as once every hundred years. They are coming once every year because climate disruption is increasing their frequency and force in a way that is awesome and alarming and astonishing. So another lesson is that there has to be preparation to prevent damage and to mitigate the effects of these storms when they strike, and the investments—and they are investments—have to be smart and strong, with means such as storm barriers, breakers, better shoreline resilience.

Eventually, the Federal Government provided aid, and Connecticut has put to good use the $200 million that was distributed through the National Flood Insurance Program to homeowners and business owners. Cities and towns around my State have used $42 million in FEMA assistance, and more than $10 million has gone toward health services and facilities. As our Governor announced yesterday, an additional $65 million has been granted to the State to supplement the initial $72 million from the Department of Housing and Urban Development in the form of community development block grants for disaster relief. These new Federal dollars are critical to the effort of rebuilding, and I will continue to fight not only for additional funds but also against the bureaucratic logjams and redtape that have prevented so many from receiving more timely aid.

This aid has come too slowly, it has been too small, and it has been behind the efforts—in time and strength—of the people of Connecticut. I will continue to fight for increased aid, including from the $100 million that was announced yesterday and today—today's announcement of the U.S. Department of Interior of $100 million in the coastline resiliency project. I will support all qualified applicants from Connecticut securing some of this competitive funding. We will fight for a fair allocation of this money to benefit the important work Connecticut is doing to strengthen our coastline so that we can prevent and reduce the effects of these storms in the future.

I had the privilege to travel the State as a leader of a listening tour for the Hurricane Sandy Rebuilding Task Force this past May, just over the half-year mark from the time Sandy hit.

The progress made with this help from the Federal Government, combined with the good will, drive, and sense of responsibility toward one another—exemplified by the people of Connecticut—has been remarkable. We must resolve to do better at the Federal level, and I hope that not only the storm itself but the shortcomings of the relief effort will be a teaching moment for the Nation.

The evidence is irrefutable that climate disruption is impacting our oceans and atmosphere and leading to an increasing number of severe weather storm events across the country that we cannot control. We will see more of such monstrous storms here and in other parts of the country.

I thank my colleagues, Senator WHITEHOUSE and Senator SCHUMER, who have been strong and steadfast leaders in this effort to recognize the effects of climate disruption and prepare for them.

Connecticut is in the process of upgrading our infrastructure to strengthen our resiliency among the most vulnerable communities. We are investing in microgrids, often powered by hydrogen fuel cells manufactured in our State, to provide backup power for hospitals and senior communities in towns such as Preston and Franklin, which I visited in the aftermath of the storm.

In Milford, residents are using HUD funding to elevate their homes so they can guard against these storm surges. Other coastal towns are employing green infrastructure with marsh grass to slow surging waters during storms.

In Stamford, CT, my hometown, the city is using Federal aid to upgrade a 17-foot hurricane barrier by replacing manual pumps to ensure against damage to the city's communities in future storms. I visited the shoreline of Stamford, as I did up and down the coast of Connecticut, and I have since, to see how Connecticut is learning these lessons so we can reduce dollar costs as well as human costs. The improvements taking place across Connecticut speak volumes to our strength of will and mind and the determined character of our people in Connecticut.

I express appreciation to colleagues, such as Senators SCHUMER and WHITEHOUSE and others in this body, who helped us in a time of need. They came forth to provide encouragement and support. They assured the people of Connecticut that they are not alone.

No one in the United States—whether it is in the Presiding Officer's State of West Virginia or in the western most part of Hawaii—should be alone after being struck by a natural disaster. We need to rally together.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Before I join the colloquy with Senators BLUMENTHAL and SCHUMER, I have two bits of housekeeping.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that at 5 p.m. today all postcloture time on the Griffin nomination be yielded back, and

the Senate proceed to vote without intervening action or debate; 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 the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, this is my 48th trip to the floor to remind Congress that it is time to wake up to the threat of climate change.

I am joined by Senators BLUMENTHAL and SCHUMER because 1 year ago today Hurricane Sandy struck our States with frightening force. Now, a year later, communities across the Northeast have dug out and are rebuilding, but Sandy left a permanent mark on our coasts and on our consciousness.

To be sure, we cannot say that this devastating storm was specifically caused by climate change. However, Sandy showed the many ways we are vulnerable to the undeniable effects of climate change, such as rising sea levels and warming oceans—effects that can in turn load the dice for more damaging storms.

As evening fell on October 29, 2012, a storm surge from the largest Atlantic hurricane ever recorded swept against Rhode Island's shores about 5 feet above mean sea level. A few hours later, waters peaked around New York City—about 9 feet above mean sea level. A harrowing night followed for victims of Hurricane Sandy. It was a night that took more than 150 lives and caused $65 billion in physical damage and economic loss.

Hurricane Sandy, or Superstorm Sandy as many remember it, hit 24 States with direct effects. Floodwaters invaded homes and swept out roads. High winds knocked out power to 8.5 million homes and businesses, cutting a swath of darkness that could be seen from space. An entire New York neighborhood was gutted by fires that emergency personnel could not reach through the storm.

Sandy flooded nearly the entire coastline with beaches and dunes driven down by the waves and wind. Displaced sand and stone covered roads like here on Atlantic Avenue in Misqaumicut, RI. Houses were swept off their foundations in Rhode Island's southern coast communities like Matunuck, shown in this photo. Here we see Governor Lincoln Chafee, a former Member of this body, surveying the damage to these homes.

President Obama granted Governor Chafee's request for a Federal disaster declaration covering four of Rhode Island's five counties. More than 130,000 Rhode Islanders lost power. Eight cities and towns implemented evacuation actions. Nearly one-third of all Rhode Islanders were directly affected one way or another. In a close-knit State such as ours, nearly everyone was touched by Sandy.

Rhode Islanders are resilient and we are recovering. Over $30 million has been paid out to Rhode Islanders for more than 1,000 Federal flood insurance claims. FEMA has approved more than 260 projects for reimbursement. Over $12 million has been put to repairing our State's parks, wildlife refuges, and historic sites. Individuals and families received more than $423,000 in grants to meet their immediate basic needs for housing and other essential disaster-related expenses.

The Federal Government will always play a central role for communities such as ours, picking up after a disaster like Sandy. So it would make sense for the Federal Government to learn from these events and be smart as we plan for future risks.

The Government Accountability Office recently reported on the risks to U.S. infrastructure posed by climate change. Roads, bridges, and water systems are designed to operate for 50 to 100 years. Well, 50 to 100 years from now, our climate and our coastline will be very different. Sandy threw at Rhode Island's shores Atlantic seas that had risen almost 10 inches since the 1930s, against a shoreline that had already retreated more than 100 feet in some locations. As climate change progresses, more and more infrastructure will be exposed to more and more risk.

Earlier this year GAO added to its High Risk List the United States financial exposure to climate change. GAO, our congressional watchdog, now warns that it is fiscally irresponsible to ignore the signs of climate change. The President's Hurricane Sandy Rebuilding Task Force, and his Climate Action Plan, both call for adaptation to this risk from climate change—particularly for better coastal resiliency and preparedness.

Here is an example of doing it right. When hurricane Katrina hit the I–10 Twin Span Bridge that crosses Lake Pontchartrain near New Orleans, it twisted and toppled the bridge's 255-ton concrete bridge spans off their piers and into the lake. The bridge was rebuilt by using Federal Highway Administration funding, but they built it stronger, better engineered, and in some sections they built it more than 20 feet higher.

It makes sense to make sure that our agencies repair American infrastructure to the commonsense standard that it is ready for future risks. Rebuilding to the specs that failed is not common sense. Being deliberately stupid in order to deny climate change is a losing proposition.

Congress can do something smart right now. We could pass the Water Resources and Development Act with the resiliency and restoration provisions that were in the Senate-passed bipartisan bill. Congress could support the President's Climate Action Plan, using our wise Earth's natural protections for our coastal infrastructure.

Of course, even robust climate adaptation won't let us off the hook in some places. New England can build levees and dams to hold the waters back, but the vast low areas of southeastern Florida are porous limestone. Even if you built a giant dike, the water would just seep in through the underlying limestone.

A study last year found that 3 feet of sea level rise, which is what we presently expect, will hit more than 1.5 million Floridians, and nearly 900,000 Florida homes—almost double the effect on any other State in the Nation. So Florida should want to prevent as much climate as possible, and that means cutting carbon pollution.

Ultimately, for the open market to work, we need to include the full cost of carbon pollution in the price of fossil fuels. Anything less is a subsidy to polluters. What Florida should want is for Congress to enact a carbon pollution fee to correct the market, and then return that fee to American families.

Ultimately, inaction is irresponsible, and Americans get it. Eighty-two percent of Americans believe we should start preparing now for rising sea levels and severe storms from climate change.

Young Americans, in particular, see through the phony climate denial message. Three-quarters of independent young voters and more than half of Republican young voters would describe climate deniers as ''ignorant,'' ''out of touch,'' or ''crazy.'' Let me repeat that. The majority of Republican voters under 35 would describe climate deniers as ''crazy,'' ''ignorant,'' or ''out of touch.'' Continuing the climate denial strategy is not a winning proposition for our friends on the other side. Even their own young voters see through it.

Congress should wake up to the alarms that are ringing in nature and to the voices of the American people. One of the loudest alarm gongs was Hurricane Sandy. Voltaire said: ''Men argue, nature acts.'' Well, nature acted, driving epic winds and seas against our shores, and she will continue to act if we continue to tip her careful balances with reckless carbon pollution and shameless subsidies to the big polluters.

We need to wake up as a Congress and take responsible action to protect our homes and communities. We need to remember Sandy and learn her lessons.

I yield the floor for my distinguished colleague from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague, the Senator from Rhode Island, for calling Senator BLUMENTHAL and me and others together and for taking action on climate change. There has been no one in this body who has done more to sound the alarm about climate change.

I have enjoyed his regular ''time to wake up'' speeches. I guess this is number 49—excuse me, 48. One of them was

so good I read it twice. He has been relentless on this issue in a positive, articulate, and superb way.

There could not be a better day to talk about climate change than today because we are at the 1-year anniversary of Superstorm Sandy. Senators WHITEHOUSE and BLUMENTHAL and I remember it vividly. We each visited our communities on the days afterwards and saw the terrible blow that Sandy delivered to New York and the whole east coast. It created such damage and upheaval to communities and lives. Sandy was a horrible event, but the one silver lining in this large awful cloud is that people take climate change more seriously. I think most Americans agreed that climate change is real, but there was not a sense of urgency about climate change pre-Sandy. People said, well, it is happening 25 years from now or 50 years from now. Unlike Senator WHITEHOUSE, who has a sense of passion and a sense of urgency daily and immediately about this, most people said we can let things wait.

Unfortunately, despite the efforts of the Senator from Rhode Island and others, our bodies are not doing enough on climate change. But when Sandy occurred, a sea change occurred. Americans understood—those of us in the Northeast probably more than anybody else—that we cannot afford to wait. It took 10 years to get the American people to accept the fact that climate change is real. It took one storm to get them to understand that we had to move immediately.

Sandy was awful. In the days after the storm, I toured places such as the Rockaways and Long Beach, Staten Island, Lindenhurst. Whole neighborhoods were leveled and thousands of New Yorkers were homeless. To see an elderly gentleman, Mr. Romano, sitting in front of his lot in Great South Bay in Lindenhurst, his house totally destroyed, sitting in one of his few possessions left, a little lawn chair, was devastating. I asked Mr. Romano: Are you going to move?

He said: Look at the view.

Two days after Sandy, the skies were peaceful, the Sun was beautiful, and it was reflected off of Great South Bay. He said: Every year I have had 364 good days and 1 bad day. I am not moving.

That story can be repeated, but the devastation was real. To drive down the streets in the Rockaways or the streets of Long Beach or of Staten Island, the South Shore of Staten Island, and see house after house with piles in front of the houses of not just furniture, although that was a problem—we all have our favorite chair, a favorite place to sit. But people's lives were out there: heirlooms that had been in the family for generations, pictures and albums gone, like that.

This is an example of one of the places hurt the worst: Breezy Point, a hardy community of cops, firefighters, teachers, EMT workers; the heart of New York City's middle class. They are the very same people—many did from Breezy Point—who rushed the towers on 9/11, and some lost their lives. They were the people who were devastated here. A fire erupted, 120 houses—it looked like Dresden after the bombings in World War II—and all that was left was this religious shrine. I will never forget that scene and having the local firefighters showing me what had happened.

Of course, our local infrastructure was terribly damaged as well. Here we have the R train, which Secretary Fox and I just announced is going to be up and ready in 1 year. The tunnel had millions of gallons of water—brackish water, salty water—that not only ruined the infrastructure of the tunnels, but the signals that depended on electric functioning—gone. These scenes are repeated over and over.

What Sandy did is make climate change real to New Yorkers in a horrible way. The same is now happening across the country. So what Sandy did was not alert us to the fact that climate change exists but alerted us that it was a call to action. While climate scientists try to avoid blaming any single weather event on climate change, we know that a warming planet can load the dice for more frequent and extreme storms. As sure as we all are sitting here, there will be other storms, unfortunately, and God forbid but in all likelihood, of Sandy's devastation that will affect different parts of the country. As I and others have said in the days after Sandy, we have had far too many events over the past 3 years in New York, including Irene, Lee, and then Sandy, to think we can ignore the impact of a warming planet and the impact that is having on our communities.

Even if one denies the scientific reality of climate change, there is little dispute over the stark challenge facing our country. The weather is more dangerous than ever and threatens our economy. According to recent polling, Americans now support taking action on climate change to protect our children and grandchildren.

So we need to do two things at once. We need to decrease our reliance on fossil fuels to slow down the warming of the planet, and we have to start investing in real climate adaptation projects in the most vulnerable parts of the country.

My colleague from Rhode Island talked about the devastation in Florida. He is right. The Florida delegation should be up in arms. I know some of our colleagues—they tend to be on this side of the aisle—are, but we hear silence from the other side of the aisle on climate change. In just a generation, a good percentage of Florida will be out of commission. Miami, one of the largest cities in the country, is virtually unprotected when it comes to climate change.

So we have to do both of these things. One year after Sandy, I am pleased we have made some progress.

First, the Hurricane Sandy relief law we passed earlier this year provided an injection of billions of dollars into mitigation for the east coast. When we rebuild this subway line, the signals are going to be higher up so if, God forbid, there is another flood, they will not be out of commission. At the entrances to the various tunnels—hundreds of thousands of people take these every week—there will be gates or a certain kind of airbag that can instantaneously prevent the tunnel from being flooded. We are elevating homes and building new floodwalls and dunes to prevent damage from the next Sandy.

So one thing we are doing is mitigation. Those of us—Senator WHITEHOUSE, Senator BLUMENTHAL, and others from New Jersey and Maryland and Pennsylvania and Delaware and New York and Connecticut, Massachusetts and Rhode Island delegations made sure in this legislation there is ample money for mitigation, so that if or when, God forbid, another storm such as Sandy occurs, we will be better protected.

Second, the President took a bold and important step in releasing his climate action plan, a critical blueprint for reducing carbon pollution. The plan also lays out a framework for implementing new mitigation plans for Federal, State, and local governments by tying Federal funding to new standards on climate adaptation. We now know a simple economic truth from many years of investing in mitigation projects: They save money. According to research, for every $1 we invest in mitigation, we save $4 down the road because of what will be protected and taxpayers will not have to shell out the same dollars again and again and again.

So it doesn't matter what side of the climate change debate one is on when it comes to investing in mitigation. Being promitigation makes good fiscal sense for the Federal Government.

A recent study found that Federal taxpayers spent $136 billion on disaster relief in just the 3 years of 2011, 2012, and 2013—$400 per household. The only way we can shrink this burden for the American people over time is to make critical mitigation investments at the same time we fight climate change by cutting carbon pollution.

I wish to specifically mention one piece of legislation which my colleague from Rhode Island also mentioned. He is on the EPW Committee and he has championed it with many of our colleagues. WRDA, the bipartisan Water Resources Development Act, got 83 votes in the Senate and will be a real boost for investment in climate adaptation.

In this bill, there is a new program called WIFIA. The very successful TIFIA Program which, for instance, without the local taxpayers spending a nickel, will bring our subway system all the way over to the far west side. I look forward to opening it with the mayor soon. Modeled on that program is WIFIA. It helps local governments

invest in mitigation projects by providing low-interest loans and a new banking design to attract private investment into these projects.

There are also new authorities that will allow the Army Corps to expedite and prioritize hurricane protection studies and project recommendations. I thank my colleagues, led by Senator BOXER, of the EPW Committee for working with us to draft some of this language.

These new policies are very important for New York and the States affected by Sandy. I urge our colleagues in the House to work with us to include these items in the WRDA conference.

We need to use the tragedy of Sandy to learn how to make our cities and towns stronger for the next storm. We know it is coming. We have to work at the local level in terms of mitigation. We have to work at the macro level to reduce the amount of carbon that has poured into our atmosphere that will just devastate the planet if we continue to sit on our hands.

I will close my remarks by borrowing a simple refrain from my friend from Rhode Island. As his poster says, it is time to wake up. Superstorm Sandy was New York's wake-up call. Let's honor the thousands of victims of that event by investing in our future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, before I depart the floor, and while Senator SCHUMER and Senator BLUMENTHAL are still here, I wish to add a point that is a personal observation of mine as a Senator; that is, first the Senator from New York is widely and properly regarded as one of the more formidable presences in the Senate. Having witnessed the difficulties that Senator BLUMENTHAL discussed at getting the Sandy disaster relief out and done, I will say we learned Senator SCHUMER has an even higher gear when it comes to the urgent needs of his home State and of his coast. When his New York City lies battered and drowned by storm, the work that he did to make sure a reluctant House passed this relief for us was an exercise in legislative craftsmanship and personal vigor that many of us will long remember.

Of course, I have seen Senator BLUMENTHAL fighting for his people in Connecticut, both after Hurricane Sandy and, of course, after the terrible tragedy that Connecticut experienced when a crazed gunman went into an elementary school and began to murder its children. So Senator BLUMENTHAL, in responding to those cares, concerns, and crises of his home State of Connecticut, has been truly exemplary. It has been a privilege for me as a Senator to see these two Senators in action in their causes I just mentioned.

Mr. SCHUMER. Mr. President, will the Senator yield?

Mr. WHITEHOUSE. I yield the floor.

Mr. SCHUMER. I am sure Senator BLUMENTHAL joins me. I wish to say to my dear friend from Rhode Island—and he truly is a dear friend—that his generosity of word and spirit is only equaled by his intelligence, his diligence, and his foresightedness, not only on this issue but on so many other issues on which we are working. In fact, we are going to make a call in a few minutes—he and I and a few of our colleagues and I think Senator BLUMENTHAL as well—to talk about another of his issues. He is just such an intelligent thinker, and he is thinking ahead of the curve on climate change. But delivery system reform in health care is another issue on which the Senator from Rhode Island has taken leadership.

So I thank him for his kind words and just say ''right back at you, baby.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank both of my colleagues. I am not sure I can match their eloquence in describing their gifts and their contributions on this issue and so many others, but I hope they and others will join me in meeting with the present Sandy task force in seeking to remedy or correct perhaps some of the logjams and redtape and deficiencies in process that led the people of our States to wait for so long before they saw relief in practical terms.

I thank them for their eloquence today and for their truly formidable contribution on the issue of climate change and global warming and to thank them also for the very powerful contributions they have made on the response to Superstorm Sandy that affected so many people in Connecticut.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

BUDGET CONFERENCE

Mr. PORTMAN. Mr. President, I rise to talk about an opportunity—actually something good that this body could do for the American people and for our economy and for the taxpayers. Tomorrow, the Senate budget conference that was established as part of this recent agreement that was made over reopening the government and extending the debt limit will meet. This will be the first public meeting of the group. We have had some other meetings, including the one I just had with some of the Members of that group, but this is the first opportunity for us to meet as House Members and Senate Members, Republicans and Democrats, in this budget conference, and it could not come soon enough.

The opportunity we have with this group is that in the wake of what happened at the beginning of this month—which was, again, a government shutdown and then a debt limit debate and then pushing right up against the debt limit—the opportunity we have now is to finally deal with this issue of government shutdowns and to deal with the underlying problem of overspending that forces us to extend the debt limit time and time again.

So let's start with government shutdowns.

The agreement opened the government for 3 months. That is right. In January, we once again come to this cliff where the government shuts down unless we act. So Merry Christmas and Happy New Year everybody. In January we hit this again.

It does not have to be that way. Earlier this year I introduced, with Senator TESTER from Montana, bipartisan legislation that would have prevented the last shutdown and would prevent all shutdowns in the future. It is called, appropriately, the End Government Shutdowns Act. It is pretty simple, and it addresses several critical issues we saw firsthand during this last shutdown.

It would end the chaos we saw on Federal services and citizens who depend on them. It would give government agencies the predictability they need to plan their budgets based on these appropriations levels. It would add certainty to the economy, and more certainty in the economy is certainly needed right now as we try to bring back the jobs. It would also take away the pressure for these haphazard, last-minute budget deals, which inevitably have stuck in them little provisions that nobody finds out about because they are all done at the last minute to avoid a government shutdown.

Here is how this would work: When we do not have spending bills agreed to by the time the fiscal year comes to an end—and that would be October 1—then the spending continues just as it was the previous year. So it is the same level of spending, except that automatically it would begin to reduce spending after 120 days and 90 days. So Congress would have 120 days to come together and figure out a budget. That is the carrot. The stick is that after 120 days the spending would be ratcheted down 1 percent and then again every 90 days another 1 percent.

I think it has become painfully obvious that Congress needs encouragement to get its work done, and this certainly would be encouragement. By the same token, we would not have these government shutdowns. That gradual decline in spending, by the way, would treat all spending equally. So all discretionary spending would be treated the same way—no exceptions for liberal spending priorities or conservative spending priorities. It would be the same for everybody. Both sides of Congress would feel the pain, and both sides then might be more willing to actually get the work done.

Is this the ideal solution to end government shutdowns? No, it is not. The ideal solution is that Congress actually does its work, which is our constitutional duty—the power of the purse—and that is to sit down and have these appropriations bills pass. That requires oversight of the agencies and departments which are badly in need of it. It then requires prioritizing spending in

12 different areas. That is how it should work. This legislation, the End Government Shutdowns Act, would actually encourage that to work, again, because it would establish this situation where, instead of doing a last-minute deal where you can kind of throw in these provisions that Appropriations Committee members might want, you actually have to go through the process; otherwise, it just continues the spending from the previous year and then ratchets it down over time.

Sadly, Congress has shown it is pretty much incapable of doing appropriations bills without some sort of pressure. The Congress has not completed all regular appropriations bills by the October 1 deadline since 1997. Here in the Senate, actually, over the past 4 years, during the current administration, the Obama administration, and under Democratic control here for the last 4 years, we have passed all of one appropriations bill on time. So that is 1 out of 48 that has been done on time. It was a MILCON bill in about 2011, as I recall.

Congress does better with a deadline. Again, we see this with the debt limit and with what we just went through these last few weeks. We can do better. This legislation would keep the impetus for Congress to act without including the threat of another costly and destructive shutdown. I think it is a good idea. It is one that is already bipartisan. It should be adopted by both sides. We had a vote on it earlier this year. It got nearly half of this Chamber. I hope others will take a look at it. I think particularly with what we have just gone through, it is something our constituents would think would make a lot of sense. I hope it gets the support it deserves in this body.

Of course, in addition to dealing with government shutdowns in this budget conference that we are meeting on this week, we also have a chance to address the debt limit—which is going to come up soon also because February 7 is the date that was chosen there. Now some say, well, the Treasury Department can use extraordinary measures to shift that beyond February 7. I suppose they could. But instead, why not deal with the underlying problem—why we need to extend the debt limit—which is the overspending.

It is as though you have maxed out on the credit card. It is a lot like that. We can spend only at a certain level in Congress, and then we have to have statutory authority to go beyond that limit. When you max out on the credit card, you do not just go to the bank and say: I would like to extend it. You have to deal with the underlying problem; otherwise, you cannot keep your credit card and you cannot keep your credit.

So dealing with the debt limit is the other part that I think gives us an opportunity. Over the past 2 weeks I know the administration has said repeatedly: Even though we would not negotiate on the debt ceiling before, even though the President refused to talk to Congress about it—which was unprecedented, by the way; no President in history has ever said that—but he said over the last couple weeks: If you all extend the debt limit and if you reopen government, then I will talk. So now is the time to talk, and the President should talk. I have worked for two Presidents: President Bush 41 and President Bush 43. They did talk to Congress about debt limits. Why? Because it is a tough vote, because our constituents get it, because it is akin to maxing out on the credit card and they want to know we are not just going to extend it again without doing something about the underlying problem. So this budget conference gives us the opportunity to do that, and I hope the administration will engage with us.

It has been 4 years since we have had a budget conference. Think about that. The debt has gone up $5.9 trillion since we had the last budget conference around here. Almost $6 trillion later we are sitting down again, and things are only going to get worse if we do not do something to deal with the underlying problem.

The two-thirds of the budget that is on autopilot—the mandatory spending—obviously is where not just the biggest part of the budget is but the fastest growing part of the budget. It includes vital programs to our seniors, for those in poverty—Medicaid, Medicare, Social Security—vital but unsustainable. These programs cannot be sustained in their current form. By the way, that is not me saying it. That comes from data from the nonpartisan Congressional Budget Office. The President himself has talked about this. By the way, the Congressional Budget Office says that Social Security and health care entitlements alone are 100 percent of the long-term increase in deficits. Revenues are starting to pick up. The discretionary spending is now being capped. The issue is this part that is on autopilot. By the way, it is 66 percent of spending now. It is 77 percent of spending in 10 years. The health care entitlements alone are going to increase 100 percent over the next 10 years based on what the Congressional Budget Office has told us.

I have heard rumblings in the press that this upcoming budget conference is just going to kick the can further down the road; in other words, we are not going to deal with the issue. We are going to say let's just extend the debt limit a little bit further and push off the issue.

I think it is time for the can to kick back. If the can kicks back, that means we will actually tackle some of these tough problems. After all, that is why the American people hired us. That is why they sent us here. If we are not going to do it now, I do not know when we are going to do it. I think divided government is actually an opportunity to do it.

It is time for leadership in the Senate and the House, and certainly from the President. It is time to come to the table. As I said earlier, the President has indicated he now is willing to do it. Do so in good faith and try to put our country on a stable fiscal path. If we do nothing, by the way, if we allow these annual deficits to continue, they will more than quadruple. Annual deficits will more than quadruple to $3.4 trillion within three decades. That is based on the Congressional Budget Office.

We already have a debt that is about $140,000 per household in America. We are talking about annual deficits quadrupling. If we let mandatory spending reach that point where it becomes 100 percent of the deficit—which is what they project—if we allow our national debt to reach two and a half times the entire size of our economy—it is about the size of our economy now, and it would go up to two and a half times the size of our economy—it will be the next generation that will pay, and pay dearly, and our legacy will be one of bankruptcy, skyrocketing interest rates, skyrocketing unemployment rates, and the collapse of these vital programs we talked about earlier: Medicaid, Medicare, and Social Security.

Again, this is not ideology; this is math. It is fact, and it is fact that has been reiterated by the Congressional Budget Office, the trustees of Social Security, the trustees of Medicare, their trust funds time and time again.

This is our opportunity to begin to do something about it—at least take the first steps—both in terms of ending government shutdowns, as I talked about, but also dealing with this underlying problem that everybody acknowledges and that has to be dealt with if we are not going to have for future generations these issues of bankruptcy, higher interest rates, lower value of the dollar, higher unemployment.

The single greatest act of bipartisanship in this Congress over the past few decades has been overpromising and overspending. We created this mess together, and we can only get out of it working together. I have suggested where we can start: $600 billion in the President's own budget. In his own budget he has $600 billion-plus in savings on mandatory spending over the next decade. But whatever we do, I think we can call agree that we are tired of the gridlock, we are tired of the stalemates, we are tired of getting nothing done.

It is time to make some progress, and this is an opportunity to do it. These past few weeks have been trying. They have been tough on the American people, as they have looked at us and said: Wow. Are these guys going to figure it out? And we just kicked the can down the road. But we also set up this process and this structure. Let's take advantage of it. Let's use this opportunity to do something important for the future of our country and for the good of the people we represent. Let's seize it.

I yield back my time.

The PRESIDING OFFICER. The Senator from Delaware.

DEFICIT REDUCTION

Mr. CARPER. Mr. President, I say to the Presiding Officer, former Governor MANCHIN, I wish to follow on the comments we just heard from Senator PORTMAN, who, as he said, served in two administrations—in one of them as OMB Director, in the other as Trade Representative. Before that he had a distinguished career in the House of Representatives. He is someone I am fortunate to serve with on the Finance Committee. I have a lot of respect for his intellect and for his intellectual honesty.

Before I talk about the real reason I came to the floor, I feel compelled to say something. As former Governors, the Presiding Officer and I have made tough decisions on spending, we have made tough decisions on revenues, and they are not always well received by people. They are not always well received by people in our own party.

I like to say there are three or four things we need to do on this issue to make sure our deficits continue to head in the right direction. I do not worship at the altar of a balanced budget every single year. But what I do believe is that when the economy is strengthened and growing stronger, we ought to be having the deficit heading down, and when we are in a war or when we are in an economic doldrum, then I think it is appropriate to, in some cases, deficit spend.

Four things we need to do if we are serious about deficit reduction: No. 1, we need, in the President's words, entitlement reform that saves money, saves these programs for our children and our grandchildren, and does not savage old people or poor people. That is No. 1.

No. 2, we need, in my view, tax reform that brings down the top corporate rates—something more closely aligned with every other developed nation in the world. At the same time we are doing that, we need to generate some revenues for deficit reduction to match what we are doing on the spending side.

If you think about it, the Senator from Ohio knows and the Senator from West Virginia knows about tax expenditures: Tax breaks, tax credits, tax deductions, tax loopholes, tax gaps, add up over the next 10 years anywhere from $12 trillion to $15 trillion. We are going to spend more money out of the Treasury for tax expenditures than we are going to spend on all of our appropriations bills combined. If we could somehow capture 5 percent of $12 trillion over the next 10 years for deficit reduction, that is $600 billion. If we can match that in a Bowles-Simpson number, such as $2 of deficit reduction on the expenditure side and $1 on the revenue side, we could do about another $2 trillion on deficit reduction on top of what we have already done. Is that a grand compromise that I want and I think the Senator from Ohio wants, I know the Senator from West Virginia wants?

It is not a grand compromise, but I would call it a baby grand. A baby grand is certainly better than kicking that can down the road. The last time we kicked the can down the road at the beginning of this year, I remember saying on this floor: We kicked a rather large can down the road not very far. I am tired of doing that. I do not want us to do that.

We have maybe our last best chance here in this budget conference in order to do the kinds of things I talked about. Democrats do not want to give on entitlements. I am willing to do that. But I am only willing to do that if Republicans will give on tax reform that generates some revenues.

I mentioned there are three things to do. The third thing is to look in every nook and cranny of the Federal Government—everything we do. The Senator from Ohio is a member of the Homeland Security and Government Affairs Committee. He knows that we focus—we have large, broad investigative powers, oversight powers, authority over the whole Federal Government. There are all kinds of ways to save money, all kinds of ways to save money in this government of ours, just as there are all kinds in big corporations, big businesses. What we need to do is, in everything we do, look at that and say: How do we get a better result for less money in everything we do?

I do not know if my friends from Ohio and West Virginia hear this from their constituents, but I hear from Delaware constituents and folks outside of my State these words: I do not mind paying more taxes, I just do not want you to waste my money or I do not want to pay more taxes, but if I do, I do not want you to waste my money. I do not want to waste your money or mine.

The fourth thing we need to do to be serious about moving the economy and getting out of this kind of rut we are in right now is to be able to make sure we have some money around that we can invest in the things we know will strengthen our economy. Foremost among those is a strong workforce, capable workforce. The second thing is infrastructure, broadly defined, not just transportation: roads, highways, bridges; not just ports, not just airports, not just railroads, but broadband, all kinds of infrastructure-related items.

The third thing is R&D, research and development that will lead to technologies that can be commercialized, turned into products, goods, and services we can sell all over the world.

The fourth thing we need to do is to do an even better job—and Senator PORTMAN was the leader as our trade ambassador. He knows what it is all about in terms of knocking down trade barriers. But while we do entitlement reform, we do tax reform, while we look in every nook and cranny of the Federal Government, investing in the three areas I mentioned, we have got to make sure when we develop these new products and services that we can sell them around the world without impediment, we can knock down trade barriers. The Senator has done a lot of work in that regard as well.

As the Senator leaves the floor, I will say there are many things for us to work on. I hope we will.

ARCHULETA NOMINATION

That is not why I came to the floor, but I thank the Senator for letting me join in that colloquy with the Senator from Ohio. The reason I came to the floor is to say a word on behalf of the President's nominee to be our next Director of the Office of Personnel Management. We have not had a confirmed OPM Director for the last half year. If you look across the Federal Government, the executive branch of the Federal Government, it reminds me a lot of what I call Swiss cheese, executive branch Swiss cheese.

We start with the Department of Homeland Security. We do not have a confirmed Secretary. We have one nominated, just nominated, just starting to go through the vetting process in the Senate. We have not had one for a month. The Deputy Secretary of Homeland Security—we do not have a confirmed Deputy Secretary. We have had ''acting'' for a number of weeks now, months. While the people who are in the acting capacity are very good people, very able people, it is not the same as having a confirmed Secretary of Homeland Security or confirmed Deputy Secretary.

There are any number of other positions in Homeland Security. As chair of Homeland Security and Government Affairs Committee, I probably focus more on that than on the OMB, Office of Management and Budget, trying to make sure that Sylvia Burwell from Hinton, WV—the Presiding Officer knows her well. As a guy who grew up in West Virginia a little bit, born there, spent some time in Hinton, I have a huge respect for her. We worked very hard to get her management team, her senior leadership team confirmed. They are confirmed. She has a great team. We need to make sure that in our other departments we have from the top to way down the ranks strong people in confirmed positions.

OPM, Office of Personnel Management. The President nominated a woman I had never heard of earlier this year. He nominated a woman named Katherine Archuleta. Katherine Archuleta—I never met her, never heard of her. The first thing I learned about her is she has been the political director in the President's reelection campaign. She must have done a pretty good job if the results were to be examined. Maybe some people are troubled by that. If we stopped there, that does not define who she is or what she has done.

If somebody looked at my resume while I have been a Senator, if they think that is all I have ever done in my

life, they would be wrong. I have been privileged to be Governor of my State, leader, and, as the Presiding Officer has, chairman of the National Governors Association, one of the great privileges of my life. I was privileged to be a Congressman for a little bit, treasurer of my State, and before that a naval flight officer for 20 some years, retired Navy captain. That is who I am. That is not all of who I am, but that is a better resume. If people say all I have ever done is my current job or my last job, they would say: Well, he is not very well rounded.

I want us to take a minute and say—I am going to date myself on this, but a guy named Paul Harvey used to do the news. He used to say page 1, and then he would say page 2. I am going to go to page 2. Page 2 is a little resume of some other things she has done with her life. I want to quote one of our old colleagues, Ken Salazar, who has known her for decades and hear what he has to say about her. She was born and raised in Colorado, I think has spent almost more than half of her life there. She has been, from time to time, among other things, chief of staff at the U.S. Department of Labor. She did that for several years. She also served as senior advisor on policy and initiatives for the city and county of Denver, CO. There are more people who live in the city and county around Denver than live in a lot of States, including my own. She has done that job.

Before that, a number of years ago, she had a number of roles in the office of mayor of Denver, for almost a decade, including deputy chief of staff. In a city that size, again as big or bigger than a number of States, that is a lot of responsibility.

She has been a senior policy advisor at the U.S. Department of Energy.

She has also served at the U.S. Department of Transportation, first as deputy chief of staff, and then later as chief of staff.

She has been a professor at the University of Denver. She has done all kinds of things. But she is a whole lot more than what people see and say: Well, I know what her last job was. She has done a whole lot before that. I think that helps prepare her for this job.

There has been a bunch of people who have been nominated to serve as Office of Personnel Management Director since I guess the 1970s. I think this is the first time we have ever had a situation where the President's nominee—I do not care what party, Democrat or Republican—where the OPM nominee has required cloture or even a rollcall vote since the agency was created in 1978. That is 35 years ago.

I want to quote Ken Salazar, one of my dearest friends, who was a Senator, went on to become Secretary of the Interior, who has known Katherine Archuleta for 25, 30 years, really all of her adult life. Here is what Ken Salazar says about Katherine Archuleta. He says she is a ''terrific'' human being. He goes on to say she ''helped create modern Denver'' as we know it as deputy chief of staff through Mayor Pena. She led economic development efforts throughout the city. She was instrumental in the creation of the new Denver International Airport. Ken went on to say she was ''a star of the Clinton team in the U.S. Department of Transportation.'' Star.

I say to my friends and colleagues, we have to get past this situation—I do not care if it is a Democrat President or Republican President—where we leave these gaping holes in leadership in confirmed positions. It is not good for our country; it is not good for these departments; it is not good for morale; it is not good for efficiency. We are interested in getting work done.

You can disable the government by shutting it down or you can disable the government and make it less effective, less efficient, by making sure we do not have key people in the top leadership positions. It makes a difference if people are confirmed as secretaries, deputy secretaries, and these other positions.

As the agency responsible for managing our Federal workforce, OPM's mission is critical to ensuring that our government runs efficiently. Unfortunately, vacancies at the top levels of leadership have limited OPM's ability to fulfill its mandate. They have backlogs in terms of the processing they are supposed to be doing in job applications and others, people applying for pensions. They need to be addressed.

In Katherine Archuleta's hearing before a subcommittee chaired by Senator TESTER, one of the things she made clear is that she would make that her priority, going after the backlog, which I would say God bless her if she is confirmed. I hope she will be.

But at any given moment, we are lacking critical leadership in any number of positions in just about every agency. It undermines the effectiveness of our government. While Congress and the administration have taken some steps to address this problem, the fact remains we still have more work to do to ensure we have got the talented people in place to make these critical decisions.

This week, we consider the President's nomination of Katherine Archuleta to be the next Director of OPM, Office of Personnel Management. I have talked a little bit about her background. One of the other people who knows her pretty well, another Senator from Colorado, is Senator UDALL. She was actually introduced at her confirmation hearings along with MICHAEL BENNET. Here is what Senator UDALL said about Katrina Archuleta. He said, ''Throughout her career, Katherine has demonstrated her ability to lead, to motivate and to work constructively with a diverse range of people and personalities.''

Her story is a story of firsts. Although neither of her parents completed high school, they worked tirelessly to create better opportunities for their children. Throughout her career, she served as an example for women and Latinos and would be the first Latina Director of OPM.

The President nominated her to this critical position back in May. We held a hearing to consider her nomination—Senator JON TESTER held it. We voted her out of committee shortly thereafter. At her confirmation hearing, Ms. Archuleta committed to quickly taking steps to identify some of OPM's challenges, such as continuing to implement the multistate plan under the Affordable Care Act, reducing the retirement claims backlog to ensure retirees receive their full pension benefits without serious delays, which many retirees see today.

As to the recruiting and retaining the next generation of Federal employees, I think we have a nominee who is qualified. We have a nominee who has been vetted. We have a nominee who is ready to go to work. It is our responsibility to give her a swift vote, a thoughtful vote, but a swift vote here on the Senate floor, I hope this week, so she can go to work, take the reins at OPM, and begin directing this critical agency with oversight from us.

When the Presiding Officer was Governor of his State of West Virginia, when I was privileged to be Governor of my State, the tradition in Delaware is the Governor would nominate the people to serve on his or her cabinet. The tradition in our State was to nominate division directors under the cabinet secretaries. The tradition in my State is that the legislature, the senate to which the nominees were sent, would hold hearings, and would vote up or down without delay on those nominations. I think in the 8 years I was privileged to serve as Governor of my State, every one of them was confirmed. I do not think I ever lost a nomination for a cabinet secretary or for division director. That is the way we do business in Delaware. That is the way we ought to do business here.

If you have a nominee who is qualified, who has good integrity, is going to work hard, surround themselves with good people and has a track record he or she can be proud of, that nominee deserves a vote. Let's give this nominee a vote and let's give her a chance to go to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

SUPERSTORM SANDY

Mrs. GILLIBRAND. Today it has been exactly 1 year since Superstorm Sandy hit my home State of New York and the surrounding region. Today is a very solemn day where we pause to ponder the unimaginable loss of 61 precious lives and the great collective pain as countless other lives were shattered. Over 300,000 homes were damaged or destroyed and businesses lay in rubble. Over 250,000 businesses were affected, many of which are still unable to open their doors.

There is something else to remember today. In the days and weeks that followed Superstorm Sandy, we also saw the absolute best of New York. We know New Yorkers are a resilient bunch. We get knocked down, but we get right back up.

As I traveled all across New York City, I saw neighbors coming together, going door to door to help the homebound, donating resources, volunteering their time, clearing debris. In the Rockaways I saw hundreds of residents create an impromptu bustling plaza of hot food, clothing, and anything people might need.

I remember talking to one small business owner in Staten Island whose restaurant was nearly split in two by a boat from a nearby marina, and he simply said to me: ''We will rebuild this better than it was before,'' before agreeing to have dinner together this time next year in that very spot where that boat was resting. He said yes, and we had lunch at his restaurant only a few months ago. It was amazing.

In Westchester, a small business owner gave me a hug, and she vowed she would rebuild. She said defiantly, ''This is our community.''

On Long Island, I walked the streets of Lindenhurst, Massapequa, and visited Long Beach and Fire Island. While the devastation I saw was awful, I have never met more resilient and compassionate people. I witnessed homeowners struggling to pick up their own pieces and to get it out of the way to help neighbors, sharing food, sharing water supplies, giving each other rides to the stores, sharing generators, and clearing each others' debris.

While the road to recovery is very long and very hard, New Yorkers will rebuild. They will rebuild stronger, but we all have to do our part. Too many communities are still recovering and rebuilding. Some families are actually still homeless, living in trailers or confined to the second floor of their homes and still waiting for additional assistance. Too many homeowners have not yet received the funding to repair their homes and their businesses. Too often, those who are struggling to rebuild have been caught in redtape.

Throughout the past year, I have pushed to change some of the Federal policies that have stood in the way of recovery. We have had some successes. We were successful at pushing FEMA to extend critical deadlines for Sandy survivors to document their losses, so that those who have had trouble getting back into their homes are not prevented from filing flood insurance claims.

We were able to get the Department of Housing and Urban Development to relax regulations that would have prevented substantially damaged homes from accessing critical recovery funds. We received assurances from the Army Corps of Engineers that they will fund critical shore protection projects at full Federal expense, ensuring that these projects can move forward quickly without having to wait for our communities to find the matching funds out of very tough and local struggling budgets that are already stretched too thin.

That is not enough. For all of our successes, we are still facing so many challenges. There is still far too much redtape getting in between families and recovery. My office hears every single day from homeowners and families who are struggling just to move forward.

Many of us are working on a bipartisan bill to postpone the potentially disastrous flood insurance rate increases coming into effect as a result of the Biggert-Waters flood insurance reform law. I urge my colleagues in the Senate to pass this bipartisan bill that was introduced by Senator MENENDEZ and Senator ISAKSON that would delay the premium increases set to go into effect until after FEMA has completed a study and provided Congress with a plan to make the rates more affordable. Our families working so hard to rebuild, frankly, deserve nothing less.

Some homeowners, even as they do rebuild, have started seeing their rates increase. This would cause so many of our constituents to be forced out of their homes and communities that they love, that they have lived in their whole lives. This is why the Menendez-Isakson bill is so critical and why I strongly urge my colleagues on both sides of the aisle to support this commonsense legislation.

As we focus on providing communities with all of the resources they need to rebuild from Sandy, the Federal Government is partnering with States, local governments, the private sector, and academia to develop solutions that will protect us from the next disaster. We know that for every dollar spent to make our homes, businesses, and infrastructure more resilient, $4 is saved in potential recovery costs down the road.

Earlier this year Senator WICKER and I introduced the STRONG Act, which stands for Strengthening the Resiliency of Our Nation on the Ground. This bipartisan bill seeks to build on the progress that has been made locally by requiring the Federal Government to develop a national resiliency strategy, assess where there are gaps and opportunities for improvements. It also creates a new information portal for both the public and private sectors to share information about how to strengthen our communities and protect against future extreme weather threats.

We have come a long way in the past year, but I am very sad to say we have so much more work to be done. Our communities are working as hard as ever to recover, but we have to work equally as hard toward rebuilding and being better prepared for the next storm.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Later this week we will hit the 1-month anniversary of the launch of President Obama's health insurance exchanges. My question is, what have we learned the past 4 weeks? We know the rollout of the exchanges and the healthcare.gov Web site, Americans would agree, has been disastrous.

Last week the Associated Press ran a headline about what people in my home State of Wyoming had experienced. It said: ''National health insurance site sputters in Wyoming.''

The article goes on to talk about the health care law, the Web site, and says: ''Wyoming Insurance Commissioner Tom Hirsig said Monday that he's personally been unable to register on the Federal Government's Wyoming site despite trying every day.''

The insurance commissioner from the State of Wyoming has been unable to register on the Federal Government's Wyoming site despite trying every day starting October 1. This is the same story we have seen all across the country.

We have also learned over the past 4 weeks that the President's health care law is much more than just a failed Web site. What we know is that there is sticker shock hitting people all across the country as they start shopping and find that higher premiums are what they are facing. They are going to be paying much higher premiums if they are able to buy health insurance, if they are able to get through the exchange.

CBS News had the story of one woman in Florida whose health insurance will cost 11 times what she is currently paying—from $54 a month to $591 a month.

Over the past 4 weeks, another thing we have learned is that many people have received notices in the mail—cancellation notices—from their insurance companies. They are being told that the insurance policies, the coverage they have had, is being cancelled. Only a small number of people have been able to get insurance through the government exchanges so far. We have seen that over the last month.

In testimony today in the House hearing, a person from the administration said they cannot tell us how many people have been unable to get insurance through the exchanges, but we know that hundreds of thousands of people are losing the insurance they had.

Here is what one woman told CBS: ''What I have right now is what I'm happy with, and I just want to know why I can't keep what I have. Why do I have to be forced into something else?''

Like many Americans, this is a person who actually believed President Obama when he promised that if people liked the insurance they had, they could keep it. Now she learned under the President's health care law, it is not only a Web site, it is a broken promise. It turns out if the White

House likes your plan, then you can keep it. If the White House doesn't like your plan, then you are out of luck, you can't keep it.

Yesterday the Obama administration finally admitted that millions of people across the country will lose their insurance. We know all of these ways that the President's health care law is more than a failed Web site, so the big question now is what don't we know yet? What is there that the American people don't know about the health care law? How much worse are things going to get before the White House admits the entire law is broken?

We have seen one headline after another about problems with the health care law that the Obama administration knew about and would not admit. There has been one revelation after another about troubles they hid from the American people and did so deliberately. What else is this administration not telling the American people?

The White House may have finally said publicly that millions of people are going to lose the insurance they have but, according to NBC News, the Obama administration has known that for at least 3 years.

When the train first went off the tracks, the White House said its Web site crashed because they said millions of people tried to use the Web site at the same time. According to the Washington Post, the limited testing the administration did before the launch found the site would crash if only a few hundred people used it.

It is fascinating. The Democrats' whole law was based on the idea that Washington, government, is capable of running America's health care system competently. What we have seen is gross incompetence. It turns out that Washington can't even set up a Web site competently, and it looks as if they knew it.

Computer programmers warned about the rush to get the Web site done by October 1. Instead of hitting the pause button, which they should have done, hitting the pause button until it could get things working, the White House pushed on. This is what we learned from some of the contractors who built the Web site. This Web site cost the taxpayers over $400 million so far and the bills are still coming in.

These contractors testified last week in the House that full tests of the site should have started months in advance, but testing didn't happen until the last 2 weeks of September. Who decided to go ahead anyway? President Obama's administration. They are the ones who decided.

Contractors thought if the registration process wasn't going to work, then maybe it would help to set up a way for people to shop for plans and get information without registering. The administration told them to ''deprioritize'' that plan. What a government word, ''deprioritize'' that plan.

Then when the Web site turned out to be a complete disaster, a systems failure, the Obama administration tried to hide how bad it was. It asked the largest health insurer in North Dakota not to tell anybody how many people have signed up for insurance through the exchange—the administration telling the State: Don't open up, don't tell people the truth. Why not? Because as of last week only 14 people had been able to sign up for the companies' plans. The numbers are so embarrassing for the administration they have been trying to cover up. They continued to cover up today when there was testimony and no numbers were given. It is the same reason the administration won't say how many people have signed up nationwide. They know how many people have signed up, but they refuse to tell the American people, the taxpayers, the people who pay the taxes and see their money being wasted by this administration and this government. There are new problems with this health care law every day.

The Web site was supposed to be the easy part, but to me it is the tip of the iceberg. The Web site failures are just the tip of the iceberg.

What else does the White House know about? By now they should know about cancelled coverage because it looks as if millions of Americans have already received notices from their insurance companies that they have lost their insurance, their insurance has been cancelled.

There have been premium increases. People have talked about the fact that their premiums are going up, and there are higher copays and deductibles to deal with. People are losing access to the doctor. Plus there are always the issues of fraud and identity theft.

What else are we going to learn this week when Secretary Sebelius testifies in the House tomorrow? Will she actually open up? Will she give them the truth? Will she give them the real numbers, or will she not admit to what is actually going on and refuse to answer the questions?

How much worse does the Obama administration's incompetence get? What will it take for the President to admit that his health care law has been a train wreck and they will have to delay it for at least a year? We know he is going to have to do it eventually. There is no way all of these problems are going to get fixed quickly, and he is going to have to delay the individual mandate—the mandate that says every American must buy or have and prove they have health insurance. And who is the enforcer? The IRS—the Internal Revenue Service. The President should just go ahead and do it now and also delay all the other parts of the law, not just the mandate.

It is time for President Obama to really come clean with the American people about what his administration knew and then come to the table to work with Republicans and give people the real health care reform that they need, want, and deserve so people can get the care they want from a doctor they choose at a lower cost.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate the remarks of my colleague from Wyoming.

Here in Washington and, indeed, throughout the country everyone is talking about the ObamaCare Web site. No doubt that is a serious concern. The healthcare.gov Web site has been, to put it bluntly, a debacle. I don't know of a single Member of Congress, Democrat or Republican, who would say otherwise.

That said, we need to be clear about something: The problems with ObamaCare go much deeper than a faulty Web site. Sure, the administration would have the American people believe that the problems with this law are simply technical in nature and that once they bring in technical experts to fix the Web site, all will be right with the world. But let's not kid ourselves. The problems with ObamaCare are fundamental and systemic. The administration may very well get the Web site up and running in the next few weeks, and they should, but that won't fix the health care law. I would like to take a few minutes today to talk about some of the problems facing ObamaCare that have nothing to do with the Web site.

When he was trying to get the law passed, President Obama repeatedly promised Americans that ''if you like your current health plan, you will be able to keep it.'' This promise was central to the President's efforts to sell ObamaCare to the American people, and as it turns out, it was all a lie. Now even the White House admits that millions of Americans will not be able to keep their health plan under the law, and if recent news reports are to be believed, they have known this for years. Experts have predicted that as many as 16 million Americans may lose their existing coverage due to ObamaCare's new requirements. According to the NBC News story from yesterday, the Obama administration has known about this for at least 3 years. We have known about it as well.

Consumers throughout the country are already receiving cancellation letters from their insurance providers. For example, in New Jersey 800,000 individuals are being dropped from their existing plans. Kaiser Permanente in California has sent notices to 160,000 people informing them their current coverage will end. Florida Blue is ending policies of 300,000 customers due to ObamaCare. This isn't some unforeseen or unintended consequence of the law. On the contrary, it is precisely what was intended when the law was put into place.

As you know, Mr. President, the President's health care law includes a mountain of new mandates and requirements for health insurance plans. Any plans that fail to meet those onerous requirements are invalidated under the law. True enough, the law provides that plans that were in effect as of

March 2010 will be grandfathered in, allowing consumers who prefer to keep those policies to do so even if the plan's don't meet the law's requirements. However, the Department of Health and Human Services has, through regulations, all but eliminated the protections enjoyed by those in existing plans by saying that the grandfathering provision does not apply to plans that have undergone any changes—even small changes to deductibles or copayments—since 2010. Under this requirement, many of the plans that were in place before passage of ObamaCare, particularly those in the individual health insurance market, will fail to pass muster. That is why we are seeing hundreds of thousands of Americans being dropped from their current insurance plans and why the same fate is certain to befall millions more.

As I said, the Obama administration knew about these problems a long time ago. In fact, regulations issued in July of 2010 estimated that because of normal turnover in the individual insurance market, 40 to 67 percent of consumers would not be able to keep their policies. Let me repeat that. The administration knew in July 2010 that at least 40 to 67 percent of consumers in the individual market would not be able to keep their plans in place. Yet the President never took back his promise: ''If you like your current health plan, you will be able to keep it.'' This, quite frankly, is preposterous.

The response we are getting from the administration is that, sure, many people will lose their existing health insurance, but it will be replaced by better, cheaper options. This claim is at odds with the facts. For many people, health expenses will increase under the new plan as a result of higher premiums, higher deductibles, and higher copays. One study from the Manhattan Institute found that individual market premiums will increase 99 percent for men and 62 percent for women nationwide. For others, the new plans may not cover visits to their current doctor or the hospital they have used in the past. That is because insurers are reducing the number of doctors and hospitals covered by plans in the exchanges in order to reduce premium prices. These changes are a direct result of ObamaCare's new requirements and mandates.

I have received letters from my constituents from all over Utah who are scared, who are angry, and who are confused about the changes they are facing. For example, Brenton in Provo, UT, currently has a high-deductible plan and uses a health savings account. This arrangement works well for Brenton and his family, and they would like to keep it. Unfortunately, Brenton's plan has been canceled due to ObamaCare. The plan he will be required to purchase is more expensive and includes coverage he doesn't want. There is also Kathy from Salt Lake City, who wrote to tell me her deductible will increase from $3,000 to $5,000, her copays for doctor visits will increase by 30 percent, and her copays for prescription drugs will increase to 50 percent. Kathy let me know that as a result of these changes, her health care expenses will now be higher than her income.

Even those who were in favor of the law are now finding it is not being implemented as they expected. A recent L.A. Times article profiled a young woman who was shocked by the 50-percent rate hike she received as a result of the health care law. She was quoted as saying, ''I was all for Obamacare until I found out I was paying for it.'' That is a refrain I think we will be hearing from a number of people who supported ''health care reform.''

Increased costs aren't the only problem consumers will be facing under ObamaCare. There are other serious, more subtle problems that have yet to be addressed. For example, some consumers may have their personal information compromised by an ObamaCare navigator or by submitting an application to the federally facilitated marketplace, the Federal data services hub, or one of the Affordable Care Act call centers. I have warned about that for a number of months—that they are moving too fast and not doing the job well enough—and a lot of people are going to get hurt.

Social Security numbers, employment information, birth dates, health records, and tax returns are among the personal data that will be transmitted to this data hub, resulting in an unprecedented amount of information collected in one place by a government entity. Every piece of information someone would need to steal an individual's identity or access their confidential credit information will be available at the fingertips of a skilled hacker, providing a gold mine for data thieves and a staggering security threat to consumers. The entire system, including the data hub—a new information-sharing network that allows State and Federal agencies to verify this information—has not gone under any independent review to determine whether the data that is entered is secure. This means an individual's personal and financial records may be at serious risk of becoming available to data thieves.

I have already been to the floor several times to discuss these issues. I am here again today because as of yet there has been no solution—or should I say no solutions—to these problems. In fact, the ObamaCare exchanges are less than a month old and data breaches are already occurring at the State level. A recent CBS News story featured a Minnesota insurance broker who was looking for information about assisting with ObamaCare implementation. Instead, what landed in his in-box last month was a document filled with the names, Social Security numbers, and other pieces of personal information belonging to his fellow Minnesotans. In one of the first breaches of the new ObamaCare online marketplaces, an employee of the Minnesota marketplace, called MNsure, accidentally emailed him a document containing personally identifying information for more than 2,400 insurance agents. While the incident was resolved, the broker said it raised serious questions for him as to whether those who sign up for MNsure can be confident their data is safe. These types of incidents are only going to increase as time goes on if rigorous testing is not performed to ensure that the data hub is sufficiently secure.

Despite assurances by the chief technology officer for the administration in early September that ''we have completed security testing and received certification to operate,'' we all now know that all the testing had not been completed until just days before the October 1 launch date and that no third party—no third-party expert—had a chance to review it.

But there is much we don't know. What kind of testing was done? Who did the testing? What did they look for? What were the results? And perhaps most importantly, what are the risks of using the Web site? To help get answers to these questions, today several of my colleagues on the Senate Finance Committee and I are sending a letter to Secretary Sebelius asking detailed questions about the testing protocols, what waivers were received with respect to the testing requirements, and any and all results of the limited testing that did occur. Hopefully, that will enable Congress and the American people to better understand exactly what is broken with the system and help to ensure it does not happen again.

These questions and problems demonstrate why it is imperative that the Government Accountability Office—GAO—independently verify that sufficient privacy and security controls are in place for the data hub and the entire Federal marketplace so that Congress has independent assurance that the necessary controls exist and that taxpayers know their personal information is secure. That is why I introduced S. 1525, the Trust But Verify Act, which calls on the GAO to conduct such a review and delays implementation of the exchanges until the review is completed. The bill currently has 32 Senate cosponsors.

As you can see, Mr. President, the problems with ObamaCare are numerous and fundamental. As I said before, this law was bad policy when we debated it, it was bad policy when the Democrats forced it through the Congress, and it remains bad policy today.

I have little doubt the administration can eventually get the Web site up and running. They would have us believe that once that task is accomplished, everything will be fine. But that is simply not the case. They can't

say everything will be fine when millions of Americans are losing their existing health coverage as a direct result of the health care law. They can't say everything will be fine when health care costs are continuing to skyrocket even though the President claimed his health law would bring costs down. And they can't say everything will be fine when consumers' personal information is at serious risk because the administration didn't take the proper precautions with its new data system.

As I said, the healthcare.gov Web site has been a debacle and the President is right to recognize it as such, but it would be a huge mistake to simply write off the problems with ObamaCare as a simple IT problem.

My own position on ObamaCare is very clear. I support repealing the law in its entirety. As more and more Americans lose their health coverage—coverage they shopped for and liked—and face outlandish costs as a result of the law, I believe that position will eventually be vindicated. In the meantime, I think we can all agree that the law is simply not ready for prime time and that at the very least it should be delayed so we can protect the American people from further harm.

I have made this call before and I am sure I will make it again. Today, with all the new information we have received—the broken Web site, the security problems, the skyrocketing costs, and the millions of Americans losing existing coverage—I hope my friends on the other side of the aisle will begin to see the light. I hope they will finally see what happens when one party tries to take on something as vast and as complicated as our health care system all on its own without any help from the other side.

I hope that they would work with us to come up with real solutions to our Nation's health care problems. I will keep waiting, and if the problems we have seen in the last few weeks are any indication, I should not have to wait too much longer.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). Under the previous order, all postcloture time is yielded back.

The question occurs on the nomination.

Mr. HARKIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment there is not.

Mr. HATCH. Madam President, I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

SENATOR THAD COCHRAN'S 12,000TH VOTE

Mr. MCCONNELL. Madam President, our good friend, the senior Senator from Mississippi, is about to cast his 12,000th vote, a truly remarkable accomplishment by a remarkable man. He was the first Republican to be elected to the Senate from Mississippi since Reconstruction. A few years ago he was named by Time magazine as one of the 10 most effective Members of the Senate, and they called him ''the quiet persuader.''

For those of you who have recently arrived at the Senate, if you have not had any dealings with Senator COCHRAN yet, you will find that indeed he is the quiet persuader. In fact, it may be the secret to his success.

He has had an extraordinarily accomplished career here in the Senate, and I wanted to take a few moments to congratulate him, not only on his service to his State and the Nation but to our institution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. REID. Madam President, I am sorry I am a little late here. I see my colleague, the senior Senator from Mississippi. I have had the pleasure of knowing THAD COCHRAN during my entire stay in Washington. He is a fine man. He has had experience in the House and the Senate, as I have. I have always appreciated his courtesies. He is just such a fine human being.

Before his election to Congress, he served honorably in the U.S. Navy. He was a lieutenant in the Navy. After his tour of duty, while attending law school at Ole Miss, Senator COCHRAN returned to active duty for his naval work, even while he was going to law school. After graduating from law school in 1965, he joined the very prestigious law firm Watkins & Eager in Jackson, MS, and in less than 2 years he became a partner in that law firm—which was remarkable. It speaks well for his acumen in the law and for being a nice person.

His break from public service did not last long, though. From the Navy he ran for Congress in 1972 and served in the House for 6 years before running for the Senate. He served as Chairman of the Republican Conference, the Agriculture Committee, and the Appropriations Committee.

Throughout his time in Congress, Senator COCHRAN has promoted the best interests of Mississippi's citizens. Even when we were on different sides of the issues, I always respected Senator COCHRAN's service to his country, his dedication to the people of Mississippi and to the people of this country. I congratulate him on this impressive milestone and appreciate most of all his friendship.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board.

Mr. HARKIN. 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 assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

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

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 222 Ex.]

YEAS—55

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

NAYS—44

Alexander	Cruz	McConnell
Ayotte	Enzi	Moran
Barrasso	Fischer	Paul
Blunt	Flake	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Chambliss	Hatch	Rubio
Chiesa	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Collins	Johnson (WI)	Toomey
Corker	Kirk	Vitter
Cornyn	Lee	Wicker
Crapo	McCain	

NOT VOTING—1

Inhofe

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. HARKIN. Madam President, I ask unanimous consent that the Senate be in a period of morning business for debate only until 7 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 Tennessee.

UNANIMOUS CONSENT REQUEST—S. 1590

Mr. ALEXANDER. Madam President, before the Internet, RCA knew how many records Elvis was selling every day. Before the Internet, Ford knew how many cars they were selling every day. Before the Internet, McDonald's could tell you how many hamburgers it sold each day. Yet the Obama administration cannot tell us how many Americans have tried to sign up for ObamaCare. They can't tell us how many people have tried to sign up for ObamaCare. They haven't told us what level of insurance they bought or in what ZIP Code they live. Not only can they not tell us, they have done their best to keep us from finding out.

With WikiLeaks and Edward Snowden spilling our beans every day, what's happening on the ObamaCare exchanges is the only secret left in Washington. The National Security Agency should learn some lessons from Secretary Sebelius.

We shouldn't have to rely on anonymous sources to get basic information about what's happening with the ObamaCare exchanges.

Yesterday I introduced legislation to require the administration to tell Congress and the American people how many people have tried to sign up, how many did sign up, what level of insurance did they buy, in what ZIP Code do they live, and what the administration is doing to fix the problems. This isn't complicated information. In the Internet age, the administration ought to be able to provide this information every day. They should be able to provide it really every minute. We shouldn't have to pass a law to find these things out.

So I hope every Senator will support my legislation. It is a six-page bill. It has been available to the public now for 24 hours. It is easy to read. The stakes are high for every American.

So I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1590, a bill to require transparency in the operation of the American health benefit exchanges, and that the Senate proceed to its immediate consideration. I further ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Madam President, reserving the right to object, my good friend from Tennessee has raised just another effort to divert resources from the implementation of the Affordable Care Act which we can then use to fix the very problems he has mentioned. I will point out that we report jobs data on a monthly basis, and this is going to be a different standard. I might also point out that in Medicare Part D, we release those data on a monthly basis.

I agree with my friend that there should be accountability for the mistakes that have happened and the implementation of the law going forward. In fact, right now, the Department is giving us daily updates on their progress in fixing the Web site.

So, again, let's get on with business. I think enough focus has been placed on the mistakes. Hearings are ongoing. There will be hearings in the Senate also. Let's get the problems fixed and move ahead on enrollment without diverting resources.

I thought about my friend's proposal, and I thought maybe we should amend it to say we will put in more money and get more people. I don't think my friend would want to do that, either, so we can take care of it.

So the people there need to get the problem fixed, and let's move ahead aggressively to get people enrolled in what is going to be a positive change for health care in America.

On that basis, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank my friend, the Senator from Iowa. I'm disappointed—this administration described itself as the most transparent in history. All we have asked for is how many people are signing up, how did they do, where do they live, and what level of insurance do they have. We ought to know that. Taxpayers ought to know it. So we'll keep trying other ways to get the information the American people deserve to have.

I thank the President, yield the floor, and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

FINDING A BUDGET SOLUTION

Mr. LEAHY. Madam President, I read with great interest the recent opinion piece on congressional budget negotiations written by my good friend Kent Conrad, our former colleague here in the Senate and distinguished chair of the Budget Committee.

I have been fortunate to serve in this Chamber for the past 38 years with principled leaders like Kent Conrad. I was elected to the Senate in 1974, the same year the Congressional Budget Act passed into law, and I have served here with all of the Budget Committee chairs—from Edmund Muskie to PATTY MURRAY.

I think Kent Conrad is right that at this critical juncture we need to have a grown-up discussion about our Nation's finances—both about the debts we incur and the ways in which we pay for them. We have all heard a lot of talk in the last few years about getting our fiscal house in order. It makes for a great campaign slogan. But I am afraid that too many are not following through on their responsibility to govern.

After jumping from one manufactured crisis to another for the past few years, which has hurt the U.S. economy and America's standing in the world, it is time for reason and sanity to return to the Senate—on the budget process, on nominations, and on a whole host of other issues. Returning to regular order on the budget conference—and letting conference members from the House and the Senate work out a final agreement free from rigid ideological positions—would be a good first step to bringing some comity and order back to this body so we can serve the American people.

I remain ready to work with people on both sides of the aisle in the hopes that we can find a workable budget solution in the coming weeks, and I suggest that everyone heed the calls for bipartisanship and compromise made by Senator Conrad.

With that, I ask unanimous consent that Kent Conrad's full opinion piece from the October 24, 2013, Washington Post 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, Oct. 24, 2013]

OPINION: A FAIR TRADE FOR ENTITLEMENT REFORM INCLUDES INCREASED REVENUE

(By Senator Kent Conrad)

Kent Conrad, a Democrat, represented North Dakota in the Senate from 1987 to 2013.

The Post's Oct. 20 editorial on the budget challenge ["A fiscal quid pro quo"] made important points but was way off-base on the issue of revenue. It suggested that a fair trade would be reductions to the "sequester" budget cuts in exchange for reforms to Medicare and Social Security and said that Democrats should not insist on additional revenue because that's a non-starter with many Republicans. Democrats would make a serious mistake by following that advice.

Our country needs more revenue to help us get back on track. Citing Congressional Budget Office calculations, The Post said that "federal revenue as a share of [gross domestic product (GDP)] will hit 18.5 percent by 2023, near the upper-end of the postwar range." That's true, but the last five times our country had a balanced budget, revenue averaged 20 percent of GDP. The Bowles-Simpson plan, which The Post strongly endorsed, achieved revenue of 20.6 percent of GDP—not by raising tax rates but by broadening the tax base and lowering tax rates.

Tax reform should be part of any budget deal. Tax reform is necessary to unlock the full potential of our economy. The current tax system is not fair and damages U.S. competitiveness. A five-story building in the Cayman Islands claims to be home to more than 18,000 companies. Is it the most efficient building in the world? No! That and other tax scams cost our country more than $100 billion each year, the Senate Permanent Subcommittee on Investigations has found.

If we don't fix the revenue side of the equation at the same time as we repair Social Security and Medicare, it will never happen. To suggest, as The Post does, that Democrats should trade adjustments to the sequester for reforms to these programs assumes that the sequester affects only Democratic priorities. More than half of the $1.2 trillion in sequester cuts are to defense, long a Republican priority.

A fair trade would be modest additions to revenue as part of a balanced plan. A revenue increase of $300 billion to $400 billion over 10 years would amount to only 1 percent of the $37 trillion the federal government is expected to collect over that time. We can't do 1 percent? Of course we can. And by reforming the tax code, we could do it without raising tax rates on a single American.

A similar $300 billion to $400 billion in savings out of Medicare and Medicaid would amount to about 3 percent of the $11 trillion the federal government is expected to spend on health care over that time. We can't do 3 percent? Of course we can. And we must: Health spending is the fastest-growing part of the federal budget, projected to increase from 1 percent of GDP in 1971 to more than 12 percent of GDP in 2050. And the trustees of the Medicare system say it will be insolvent by 2026.

The Post was correct that adoption of a ''chained CPI,'' or consumer price index, system of measuring inflation should be part of any agreement. Most economists say that chained CPI, which accounts for behavioral changes people make when faced with increasing prices, is a more accurate way of measuring inflation. Going to chained CPI would raise revenue because our tax system is indexed for inflation, and it would cut spending because many programs, including Social Security, are indexed for inflation.

Federal spending has been cut by $900 billion in the Budget Control Act, by $1.2 trillion in the sequester and by more than $500 billion in the 2010 continuing resolution. That is spending cuts of $2.6 trillion, while only $600 billion in revenue has been added. That is hardly balanced.

To suggest that Democrats should give up on revenue because it's a non-starter with many Republicans is like telling Republicans they should give up on entitlement reform because it is a non-starter with many Democrats. The truth is, both sides need to give a little ground on their must-haves for real progress to be made.

A mini-''grand bargain'' would require all of these elements: changes to Social Security and Medicare to ensure their solvency for future generations; a modest increase in revenue so all parts of society participate in getting our country back on track; and changes to the sequester cuts that force nearly all of the deficit savings on less than 30 percent of the budget.

We can do this, but everyone must be prepared to give a little so that our nation can gain a lot.

TRIBUTE TO DR. ASHTON CARTER

Mr. MCCAIN. Madam President, after 4½ years at top posts in the Pentagon, Dr. Ashton Carter announced last week that in December he will be stepping down as Deputy Secretary of Defense. On this occasion, I want to recognize Ash's many years of distinguished public service—as a scholar, a professional, and a national leader. In so doing, I also thank him for his outstanding leadership of the 2.2 million uniformed and civilian members of the Department of Defense and his unwavering support of their most important mission.

Much can be said of Ash's scholarship. He graduated at the top of his class with honors from Yale University, earning degrees in medieval history and physics. His academic achievement also earned Ash a Rhodes scholarship, which sent him to Oxford University, where he received a doctorate in theoretical physics.

Much can also be said of Ash's dedication to public service. Before assuming his current position as Deputy Secretary of Defense, Ash ably served as the Under Secretary of Defense for Acquisition, Technology, and Logistics and earlier under President Clinton as the Assistant Secretary of Defense for International Security Policy. Throughout his tenure at the Pentagon, Ash received several Defense Distinguished Service Medals—the Defense Department's highest civilian award—as well as the Defense Intelligence Medal. Ash has also helped to promote the Nation's defense from outside the walls of the Pentagon through his service on the boards and committees of several defense, international security and counterterrorism organizations, as well as at some of the world's finest academic institutions.

In my view, what is just as important as what Ash has done is how he has done it. With regard to the Department's procurement practices, Ash articulated a cogent strategy to improve the Department's buying power and empowered good, talented people throughout the acquisition workforce who have long been concerned about government inefficiency to implement that strategy effectively. Indeed, it could be said that Ash's most significant legacy as the Pentagon's chief weapon's purchaser is that he has helped to force the Department to be as skilled in buying products and services as industry is in selling them. This achievement is perhaps best exemplified, for example, in the restructuring of the F–35 Joint Strike Fighter program; the successful award of a contract for an aerial refueling tanker; and making tough decisions on some very large, chronically poor-performing weapon procurement programs.

Finally, as Deputy Secretary of Defense, Ash has distinguished himself through his professionalism. Indeed, his commitment, skill, judgment, and temperament are reminiscent of those of some of the Pentagon's finest leaders. There can be no doubt that on many issues relating to defense and national security, Ash and I have had our differences. Some have been profound. But Ash has always conducted himself in a manner that appreciated the valid concerns underlying opposing views, while also mindful of the constitutional responsibilities of the elected officials who hold them. As a result, my working relationship with Ash has always been respectful, candid, clear, and productive. More importantly, it has been conducive to Congress and the Executive working together to address some of the biggest challenges to our national defense.

With this in mind, I join many in thanking Ash for his service and wishing him and his wife Stephanie fair winds and following seas. While Ash will move on from the Department in December, knowing his insatiable intellectual curiosity and his continuing desire to contribute, I suspect he will never be too far away.

NOMINATION OF MR. THOMAS E. WHEELER

Mr. ROCKEFELLER. Madam President, I rise today in support of the nomination of Tom Wheeler to be Chairman of the Federal Communications Commission.

No one can question that Mr. Wheeler is a supremely qualified nominee to lead the FCC. He brings to the job a long and distinguished career in the communications industry. He was a pioneer in the cable and wireless industries, having been instrumental in the growth of both these critical communications sectors. As an entrepreneur, he built businesses and created jobs.

This collective experience provides Mr. Wheeler with a unique insight into the challenges facing the Nation's communications regulator. And it affords him the experience to lead an agency that has the most challenging and complicated set of issues pending before it since the Commission implemented the 1996 Telecommunications Act. I do not say this lightly. The decisions the FCC will make over the next few years will shape the future of the Nation's telephone network, public safety, the wireless industry, broadcasting, the Internet, and consumer protection for decades to come.

The Commission has before it a number of key proceedings to implement my Public Safety Spectrum legislation that became law last year. Not only will the agency implement a new tool for identifying spectrum through voluntary incentive auctions, the revenues from those auctions will provide critical support for deployment of the long-overdue nationwide interoperable wireless broadband network for first responders.

Aside from that work, the Commission is examining the future of the Nation's voice telephone network, and what the transition of that network can mean to longstanding, fundamental tenets of communications policy like universal service, competition, public safety and consumer protection.

The FCC continues to look at the future of media policy in an era when online video distribution looks to disrupt traditional business models and bring more consumer choice to the video industry. The FCC will need to conclude its work on the E-Rate program and update it to meet the next-generation connectivity needs of our schools and libraries. And finally, the FCC will have to implement a decision from the courts on the FCC's net neutrality rules and potentially on the Commission's underlying authority to protect consumers in the broadband age.

I have absolute confidence in Mr. Wheeler's ability to guide the agency through its consideration of these far-

reaching issues. This confidence comes in part from my strong belief that Mr. Wheeler agrees with me that the FCC must always have consumer protection and the public interest as its primary touchstones.

Acting FCC Chairwoman Mignon Clyburn has done an excellent job as the steward of the Commission over the last several months. I am proud of her accomplishments, especially her commencement of a proceeding to strengthen and expand the hugely successful E-Rate program, something our Nation's children deserve. But acting chairs of agencies can only accomplish so much, particularly when they have taken charge of an agency that lacks a full complement of its members. It is past time for the Senate to act on Mr. Wheeler's nomination and to put in place the President's permanent head of this essential agency.

At its core, the FCC is a regulatory agency. Too many have forgotten that the agency's fundamental responsibility is the regulation of communications networks. These regulations serve important policy goals. You cannot have universal service without regulation. You cannot ensure competition without regulation. You cannot have consumer protection without regulation. Given his experience and history, Mr. Wheeler understands the vital role of the Commission and the need for an active, smart regulator for the nation's communications markets.

The Members of the Senate Commerce Committee have fully vetted Mr. Wheeler's nomination. And an overwhelming, bipartisan majority of the committee favorably reported Mr. Wheeler's nomination out of committee in July. At his nomination hearing in June, Mr. Wheeler ably demonstrated his knowledge of the issues the FCC will face in the coming years. Mr. Wheeler answered all of the questions for the record submitted to him after that hearing—including all 78 questions from Republican committee Members. And he did so in a substantive and detailed manner. And honest, thoughtful responses by nominees have always been sufficient for this body to move forward when they are eminently qualified for a position and capable of fulfilling their mission.

It also has not been the practice of the Senate Commerce Committee to demand that a nominee to an independent regulatory agency like the FCC prejudge issues that might come before his or her agency. In fact, it was our colleague and former Commerce Committee Chairman Senator JOHN MCCAIN who, during consideration of a past Republican FCC Chairman nominee, said ''Just as it is not appropriate for nominees to the bench be asked how they will vote on a specific issue that is currently before, or likely to come before, their court; it is not appropriate for commissioners who have quasi-judicial responsibilities to prejudge cases they must consider.''

As Chairman of the FCC, Mr. Wheeler will be able to use the power of the FCC to spur universal deployment of advanced technologies, foster job growth and innovation, and protect consumers. This is an agency that oversees, by some estimates, nearly one-fifth of the U.S. economy. This is an agency that has raised over $50 billion for the U.S. Treasury through spectrum auctions. This is the agency that has, through smart policy, guided the Nation into the digital age. This is the agency that has wide-ranging authority over so many communications services that are a vital part of our daily lives. From broadband to wireless phones to television content to public safety communications—this little agency oversees it all.

Because we entrust the FCC with such great responsibility, we expect a lot from those whom the President chooses to run that agency. I am pleased to support Mr. Wheeler for Chairman of the FCC, and I call on my colleagues to do the same today. With all the important issues before the FCC, it is critical that the agency has a confirmed Chair and strong leader in place. I am confident, given Tom Wheeler's extensive experience and capabilities in the communications industry, he is the right person for this job.

EMPLOYEE BENEFIT RESEARCH INSTITUTE

Mr. GRASSLEY. Madam President, I wish to bring to my colleagues' attention the work of the Employee Benefit Research Institute, EBRI, in acknowledgment of the institute's 35th anniversary. EBRI is a nonpartisan, objective, and reliable source of information and analysis of private sector health and retirement issues in the Nation. Much of EBRI's work, including its data on qualified retirement accounts and its analysis of health care coverage, is unique and available nowhere else. As a research institution that is well respected by members and policy experts on both sides of the aisle, EBRI is frequently asked to testify on retirement, health, and economic security issues before committees in both the House and Senate. For more than three decades, the institute has provided credible, reliable, and objective research, data, and analysis that Congress can rely on. I congratulate EBRI on its 35th anniversary and look forward to many more years of its valuable, nonpartisan, and dependable analysis.

NATIONAL MEDICINE ABUSE AWARENESS MONTH

Mr. GRASSLEY. Madam President, the Centers for Disease Control has declared the misuse and abuse of some prescription and over-the-counter medicines in the United States to be an epidemic. According to the most recent National Survey on Drug Use and Health, NSDUH, there were over a quarter of a million new nonmedical users of prescription drugs in the past year and 1.9 million new nonmedical users of either prescription or over-the-counter pain relievers. These staggering numbers reflect the urgent need to raise awareness about the dangers associated with medicine abuse. To this end, October has been designated National Medicine Abuse Awareness Month.

Millions of Americans are prescribed medicines every year to treat the symptoms of a variety of injuries and illnesses, from depression to the common cold. Many of these patients do not use the entire amount of medication they were prescribed and either forget about or do not know how to properly dispose of the leftover drug. As a result, half-filled bottles remain in medicine cabinets across the country for months or years. And many of these medicines, when not properly used or administered, can be just as deadly and addictive as street drugs like methamphetamine or cocaine. Indeed, according to the NSDUH, almost 70 percent of those who abused prescription drugs last year obtained them from a friend or relative, many of whom may have had excess drugs remaining in a family medicine cabinet.

As a result, Federal law enforcement and drug policy organizations like the Drug Enforcement Administration and the Office of National Drug Control Policy, as well as national advocacy groups such as the Community Anti-Drug Coalitions of America, the Consumer Healthcare Products Association, and the Partnership for a Drug-Free America, are reaching out to community coalitions throughout the Nation to help raise awareness and address the problem head on.

For example, in my home State of Iowa, the Van Buren County SAFE Coalition—with the help of the local pharmacy and the Van Buren County Reserve Officers—organizes regular drug take-back events at various locations throughout the county to provide an avenue to properly dispose of excess prescription drugs. Additionally, the local pharmacy there has started a take-back program that allows the pharmacy to collect unused and expired medication at any time. Another example of the response to this crisis is the Gateway Impact Coalition, located in Clinton, IA, that has collected nearly 3,500 pounds of old or unwanted medicine from residents in Clinton and Jackson Counties since 2008.

We can stop the growing problem of medicine abuse, but it will require all sectors of the community to join together to make it happen. I applaud the work of community coalitions, such as the Van Buren County SAFE Coalition and the Gateway Impact Coalition, along with many others throughout Iowa and the Nation. I urge my colleagues to do all they can in their home States to make their constituents aware of the dangers associated with the misuse and abuse of prescription and over-the-counter medicines.

SPECIAL ENVOY APPOINTMENT

Mr. KAINE. Madam President, as chairman of the Near East and South and Central Asia subcommittee on the Senate Foreign Relations Committee, today I cosponsored S. 653, a bill that authorizes the President to appoint a Special Envoy within the Department of State to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

Unfortunately, there is a wide range of persecuted minorities who too often are victims of discrimination, marginalization, and violence in the region. Coptic Christians in Egypt, Baha'i in Iran, Ahmadi Muslims in Pakistan, and Christians in Syria are examples of communities and faiths that suffer intolerance.

I believe that all peoples deserve equal treatment, regardless of faith, and I hope the appointment of a Special Envoy within the State Department will help protect those universal rights.

HONORING THE JEWISH COMMUNITY CENTER OF GREATER COLUMBUS

Mr. PORTMAN. Madam President, today I wish to honor the 100th anniversary of the Jewish Community Center of Greater Columbus. The center promotes physical, intellectual, and spiritual wellness for the 6,500 members across Central Ohio.

Joseph Schonthal, an immigrant from Austria, founded the Jewish Community Center in 1913 to assist immigrants from Eastern Europe as they settled into their new life in the United States. The center provided those immigrants with a community center to learn and to grow. Mr. Schonthal also established Camp Schonthal in the center, one of the first Jewish camps in the region.

Today, the Jewish Community Center has several centers located around Columbus that provide adult, youth, and early childhood programs. The center is home to several cultural events a year and hosts a recreation and wellness center.

The Jewish Community Center recently opened the Columbus Jewish Day School to provide children from kindergarten through the fifth grade with a general curriculum, while also helping to foster their Jewish heritage.

The Jewish Community Center of Greater Columbus provides the Jewish community in Central Ohio with educational and cultural programs for members of all ages. I congratulate all who were involved in making its first 100 years a success.

ADDITIONAL STATEMENTS

TRIBUTE TO RAYMOND S. BURTON

• Ms. AYOTTE. Madam President, today I wish to honor the remarkable service of a great New Hampshire statesman: Councilor Raymond S. Burton of Bath.

Councilor Burton has devoted his life to serving the people of New Hampshire—and it is been a labor of love. He has served with great distinction, remarkable diligence, Yankee wit and wisdom, and a deep and abiding love for the people of northern New Hampshire.

For 18 terms, he has represented District One on the State's Executive Council, distinguishing himself as a tireless champion for the North Country. Ray is the longest serving Executive Councilor in New Hampshire's history.

He has also served for 22 years as a Grafton County Commissioner, and is now the board's Clerk. His position as a county commissioner allows him to double his efforts to improve the lives of the people of northern New Hampshire, which is his life's work.

This past weekend, Councilor Burton made the very sad announcement that he will not seek reelection to either elected post next year. This was no doubt a difficult decision for Ray, given his decades of service. I look forward to being in Council District One on Friday to join with Ray's many friends and supporters to honor his unmatched record of service to our state.

I am confident that he will continue to give 110 percent to serving his constituents, just as he has done for decades.

But his announcement represents a tremendous loss, not just for the people of the North County, but for citizens across New Hampshire.

Daniel Webster once said, ''. . . in the mountains of New Hampshire, God Almighty has hung out a sign to show that there He makes men.'' Webster was referring to our beloved Old Man of the Mountain. But he could have just as easily been talking about Councilor Ray Burton, a gold standard public official of unmatched stature.

No one brings the same level of dedication, commitment, and enthusiasm to public life as Ray Burton.

To him, public service is not just a privilege—it is a calling and a true joy. And no one is better at constituent service than Ray Burton.

District One is vast, stretching from Pittsburg on the Canadian border south to the Lakes Region, and from the Connecticut River Valley to the Mount Washington Valley.

He has logged countless miles traveling the villages, towns, cities and counties of his district, frequently behind the wheel of a classic car. And if he is not driving an antique car, you will frequently find him on a snowmobile.

Seventeen hour days are not unusual for Councilor Burton. He has been known to start days in Claremont and finish way up in northern Coos County, before returning to his cherished home in Bath.

No community gathering or meeting is too small for Councilor Burton. If it is important to his constituents, it is important to him.

He has said for many years that he always runs for office like he is three votes behind—a real statement, given that he has served on the Executive Council for nearly 4 decades, frequently was the nominee of both the Republicans and the Democrats, and comfortably wins reelection by double digit margins. It just goes to show you how seriously he takes the job and how eager he is to make a difference in the lives of his constituents.

The fruits of his labor can be found across Council District One, whether it is an improved bridge or road, or an initiative to strengthen the economy and create jobs.

It can also be found in quieter ways: the constituent he helped with a state agency, or the citizen who needed a hand with local or county government

In addition to handing out his trademark combs, Ray gladly gives out his office number, his home office number, his car phone number and his email address—and he encourages people to use them. They call for help in times of need—and he delivers results.

In fact, a former State commissioner once joked that when she switched on her computer on Monday mornings, she would find two dozen emails from Councilor Burton. That would not surprise me, given his view that the concerns of his constituents are of paramount importance and should go straight to the top. I can personally report having received dozens of inquiries from Ray—signed with his familiar line, ''May I hear from you?''

When not traveling his district, Ray is an enormously respected leader in Concord, where he first arrived in the late 1960s to work as a Sergeant at Arms in the State House of Representatives and the State Senate. Remarkably, he has served at the Statehouse during the administrations of 10 governors.

In 1976, he was first elected to New Hampshire's Executive Council, an executive branch panel that functions as a check on executive power and dates back to 1680. It is a position he has held since 1981, earning the honorary title of ''dean'' of the council.

When I served as New Hampshire's Attorney General, I saw up close that Councilor Burton is someone who does his homework, asks tough questions, and fights with every fiber of his being for what he believes is right. I also saw how deeply he loves our State—and how hard he fights for the people of northern New Hampshire.

Beyond his tremendous efforts on behalf of his constituents, Ray also deserves great credit for working to prepare future generations of leaders. After his election to the Executive Council, he initiated a student internship program, which has become legendary in New Hampshire. Over the years, 140 interns have served Councilor Burton. Many of these young men and women have gone on to great careers in politics and government, carrying on his proud tradition of excellence in public service. I know that Ray's interns are a source of tremendous pride to him, and I commend him

for continuing a program that has served so many so well.

I am pleased to join citizens across New Hampshire in thanking Councilor Burton for his decades of extraordinary service to our State. No one has fought harder for his constituents than Ray Burton. And for generations to come, public officials will look to Ray as a model—striving to match his tremendous energy, his inherent decency, and his extraordinary commitment to strengthening our beloved state.●

REMEMBERING BERNARD WYNDER

● Mr. CARDIN. Madam President, I wish to pay tribute to an extraordinary individual, Bernard ''Bernie'' Wynder, who passed away at the much too young age of 58 this past June while serving as the president of the Allegany County chapter of the National Association for the Advancement of Colored People, NAACP. Bernie overcame the challenges of a childhood on the streets of East Baltimore and made it his life's work to mentor young Black men and help them to succeed as students, professionals, husbands, and fathers. Bernie generously gave his time and inimitable leadership to numerous community organizations, including Maryland Salem Children's Trust, Western Maryland Food Bank, Potomac Council Boy Scouts of America, Big Brothers/Big Sisters, Allegany County Multicultural Committee, American Red Cross, and the City of Cumberland Mediation Advisory Council. He also served on the Allegany County Human Relations Commission and as chair of the Friends of the NAACP.

Most recently, Bernie's loving attention help reignite the local NAACP branch as a powerful voice for social justice in Mountain Maryland. I was privileged to spend time with Bernie on my visits to Allegany County and get to know his love for his community and to be inspired by his passion for social justice.

Bernie was born in Baltimore on January 4, 1955. He graduated in 1974 from Mergenthaler Vocational-Technical High School, where he served as president of the Student Senate for the Baltimore City School System. He is a 1978 graduate of Frostburg State University and received his master of education from FSU in 1984. Bernie started his professional career in January 1979, accepting the position of admissions counselor & minority recruiter at FSU. He became coordinator of minority recruitment at Slippery Rock University and then returned to FSU in 1982 as associate director of admissions. He served in this role until 1986, when he was promoted to be the director of the Office of Student Human Relations & Minority Affairs. In this capacity, he developed an academic monitoring program which is still in use today. In 1996, Bernie took over the management duties of both the Admissions and Financial Aid Offices at FSU. In 2001, he moved to the Athletic Department, where he served as the assistant director of athletics and worked with coaches and the Office of Enrollment Services to develop recruitment activities for athletes and to increase their retention and graduation rates. Later, Bernie served as assistant vice president of student services.

Bernie Wynder's lifetime of service has been recognized and appreciated by others. In 1986, Bernie received the Trio Achiever's Award for the State of Maryland. He was inducted into Mergenthaler Vocational-Technical High School's Hall of Fame in 1993. He received FSU's Alumni Achievement Award in 1997 and received the College Admissions Representative of the Year Award given by the College Bound Foundation for service to Baltimore City high school students in 2002. In 2005, Bernie received the NAACP Image Award. In 2010, Bernie was one of three Marylanders honored as a ''Living Legend'' by the Associated Black Charities for his ''profound achievement in higher education.'' He is also an alumnus of Leadership Allegany.

Mr. President, the Reverend Dr. Martin Luther King, Jr., said, ''Everybody can be great . . . because anybody can serve . . . You only need a heart full of grace. A soul generated by love.'' Dr. King could have been describing Bernie Wynder, who devoted his life to service to others. The NAACP and FSU students, faculty, staff, and alumni mourn his death, as do his brothers in Omega Psi Phi to whom he was a mentor and a source of inspiration. His love and concern transformed the lives of so many generations of Frostburg students.

I send my deepest condolences to his wife of 32 years, Robin Vowels Wynder; their son, Bernard ''Bear'' Wynder Jr.; their daughter, Brandie McIntyre; and the rest of his family. Bernie Wynder was a man of uncommon integrity, wisdom, compassion, and commitment. We will miss his courage and vision and voice.●

REMEMBERING PAUL RALSTIN

● Mr. CRAPO. Madam President, today I wish to honor the life and legacy of an outstanding conservationist, sportsman, and dear friend.

Paul Ralstin's interest in the outdoors and wildlife conservation began at a young age, when he was an active Boy Scout and Eagle Scout. He grew that appreciation into a strong devotion to advancing conservation efforts as an active Ducks Unlimited volunteer, hunter, and fisherman. A graduate of Capital High School, Paul grew up and lived in Boise. In addition to serving in multiple leadership roles in Ducks Unlimited, Inc., Ducks Unlimited Canada, and Ducks Unlimited de Mexico, Paul was successful in the construction industry as owner of the family construction business, Gem State Builders. Paul also helped develop opportunities for others through serving as a mentor.

Throughout his life, Paul led with a heartfelt exuberance. His wit, friendliness, sense of adventure, and fun-loving spirit will be forever remembered. I have greatly valued his friendship and insight and extend my deep condolences to his wife Jeanne, children, and many friends and family. Paul's exemplary commitment to improving our natural resources and wildlife habitat will not be forgotten. His enthusiasm and dedication will live on in the many lives he touched throughout his life.●

BUCKSKIN MINE

● Mr. ENZI. Madam President, I rise today with great pride to speak about another Wyoming success story. I am very pleased to have this opportunity to extend our congratulations to the Buckskin Mine, which is located in my home State of Wyoming, for the outstanding record of safety they were able to compile in 2012. The mine's focus on safety and the great results they were able to achieve speak volumes about the mine and the care and attention they give to safety and to keeping their employees safe at work.

I have often heard it said that successful safety and health programs don't just ''happen.'' They take a great deal of time and effort and they result from a teamwork approach that involves everyone from the owner of the mine to the dedicated and hard-working team that works in the mine every day. That means this safety award was earned by everyone at the mine.

It is no secret. Working in a mine is a difficult and dangerous job, and it requires every worker to look out for their own safety as well as their fellow workers' safety. That kind of diligence, exercised every day, is what helps to ensure that all our workers will make a safe return home at the end of the day to be with their families.

Simply put, that is why the Buckskin Mine is receiving this recognition. Their staff goes the extra mile every day to make sure their mine is as safe as it can possibly be. The culture of workplace safety that is then created helps to keep each of their workers focused on safety throughout the day. The result is this special award.

I have always believed that the best way to lead is by example, and by earning this important recognition they have established a record of safety that other mines will want to emulate. In the end, that is something that will continue to benefit Wyoming and the mining industry all across the Nation.

The Senate Committee on Health, Education, Labor and Pensions, on which I serve, has focused our attention on this key issue for many years. As a committee, we are well aware of what an impressive record this is, and we hope their record of success will become the norm across the United States. Safe work habits create safe workplaces and low accident rates for all employees which makes our business community, especially our mining

industry, more productive. Good safety records also help to make our businesses more prosperous which is another benefit that comes from putting workplace safety first.

That is why it gives me a great deal of pride to extend these best wishes and words of congratulations to every employee of the Buckskin Mine, its management, and all those who have worked so hard to keep the mine safe. It took a team with a vision to create and put a safety program into effect, and the Buckskin mine team can be very proud of their efforts and the great result they were able to achieve. They have made a difference that will have an impact from their own backyard to every corner of our country that relies on mines and mining.

Now their challenge is to keep up the good work and to keep their excellent safety record going strong. With the hard-working group that makes the Buckskin Mine such a safe workplace, I have every confidence they will continue to serve as an example of what is possible when workers and management work together to keep our workplaces safe.●

TRIBUTE TO STEPHEN N. ADUBATO, SR.

● Mr. MENENDEZ. Madam President, I rise today to honor the extraordinary work of Stephen Adubato, Sr., and the lifetime of contributions he has made to better the lives of Newark, NJ residents. From the 3- and 4-year-olds who attend the preschool program he founded, to the older adults who are cared for at Casa Israel Adult Medical Day Care, thousands of people each and every day are positively touched by the institutions that Mr. Adubato has created.

Mr. Adubato began his own career in education as a history and government teacher in the Newark public schools, where he taught for 15 years. While teaching, he obtained a master's degree in education and completed the coursework for a doctorate in education.

Beginning in 1970, Mr. Adubato built the North Ward Center from a small storefront office on Bloomfield Avenue into the thriving institution it is today. During an era of instability, uncertainty, and transformation in the city, the North Ward Center served as a pillar of stability, offering job training, education, and recreational opportunities to families struggling for survival. Given his strong commitment to education, it is no surprise that one of the first programs created by the North Ward Center was a preschool. Today, the North Ward Child Development Center educates 700 children a year and is one of the largest Abbott preschools in the State.

In 1980, the North Ward Center founded the Newark Business Training Institute, NBTI, which has helped thousands of adults transition from welfare to work and has returned more than $1 billion into the State's economy. NBTI currently offers English as a second language to ensure recent immigrants have the language skills necessary to find good jobs.

The crowning achievement of Mr. Adubato's lifelong dedication to education is the Robert Treat Academy Charter School, which enrolls 450 students in grades K–8. Founded in 1997 as one of the State's first charter schools, Robert Treat has gained a national reputation for its academic success and was named a Blue Ribbon school in 2008.

In August 2009, Robert Treat opened a second campus in the Central Ward of Newark. It started with a kindergarten and first grade class and will add a grade each year. Between the two campuses, Robert Treat will eventually enroll 675 students.

Mr. Adubato received a doctor of humane letters from Kean University in May 2010. He received the Official Knight of the Order of Merit of the Republic of Italy and was honored by the New Jersey Ballet and the Archdiocese of Newark as the Humanitarian of the Year. Mr. Adubato was also honored by the Thurgood Marshall College Fund and National Organization of African-American Administrators. In September 2009, he was honored by Essex County, which named the recreation complex in Branch Brook Park the Stephen N. Adubato, Sr., Sports Complex.

There is no doubt that the lifetime work of Stephen Adubato, Sr., has greatly benefited the people of Newark. His commitment to helping those around him is not only admirable, it is inspiring, and his legacy is sure to have a lasting impact on the city. I join together with all New Jerseyans in thanking him for a career of remarkable contribution.●

RECOGNIZING MICRO 100

● Mr. RISCH. Madam President, sons can learn so much from their fathers. Whether it is changing a tire, throwing a football, or loving a family, the lessons derived from our fathers can have a profound impact on our lives. In 1969, 24-year old Dale Newberry agreed to join his father Jack in a family business selling cutting tools to local machine shops. What began 44 years ago as a two-machine operation based out of a carport of a southern California home is now a $15 million-a-year business based in Meridian, ID, that employs 110 Idahoans and sells from a catalog of 12,000 carbide cutting tools to more than 600 U.S. distributors and others in 40 countries.

Micro 100 specializes in manufacturing both industry standard and custom carbide tools which are used to manufacture items essential to modern life, including airplane wings, watch parts, telephone receivers, car-door handles, and household appliance components. The strength of these tools makes them virtually unbreakable.

Micro 100 utilizes a proprietary process that increases the toughness of micrograin carbide material without diminishing its hardness. Carbide is 90 percent tungsten—one of the hardest metals on the planet—but Micro 100 uses machines whose grinding wheels are coated in industrial diamond, the only substance known that will cut tungsten. As a result, carbide tools produced by Micro 100 stay sharp for 10 or 20 times longer than steel.

For years, Micro 100 products have achieved a 99.9 percent customer satisfaction rate from clients engaged in a wide range of metalworking fields, including mold and die making, high-speed cutting, high-precision cutting, high-performance milling of aluminum, plastics, and nonferrous materials, and hard milling. Therefore, it is only fitting that we celebrate this firm's growth and successes, as they have simultaneously helped create jobs in Idaho and enhanced the reputation of American manufacturing in the global community. I am proud to extend my congratulations to Dale Newberry and everyone at Micro 100 for their tremendous efforts and offer my best wishes for their continued success.●

TRIBUTE TO CORY KLUMB

● Mr. TESTER. Madam President, I wish to honor Cory Allen Klumb, a veteran of the U.S. Army and the Army National Guard. Cory, on behalf of all Montanans and all Americans, I stand to say thank you for your service to this Nation. It is my honor to share the story of Cory's service, because no veteran's story should ever go unrecognized. Cory was born in Wisconsin in 1965. He joined the Army in January of 1986 and reached the rank of sergeant when he was discharged in May of 1989. After a few years, Cory decided to use the veterans' education benefits he earned to attend Montana State University, a State he had only visited once before.

In 1999, Cory got a job with the Montana Highway Patrol and decided to enlist in the Montana Army National Guard—10 years to the day after he was discharged from active duty. Cory was a member of the 143rd Military Police Detachment out of Belgrade. In 2003, his unit was deployed to Iraq to assist with Operation Iraqi Freedom.

On April 13, 2004, Cory's convoy was traveling from Baghdad National Airport to their station when they were struck by an improvised explosive devise, or I-E-D. Fortunately, no lives were lost in that explosion, but Cory experienced permanent hearing damage. Two months later, the 143rd MP detachment returned to Montana. Cory left the National Guard in 2006 at the rank of staff sergeant.

Today, he is a police sergeant in Bozeman, where he lives with his wife Kelly and his daughter Piper.

Earlier this month, in the presence of Cory's family, it was my honor to present him with his Purple Heart Medal.

This decoration—and the decorations that Cory has already received—are

small tokens, but they are powerful symbols of true heroism, sacrifice and dedication to service. This medal is presented on behalf of a grateful nation.●

MESSAGE FROM THE HOUSE

At 2:28 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1405. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include a notice of disagreement form in any notice of decision issued for the denial of a benefit sought, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

H.R. 1742. An act to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes.

H.R. 2011. An act to amend title 38, United States Code, to provide for a two-year extension of the Veterans' Advisory Committee on Education.

H.R. 2189. An act to improve the processing of disability claims by the Department of Veterans Affairs, and for other purposes.

H.R. 2481. An act to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to benefits, and for other purposes.

H.R. 3304. An act to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor.

MEASURES REFERRED

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

H.R. 1405. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include a notice of disagreement form in any notice of decision issued for the denial of a benefit sought, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1742. An act to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2011. An act to amend title 38, United States Code, to provide for a two-year extension of the Veterans' Advisory Committee on Education; to the Committee on Veterans' Affairs.

H.R. 2189. An act to improve the processing of disability claims by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2481. An act to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to benefits, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3304. An act to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; to the Committee on Armed Services.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1592. A bill to provide for a delay of the individual mandate under the Patient Protection and Affordable Care Act until the American Health Benefit Exchanges are functioning properly.

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. CRUZ (for himself and Mr. CORNYN):

S. 1594. A bill to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the Paul Brown United States Courthouse; to the Committee on Environment and Public Works.

By Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Mr. CARDIN):

S. 1595. A bill to establish a renewable electricity standard, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TOOMEY:

S. 1596. A bill to require State educational agencies that receive funding under the Elementary and Secondary Education Act of 1965 to have in effect policies and procedures on background checks for school employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mr. BROWN):

S. 1597. A bill to provide for the use of savings promotion raffle products by financial institutions to encourage savings, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER (for herself, Mr. SCHUMER, and Ms. HIRONO):

S. 1598. A bill to provide a process for ensuring the United States does not default on its obligations; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. LEE, Mr. DURBIN, Mr. HELLER, Mr. BLUMENTHAL, Ms. MURKOWSKI, Ms. HIRONO, Mr. UDALL of New Mexico, Mr. BEGICH, Ms. BALDWIN, Mr. HEINRICH, Mr. MARKEY, Mr. UDALL of Colorado, Ms. WARREN, Mr. MERKLEY, Mr. TESTER, Mr. SCHATZ, and Mr. MENENDEZ):

S. 1599. A bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. WYDEN, Mr. UDALL of Colorado, Mr. HELLER, Mr. ENZI, Mrs. HAGAN, Mr. THUNE, Mr. COONS, Mr. HOEVEN, Ms. LANDRIEU, Mr. COATS, Mr. BEGICH, Mr. RISCH, Ms. KLOBUCHAR, Mr. BLUNT, Mr. FRANKEN, and Mr. CRAPO):

S. 1600. A bill to facilitate the reestablishment of domestic, critical mineral designation, assessment, production, manufacturing, recycling, analysis, forecasting, workforce, education, research, and international capabilities in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. 1601. A bill to ensure that certain communities may be granted exceptions for floodproofed residential basements for purposes of determining risk premium rates for flood insurance; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 1602. A bill to establish in the Department of Veterans Affairs a national center for the diagnosis, treatment, and research of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces, to provide certain services to those descendants, to establish an advisory board on exposure to toxic substances, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 1603. A bill to reaffirm that certain land has been taken into trust for the benefit of the Match-E–Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. SANDERS:

S. 1604. A bill to amend title 38, United States Code, to expand and enhance eligibility for health care and services through the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI:

S. 1605. A bill for the relief of Michael G. Faber; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado:

S. 1606. A bill to designate the community-based outpatient clinic of the Department of Veterans Affairs to be constructed at 3141 Centennial Boulevard, Colorado Springs, Colorado, as the ''PFC Floyd K. Lindstrom Department of Veterans Affairs Clinic''; to the Committee on Veterans' Affairs.

By Mr. SCHATZ (for himself and Ms. HIRONO):

S. 1607. A bill to provide conformity in Native small business opportunities and promote job creation, manufacturing, and American economic recovery; to the Committee on Small Business and Entrepreneurship.

By Mr. SCHATZ:

S. 1608. A bill to authorize appropriations for the SelectUSA Initiative, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 1609. A bill to amend title 14, United States Code, to authorize the Commandant of the United States Coast Guard to lease tidelands and submerged lands under control of the Coast Guard for periods longer than five years; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself, Mr. ISAKSON, Ms. LANDRIEU, Mr. COCHRAN, Mr. MERKLEY, Mr. VITTER, Mr. HOEVEN, Ms. HEITKAMP, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. MARKEY, Mr. NELSON, Mr. BEGICH, Ms. WARREN, and Mr. FRANKEN):

S. 1610. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MERKLEY (for himself, Mr. CRAPO, Mr. DURBIN, Mrs. MURRAY, Mr. SCHATZ, Mr. BROWN, Mr. UDALL of New Mexico, Mr. HEINRICH, Mr. BEGICH, Ms. WARREN, and Mr. CARDIN):

S. Res. 276. A resolution designating October 2013 as ''National Work and Family Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 80

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 80, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Reporting System, and for other purposes.

S. 203

At the request of Mr. PORTMAN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 209

At the request of Mr. PAUL, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 264

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 288

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 288, a bill to increase the participation of historically underrepresented demographic groups in science, technology, engineering, and mathematics education and industry.

S. 289

At the request of Ms. LANDRIEU, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 372

At the request of Ms. WARREN, her name was added as a cosponsor of S. 372, a bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

S. 395

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 395, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 554

At the request of Mr. ISAKSON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 635

At the request of Mr. BROWN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 641

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor 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. 653

At the request of Mr. KAINE, his name was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 669

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 699

At the request of Mr. GRASSLEY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 699, a bill to reallocate Federal judgeships for the courts of appeals, and for other purposes.

S. 700

At the request of Mr. KAINE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 709

At the request of Ms. STABENOW, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 820

At the request of Mrs. FEINSTEIN, the names of the Senator from Michigan (Mr. LEVIN), the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 822

At the request of Mr. LEAHY, the name of the Senator from Utah (Mr. HATCH) 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. 924

At the request of Mr. MENENDEZ, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 924, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enhance existing programs providing mitigation assistance by encouraging States to adopt and actively enforce State building codes, and for other purposes.

S. 932

At the request of Mr. BEGICH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 932, a bill to amend title 38, United States Code, to provide for advance appropriations for certain discretionary accounts of the Department of Veterans Affairs.

S. 945

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 945, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1012

At the request of Mr. BLUNT, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1012, a bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes.

S. 1053

At the request of Mr. WYDEN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1053, a bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs.

S. 1150

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1150, a bill to posthumously award a congressional gold medal to Constance Baker Motley.

S. 1158

At the request of Mr. WARNER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1174

At the request of Mr. BLUMENTHAL, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1174, a bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

S. 1187

At the request of Ms. STABENOW, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1195

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1195, a bill to repeal the renewable fuel standard.

S. 1249

At the request of Mr. BLUMENTHAL, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Minnesota (Mr. FRANKEN) 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. 1302

At the request of Mr. HARKIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor 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. 1318

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1318, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1340

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1340, a bill to improve passenger vessel security and safety, and for other purposes.

S. 1351

At the request of Mr. KAINE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1351, a bill to provide for fiscal gap and generational accounting analysis in the legislative process, the President's budget, and annual long-term fiscal outlook reports.

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1351, supra.

S. 1357

At the request of Mr. BAUCUS, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1357, a bill to extend the trade adjustment assistance program.

S. 1452

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1452, a bill to enhance transparency for certain surveillance programs authorized by the Foreign Intelligence Surveillance Act of 1978 and for other purposes.

S. 1490

At the request of Mr. FLAKE, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1490, a bill to delay the application of the Patient Protection and Affordable Care Act.

S. 1507

At the request of Mr. MORAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

S. 1517

At the request of Mr. WHITEHOUSE, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1517, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 1529

At the request of Ms. BALDWIN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Delaware (Mr. COONS), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. MERKLEY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maryland (Mr. CARDIN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1529, a bill to provide benefits to domestic partners of Federal employees.

S. 1551

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1551, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

S. 1590

At the request of Mr. ALEXANDER, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Oklahoma (Mr. INHOFE), the Senator from Maine (Ms. COLLINS), the Senator from Missouri (Mr. BLUNT), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), the Senator from South Dakota (Mr. THUNE), the Senator from Mississippi (Mr. COCHRAN), the Senator from Indiana (Mr. COATS) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1590, a bill to amend the Patient Protection and Affordable Care Act to require transparency in the operation of American Health Benefit Exchanges.

S. 1592

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1592, a bill to provide for a delay of the individual mandate under the Patient Protection and Affordable Care Act until the American Health Benefit Exchanges are functioning properly.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 254

At the request of Mr. ENZI, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. Res. 254, a resolution designating November 2, 2013, as ''National Bison Day''.

S. RES. 270

At the request of Mr. KIRK, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 270, a resolution supporting the goals and ideals of World Polio Day and commending the international community and others for their efforts to prevent and eradicate polio.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CRUZ (for himself and Mr. CORNYN):

S. 1594. A bill to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the Paul Brown United States Courthouse; to the Committee on Environment and Public Works.

Mr. CRUZ. Mr. President, I rise today to honor the late Judge Paul Brown, and to urge the Senate to adopt a bill I am introducing, along with the Senior Senator from Texas. This bill will rename the Federal courthouse in Sherman, TX, as the Paul Brown United States Courthouse.

Judge Brown was a Federal judge for the United States District Court for the Eastern District of Texas. He joined the court in 1985, after being nominated by President Reagan. He served on that court admirably until his death on November 26, 2012.

Judge Paul Brown was born on October 4, 1926. He was the youngest of 6 children. He was raised on a farm near Pottsboro, TX. He graduated from Denison High School in 1943.

He left home to attend the University of Texas at Austin. But with World War II escalating, he left UT to enlist in the Navy at the age of 17. He returned to UT, where he got his law degree in 1950. He is said to have loved UT so much that a fellow judge once recalled that although Judge Brown never wore a burnt orange tie on the bench, you could see him ''glow orange'' by simply mentioning UT.

Just after Judge Brown got his law degree, the Korean War began. And he served our country admirably once again in the Navy from 1950 to 1951. In 1951, he returned to Sherman, TX, and began private practice. In 1953, he was appointed as an Assistant U.S. Attorney for the Eastern District of Texas. President Eisenhower named him U.S. Attorney for the Eastern District of Texas in 1959.

After meeting and marrying Francis Morehead in Texarkana, Judge Brown then moved back to Sherman and reentered private practice in 1961. After almost a quarter century of practicing law in Sherman, Senator Phil Gramm recommended Judge Brown to President Reagan for a new vacancy in the Eastern District of Texas.

Judge Brown was confirmed for this vacancy in 1985. He served with distinction for the next 27 years. Judge Brown took senior status in 2001. At Judge Brown's retirement celebration, Chief Judge Heartfield called Judge Brown ''a textbook member'' of ''the Greatest Generation.''

His legacy lives on today, as the Judge Paul Brown Endowed Scholarship was established at the University of Texas School of Law in 2005. He was honored as a Distinguished Alumnus of Denison High School in 2006.

Judge Brown will be missed by his family, his community, and his nation. He, and his family, deserve this great honor, as the people of Sherman, TX, will forever remember the great jurist, Judge Paul Brown.

By Mr. LEAHY (for himself, Mr. LEE, Mr. DURBIN, Mr. HELLER, Mr. BLUMENTHAL, Ms. MURKOWSKI, Ms. HIRONO, Mr. UDALL of New Mexico, Mr. BEGICH, Ms. BALDWIN, Mr. HEINRICH, Mr. MARKEY, Mr. UDALL of Colorado, Ms. WARREN, Mr. MERKLEY, Mr. TESTER, Mr. SCHATZ, and Mr. MENENDEZ):

S. 1599. A bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, the Foreign Intelligence Surveillance Act, or FISA, was enacted 35 years ago to limit the government's ability to engage in domestic surveillance operations. In the years since September 11, 2001, Congress has repeatedly expanded the scope of this law to provide the government with broad new powers to gather information about law-abiding Americans. No one underestimates the threat this country continues to face, and we can all agree that the intelligence community should be given necessary and appropriate tools to help keep us safe. But we should also agree that there must be reasonable limits on the surveillance powers we give to the government. That is why I have consistently fought to curtail the sweeping powers contained in the USA PATRIOT Act and FISA Amendments Act, while also bolstering privacy protections and strengthening oversight. And that is why I continue my efforts today by joining with Congressman JIM SENSENBRENNER, as well as members of Congress from both political parties, to introduce the bipartisan USA FREEDOM Act of 2013.

Over the past several months, Americans have learned that government surveillance programs conducted under FISA are far broader than previously understood. Section 215 of the USA PATRIOT Act has for years been secretly interpreted to authorize the dragnet collection of Americans' phone records on an unprecedented scale, regardless of whether those Americans have any connection to terrorist activities or groups. The American public also learned more about the government's broad collection of Internet data through the use of Section 702 of FISA. And the world has learned that this surveillance has extended to millions of individuals in the global community including some of our allies and their leaders. These revelations have undermined Americans' trust in our intelligence community and harmed our relationships with some of our most important international partners.

While I do not condone the manner in which these and other highly classified programs were disclosed, I agree with the Director of National Intelligence that this debate about surveillance needed to happen. It is a debate that some of us in Congress have been engaged in for years. Since this summer, the Judiciary Committee convened two public hearings and a classified briefing with officials from the administration, including the Director of National Intelligence, the Director of the National Security Agency, and the Deputy Attorney General.

As a result of these hearings and the recent declassification of documents by the administration, the public now knows about the repeated and substantial legal and policy violations by the

NSA in its implementation of both Section 215 and Section 702. The public now knows that, in addition to collecting phone call metadata on millions of law-abiding Americans, the NSA collected, without a warrant, the contents of tens of thousands of wholly domestic emails of innocent Americans. The NSA also violated a FISA Court order by regularly searching the Section 215 bulk phone records database without meeting the standard imposed by the Court.

These repeated violations, which have occurred nearly every year that these programs have been authorized by the FISA Court, led to several reprimands from the FISA Court for what it called ''systemic noncompliance'' by the government. In addition, the Court admonished the government for making a series of substantial misrepresentations to the Court about its activities. The NSA has assured Congress that these problems have been corrected. Yet with each new revelation in the press about new techniques developed by the NSA that intrude into the privacy and everyday lives of Americans, I grow increasingly concerned about the lack of sufficient oversight and accountability.

Last week, the Assistant to the President for Homeland Security and Counterterrorism, Lisa Monaco, stated that the government should only collect data ''because we need it and not just because we can.'' I completely agree—and that is why the government's dragnet collection of phone records should end. The government has not made a compelling case that this program is an effective counterterrorism tool, especially when balanced against the intrusion on Americans' privacy. In fact, both the Director and the Deputy Director of the NSA have testified before the Judiciary Committee that there is no evidence that the Section 215 phone records collection program helped to thwart dozens or even several terrorist plots.

It is clear that as the administration has become more open and forthright about these programs, the facts have not matched the rhetoric. It is time for serious and meaningful reforms to FISA in order to restore the confidence of the American people in our intelligence community. Modest transparency and oversight provisions are a good first step, but by themselves they are insufficient to protect the privacy rights and civil liberties of Americans. We must do more.

The USA FREEDOM ACT is a legislative solution that comprehensively addresses a range of surveillance authorities contained in FISA. I want to thank Congressman SENSENBRENNER for his dedicated work on this bipartisan, bicameral piece of legislation that we are introducing today. We are joined in this effort by members of Congress from both chambers and across the political spectrum, and I want to thank the following Senators for cosponsoring this legislation: Senator LEE, Senator DURBIN, Senator HELLER, Senator BLUMENTHAL, Senator MURKOWSKI, Senator HIRONO, Senator UDALL of New Mexico, Senator BEGICH, Senator BALDWIN, Senator HEINRICH, Senator MARKEY, Senator UDALL of Colorado, Senator WARREN, Senator MERKLEY, Senator TESTER, and Senator SCHATZ.

Our bill will end the dragnet collection of phone records under Section 215 of the PATRIOT Act by requiring that only documents or records relevant and material to an investigation may be obtained, and that they have some particular nexus to a specific foreign agent or power. It will also ensure that the FISA pen register statute and National Security Letters cannot be used to authorize similar dragnet collection by applying the same standard. The bill also adds more meaningful judicial review of Section 215 orders and raises the standard for the government to obtain a gag order for every Section 215 order.

In addition to stopping the dragnet collection of phone records, our legislation will address privacy concerns related to surveillance conducted under the FISA Amendments Act, which allows the government to gather vast amounts of Internet communications content by foreigners located overseas. Given the technological nature of Internet communications, we must vigilantly protect against the inadvertent collection of the contents of the wholly domestic communications of U.S. persons—something that the NSA acknowledged has happened before. Our bill will place stricter limits on this type of collection, and also require the government to obtain a court order prior to conducting 'back door' searches looking for the communications of U.S. persons in databases collected without a warrant under Section 702 of FISA.

Finally, the USA FREEDOM Act will require enhanced accountability, transparency, and oversight in the FISA process. Our bill builds on a proposal by Senator BLUMENTHAL to provide for the creation of a Special Advocate who will advocate specifically for the protection of privacy rights and civil liberties before the FISA Court, as well as a process for publicly releasing FISA Court opinions containing significant interpretations of law. Under the bill, public confidence in the government's activities will also be strengthened by more detailed public reporting about the numbers and types of FISA orders that are issued.

Importantly, this measure requires new Inspector General reviews and imposes new sunset dates. I have long believed that sunset provisions are an important tool because nothing focuses the attention of Congress or the Executive Branch like the looming chance that a law will end. It is important to note that Section 215, which the government is using to conduct dragnet phone records collection, will expire in June 2015 unless Congress decides otherwise. This bill also shortens the FISA Amendments Act sunset by 2 years, and adds a new sunset for National Security Letters. This aligns all of these FISA sunsets so that Congress can address them comprehensively in 2015, rather than in a piecemeal fashion.

These are all commonsense, bipartisan improvements that will ensure appropriate limits are placed on the government's vast surveillance powers. The American people deserve to know how laws governing surveillance authorities are being interpreted and will implicate their personal information and activities. The American people also deserve to know whether these programs have proven sufficiently valuable as counterterrorism tools to justify their extraordinary breadth. This legislation will help to repair that trust deficit by providing enhanced layers of transparency, oversight, and accountability to ensure that we are protecting national security while restoring protections for the privacy rights and civil liberties of law-abiding Americans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1599

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 ''Uniting and Strengthening America by Fulfilling Rights and Ending Eavesdropping, Dragnet-collection, and Online Monitoring Act'' or the ''USA FREEDOM Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—FISA BUSINESS RECORDS REFORMS

Sec. 101. Privacy protections for business records orders.

Sec. 102. Inspector general reports on business records orders.

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORMS

Sec. 201. Privacy protections for pen registers and trap and trace devices.

Sec. 202. Inspector general reports on pen registers and trap and trace devices.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

Sec. 301. Clarification on prohibition on searching of collections of communications to conduct warrantless searches for the communications of United States persons.

Sec. 302. Protection against collection of wholly domestic communications.

Sec. 303. Prohibition on reverse targeting.

Sec. 304. Limits on use of unlawfully obtained information.

Sec. 305. Modification of FISA Amendments Act of 2008 sunset.

Sec. 306. Inspector general reviews of authorities.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

Sec. 401. Office of the Special Advocate.

Sec. 402. Foreign Intelligence Surveillance Court disclosure of opinions.
Sec. 403. Preservation of rights.
TITLE V—NATIONAL SECURITY LETTER REFORMS
Sec. 501. National security letter authority.
Sec. 502. Limitations on disclosure of national security letters.
Sec. 503. Judicial review.
Sec. 504. Inspector general reports on national security letters.
Sec. 505. National security letter sunset.
Sec. 506. Technical and conforming amendments.
TITLE VI—FISA AND NATIONAL SECURITY LETTER TRANSPARENCY REFORMS
Sec. 601. Third-party reporting on FISA orders and national security letters.
Sec. 602. Government reporting on FISA orders.
Sec. 603. Government reporting on national security letters.
TITLE VII—PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA AUTHORITY
Sec. 701. Privacy and Civil Liberties Oversight Board subpoena authority.
TITLE VIII—SEVERABILITY
Sec. 801. Severability.

TITLE I—FISA BUSINESS RECORDS REFORMS

SEC. 101. PRIVACY PROTECTIONS FOR BUSINESS RECORDS ORDERS.

(a) PRIVACY PROTECTIONS.—

(1) IN GENERAL.—Section 501(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(b)) is amended—

(A) in paragraph (1)(B), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) a statement of facts showing that there are reasonable grounds to believe that the tangible things sought—

''(i) are relevant and material to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to—

''(I) obtain foreign intelligence information not concerning a United States person; or

''(II) protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(B) a statement of proposed minimization procedures; and''; and

(C) by adding at the end the following paragraph:

''(3) if the applicant is seeking a nondisclosure requirement described in subsection (d), shall include—

''(A) the time period during which the Government believes the nondisclosure requirement should apply;

''(B) a statement of facts showing that there are reasonable grounds to believe that disclosure of particular information about the existence or contents of the order requiring the production of tangible things under this section during such time period will result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from investigation or prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations;

''(vi) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(vii) otherwise seriously endangering the national security of the United States; and

''(C) an explanation of how the nondisclosure requirement is narrowly tailored to address the specific harm identified under subparagraph (B).''.

(2) ORDER.—Section 501(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(c)) is amended—

(A) in paragraph (1)—

(i) by striking ''subsections (a) and (b)'' and inserting ''subsection (a) and paragraphs (1) and (2) of subsection (b) and that the proposed minimization procedures meet the definition of minimization procedures under subsection (g)''; and

(ii) by striking the last sentence and inserting the following: ''If the judge finds that the requirements of subsection (b)(3) have been met, such order shall include a nondisclosure requirement, which may apply for not longer than 1 year, unless the facts justify a longer period of nondisclosure, subject to the principles and procedures described in subsection (d).''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by inserting before the semicolon '', if applicable'';

(ii) in subparagraph (D), by striking ''and'' at the end;

(iii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following new subparagraph:

''(F) shall direct that the minimization procedures be followed.''.

(3) NONDISCLOSURE.—Section 501(d) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(d)) is amended to read as follows:

''(d) NONDISCLOSURE.—

''(1) IN GENERAL.—No person who receives an order entered under subsection (c) that contains a nondisclosure requirement shall disclose to any person the particular information specified in the nondisclosure requirement during the time period to which the requirement applies.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A person who receives an order entered under subsection (c) that contains a nondisclosure requirement may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary to comply with the order;

''(ii) an attorney to obtain legal advice or assistance regarding the order; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom an order is directed under this section in the same manner as the person to whom the order is directed.

''(C) NOTICE.—Any person who discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) EXTENSION.—The Director of the Federal Bureau of Investigation, or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge), may apply for renewals of the prohibition on disclosure of particular information about the existence or contents of an order requiring the production of tangible things under this section for additional periods of not longer than 1 year, unless the facts justify a longer period of nondisclosure. A nondisclosure requirement shall be renewed if a court having jurisdiction under paragraph (4) determines that the application meets the requirements of subsection (b)(3).

''(4) JURISDICTION.—An application for a renewal under this subsection shall be made to—

''(A) a judge of the court established under section 103(a); or

''(B) a United States Magistrate Judge under chapter 43 of title 28, United States Code, who is publicly designated by the Chief Justice of the United States to have the power to hear applications and grant orders for the production of tangible things under this section on behalf of a judge of the court established under section 103(a).''.

(4) MINIMIZATION.—Section 501(g) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(g)) is amended—

(A) in paragraph (1), by striking ''Not later than'' and all that follows and inserting ''At or before the end of the period of time for the production of tangible things under an order entered under this section or at any time after the production of tangible things under an order entered under this section, a judge may assess compliance with the minimization procedures required by such order by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''; and

(B) in paragraph (2)(A), by inserting ''acquisition and'' after ''to minimize the''.

(5) CONFORMING AMENDMENT.—Section 501(f)(1)(B) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(f)(1)(B)) is amended by striking ''an order imposed under subsection (d)'' and inserting ''a nondisclosure requirement imposed in connection with a production order''.

(b) JUDICIAL REVIEW.—Section 501(f)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''such production order or any nondisclosure order imposed in connection with such production order''; and

(B) by striking the second sentence;

(2) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) A judge considering a petition to modify or set aside a nondisclosure order shall grant such petition unless the court determines that—

''(i) there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the time period in which such requirement is in effect will result in—

''(I) endangering the life or physical safety of any person;

''(II) flight from investigation or prosecution;

''(III) destruction of or tampering with evidence;

''(IV) intimidation of potential witnesses;

''(V) interference with diplomatic relations;

''(VI) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(VII) otherwise seriously endangering the national security of the United States; and

''(ii) the nondisclosure requirement is narrowly tailored to address the specific harm identified under clause (i).''; and

(3) by adding at the end the following new subparagraph:

''(E) If a judge denies a petition to modify or set aside a nondisclosure order under this paragraph, no person may file another petition to modify or set aside such nondisclosure order until the date that is one year after the date on which such judge issues the denial of such petition.''.

(c) EMERGENCY AUTHORITY FOR ACCESS TO CALL DETAIL RECORDS.—

(1) IN GENERAL.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) is amended—

(A) by redesignating section 502 as section 503; and

(B) by inserting after section 501 the following new section:

''SEC. 502. EMERGENCY AUTHORITY FOR ACCESS TO CALL DETAIL RECORDS.

''(a) IN GENERAL.—Notwithstanding any other provision of this title, the Attorney General may require the production of call detail records by the provider of a wire or electronic communication service on an emergency basis if—

''(1) such records—

''(A) are relevant and material to an authorized investigation (other than a threat assessment) conducted in accordance with section 501(a)(2) to—

''(i) obtain foreign intelligence information not concerning a United States person; or

''(ii) protect against international terrorism or clandestine intelligence activities; and

''(B) pertain to—

''(i) a foreign power or an agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(2) the Attorney General reasonably determines that—

''(A) an emergency requires the production of such records before an order requiring such production can with due diligence be obtained under section 501; and

''(B) the factual basis for issuance of an order under section 501 to require the production of such records exists;

''(3) a judge referred to in section 501(b)(1) is informed by the Attorney General or a designee of the Attorney General at the time of the required production of such records that the decision has been made to require such production on an emergency basis; and

''(4) an application in accordance with section 501 is made to such judge as soon as practicable, but not more than 7 days after the date on which the Attorney General requires the production of such records under this section.

''(b) TERMINATION OF AUTHORITY.—

''(1) TERMINATION.—In the absence of an order under section 501 approving the production of call detail records under subsection (a), the authority to require the production of such records shall terminate at the earlier of—

''(A) when the information sought is obtained;

''(B) when the application for the order is denied under section 501; or

''(C) 7 days after the time of the authorization by the Attorney General.

''(2) USE OF INFORMATION.—If an application for an order under section 501 for the production of call detail records required to be produced pursuant to subsection (a) is denied, or in any other case in which the emergency production of call detail records under this section is terminated and no order under section 501 is issued approving the required production of such records, no information obtained or evidence derived from such records shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such records shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(c) REPORT.—The Attorney General shall annually submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate a report containing the number of times the authority under this section was exercised during the calendar year covered by such report.

''(d) CALL DETAIL RECORDS DEFINED.—In this section, the term 'call detail records'—

''(1) means session identifying information (including originating or terminating telephone number, International Mobile Subscriber Identity number, or International Mobile Station Equipment Identity number), telephone calling card numbers, or the time or duration of a call; and

''(2) does not include—

''(A) the contents of any communication (as defined in section 2510(8) of title 18, United States Code);

''(B) the name, address, or financial information of a subscriber or customer; or

''(C) cell site location information.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by striking the item relating to section 502 and inserting the following new items:

''502. Emergency authority for access to call detail records.

''503. Congressional oversight.''.

(3) CONFORMING AMENDMENT.—Section 102(b) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note) is amended by striking ''sections 501, 502, and'' and inserting ''title V and section''.

SEC. 102. INSPECTOR GENERAL REPORTS ON BUSINESS RECORDS ORDERS.

Section 106A of the USA Patriot Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 200) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2010 through 2013'' after ''2006'';

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3) (as so redesignated)—

(i) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) with respect to calendar years 2010 through 2013, an examination of the minimization procedures used in relation to orders under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) and whether the minimization procedures adequately protect the constitutional rights of United States persons;''; and

(ii) in subparagraph (D), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(3) CALENDAR YEARS 2010 THROUGH 2013.—Not later than December 31, 2014, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2010 through 2013.'';

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following new subsection:

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2010, and ending on December 31, 2013, the Inspector General of the Intelligence Community shall—

''(A) assess the importance of the information acquired under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) to the activities of the intelligence community;

''(B) examine the manner in which that information was collected, retained, analyzed, and disseminated by the intelligence community;

''(C) describe any noteworthy facts or circumstances relating to orders under such title;

''(D) examine any minimization procedures used by elements of the intelligence community under such title and whether the minimization procedures adequately protect the constitutional rights of United States persons; and

''(E) examine any minimization procedures proposed by an element of the intelligence community under such title that were modified or denied by the court established under section 103(a) of such Act (50 U.S.C. 1803(a)).

''(2) SUBMISSION DATE FOR ASSESSMENT.—Not later than December 31, 2014, the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representative a report containing the results of the assessment for calendar years 2010 through 2013.''.

(5) in subsection (e), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by striking ''Inspector General of the Department of Justice'' and inserting ''Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, and any Inspector General of an element of the intelligence community that prepares a report to assist the Inspector General of the Department of Justice or the Inspector General of the Intelligence Community in complying with the requirements of this section''; and

(B) in paragraph (2), by striking ''the reports submitted under subsection (c)(1) and (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)'';

(6) in subsection (f), as redesignated by paragraph (3)—

(A) by striking ''The reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''; and

(7) by adding at the end the following new subsection:

''(g) DEFINITIONS.—In this section:

''(1) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(2) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORMS

SEC. 201. PRIVACY PROTECTIONS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES.

(a) APPLICATION.—Section 402(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842(c)) is amended—

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

(2) by striking paragraph (2) and inserting the following new paragraphs:

''(2) a statement of facts showing that there are reasonable grounds to believe that the information sought—

''(A) is relevant and material to an authorized investigation to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities (other than a threat assessment), provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the First Amendment to the Constitution of the United States; and

''(B) pertain to—

''(i) a foreign power or an agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(3) a statement of proposed minimization procedures.''.

(b) MINIMIZATION.—

(1) DEFINITION.—Section 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841) is amended by adding at the end the following new paragraph:

''(4) The term 'minimization procedures' means—

''(A) specific procedures that are reasonably designed in light of the purpose and technique of an order for the installation and use of a pen register or trap and trace device, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

''(B) procedures that require that nonpublicly available information, which is not foreign intelligence information, as defined in section 101(e)(1), shall not be disseminated in a manner that identifies any United States person, without such person's consent, unless such person's identity is necessary to understand foreign intelligence information or assess its importance; and

''(C) notwithstanding subparagraphs (A) and (B), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.''.

(2) PROCEDURES REQUIRED.—Section 402 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842) is amended—

(A) in subsection (d)—

(i) in paragraph (1), by inserting ''and that the proposed minimization procedures meet the definition of minimization procedures under this title'' before the period at the end; and

(ii) in paragraph (2)(B)—

(I) in clause (ii)(II), by striking ''and'' after the semicolon; and

(II) by adding at the end the following new clause:

''(iv) the minimization procedures be followed; and''; and

(B) by adding at the end the following new subsection:

''(h) At or before the end of the period of time for which the installation and use of a pen register or trap and trace device is approved under an order or an extension under this section, the judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''.

(3) EMERGENCIES.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843) is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

''(c) If the Attorney General authorizes the emergency installation and use of a pen register or trap and trace device under this section, the Attorney General shall require that minimization procedures required by this title for the issuance of a judicial order be followed.''.

(4) USE OF INFORMATION.—Section 405(a)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1845(a)(1)) is amended by inserting ''and the minimization procedures required under the order approving such pen register or trap and trace device'' after ''of this section''.

(c) TRANSITION PROCEDURES.—

(1) ORDERS IN EFFECT.—Notwithstanding the amendments made by this section, an order entered under section 402(d)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842(d)(1)) that is in effect on the effective date of the amendments made by this section shall remain in effect until the expiration of the order.

(2) EXTENSIONS.—A request for an extension of an order referred to in paragraph (1) shall be subject to the requirements of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), as amended by this Act.

SEC. 202. INSPECTOR GENERAL REPORTS ON PEN REGISTERS AND TRAP AND TRACE DEVICES.

(a) AUDITS.—The Inspector General of the Department of Justice shall perform comprehensive audits of the effectiveness and use, including any improper or illegal use, of pen registers and trap and trace devices under title IV of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841 et seq.) during the period beginning on January 1, 2010, and ending on December 31, 2013.

(b) REQUIREMENTS.—The audits required under subsection (a) shall include—

(1) an examination of the use of pen registers and trap and trace devices under such title for calendar years 2010 through 2013;

(2) an examination of the installation and use of a pen register or trap and trace device on emergency bases under section 403 of such Act (50 U.S.C. 1843);

(3) an examination of any noteworthy facts or circumstances relating to the use of a pen register or trap and trace device under such title, including any improper or illegal use of the authority provided under such title; and

(4) an examination of the effectiveness of the authority under such title as an investigative tool, including—

(A) the importance of the information acquired to the intelligence activities of the Federal Bureau of Investigation;

(B) the manner in which the information is collected, retained, analyzed, and disseminated by the Federal Bureau of Investigation, including any direct access to the information provided to any other department, agency, or instrumentality of Federal, State, local, or tribal governments or any private sector entity;

(C) whether, and how often, the Federal Bureau of Investigation used information acquired under a pen register or trap and trace device under such title to produce an analytical intelligence product for distribution within the Federal Bureau of Investigation, to the intelligence community, or to another department, agency, or instrumentality of Federal, State, local, or tribal governments; and

(D) whether, and how often, the Federal Bureau of Investigation provided information acquired under a pen register or trap and trace device under such title to law enforcement authorities for use in criminal proceedings.

(c) REPORT.—Not later than December 31, 2014, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audits conducted under subsection (a) for calendar years 2010 through 2013.

(d) INTELLIGENCE ASSESSMENT.—

(1) IN GENERAL.—For the period beginning January 1, 2010, and ending on December 31, 2013, the Inspector General of the Intelligence Community shall—

(A) assess the importance of the information to the activities of the intelligence community;

(B) examine the manner in which the information was collected, retained, analyzed, and disseminated;

(C) describe any noteworthy facts or circumstances relating to orders under title IV of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841 et seq.); and

(D) examine any minimization procedures used by elements of the intelligence community in relation to pen registers and trap and trace devices under title IV of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841 et seq.) and whether the minimization procedures adequately protect the constitutional rights of United States persons.

(2) SUBMISSION DATES FOR ASSESSMENT.—Not later than December 31, 2014, the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representative a report containing the results of the assessment for calendar years 2010 through 2013.

(e) PRIOR NOTICE TO ATTORNEY GENERAL AND DIRECTOR OF NATIONAL INTELLIGENCE; COMMENTS.—

(1) NOTICE.—Not later than 30 days before the submission of any report under subsection (c) or (d), the Inspector General of the Department of Justice and the Inspector General of the Intelligence Community shall

provide the report to the Attorney General and the Director of National Intelligence.

(2) COMMENTS.—The Attorney General or the Director of National Intelligence may provide such comments to be included in any report submitted under subsection (c) or (d) as the Attorney General or the Director of National Intelligence may consider necessary.

(f) UNCLASSIFIED FORM.—Each report submitted under subsection (c) and any comments included in that report under subsection (e)(2) shall be in unclassified form, but may include a classified annex.

(g) DEFINITIONS.—In this section—

(1) the terms ''Attorney General'', ''foreign intelligence information'', and ''United States person'' have the meanings given those terms in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

(2) the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

(3) the term ''minimization procedures'' has the meaning given that term in section 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841), as amended by this Act; and

(4) the terms ''pen register'' and ''trap and trace device'' have the meanings given those terms in section 3127 of title 18, United States Code.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

SEC. 301. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following new paragraph:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705, or title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SEC. 302. PROTECTION AGAINST COLLECTION OF WHOLLY DOMESTIC COMMUNICATIONS.

(a) IN GENERAL.—Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended—

(1) in subsection (d)(1)—

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

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

(C) by adding at the end the following new subparagraph:

''(C) limit the acquisition of the contents of any communication to those communications—

''(i) to which any party is a target of the acquisition; or

''(ii) that contain an account identifier of a target of an acquisition, only if such communications are acquired to protect against international terrorism or the international proliferation of weapons of mass destruction.''; and

(2) in subsection (i)(2)(B)—

(A) in clause (i), by striking ''; and'' and inserting a semicolon;

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

(C) by adding at the end the following new clause:

''(iii) limit the acquisition of the contents of any communication to those communications—

''(I) to which any party is a target of the acquisition; or

''(II) that contain an account identifier of the target of an acquisition, only if such communications are acquired to protect against international terrorism or the international proliferation of weapons of mass destruction.''.

(b) CONFORMING AMENDMENT.—Section 701 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881) is amended—

(1) in subsection (a)—

(A) by inserting ''international terrorism','' after ''foreign power',''; and

(B) by striking ''and 'United States person'' and inserting ''United States person', and 'weapon of mass destruction'''; and

(2) in subsection (b)—

(A) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(B) by inserting before paragraph (2), as so redesignated, the following new paragraph:

''(1) ACCOUNT IDENTIFIER.—The term 'account identifier' means a telephone or instrument number, other subscriber number, email address, or username used to uniquely identify an account.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

SEC. 303. PROHIBITION ON REVERSE TARGETING.

Section 702(b)(1)(B) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as redesignated by section 301(1) of this Act, is amended by striking ''the purpose'' and inserting ''a significant purpose''.

SEC. 304. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION.

Section 702(i)(3) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(i)(3)) is amended by striking subparagraph (B) and inserting the following new subparagraph:

''(B) CORRECTION OF DEFICIENCIES.—

''(i) IN GENERAL.—If the Court finds that a certification required by subsection (g) does not contain all of the required elements, or that the procedures required by subsections (d) and (e) are not consistent with the requirements of those subsections or the Fourth Amendment to the Constitution of the United States, the Court shall issue an order directing the Government to, at the Government's election and to the extent required by the order of the Court—

''(I) correct any deficiency identified by the order of the Court not later than 30 days after the date on which the Court issues the order; or

''(II) cease, or not begin, the implementation of the authorization for which such certification was submitted.

''(ii) LIMITATION ON USE OF INFORMATION.—

''(I) IN GENERAL.—Except as provided in subclause (II), no information obtained or evidence derived from an acquisition pursuant to a certification or targeting or minimization procedures subject to an order under clause (i) concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from the acquisition shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(II) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under clause (i), the Court may permit the use or disclosure of information acquired before the date of the correction under such minimization procedures as the Court shall establish for purposes of this clause.''.

SEC. 305. MODIFICATION OF FISA AMENDMENTS ACT OF 2008 SUNSET.

(a) MODIFICATION.—Section 403(b)(1) of the FISA Amendments Act of 2008 (Public Law 110–261; 50 U.S.C. 1881 note) is amended by striking ''December 31, 2017'' and inserting ''June 1, 2015''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 403(b)(2) of such Act (Public Law 110–261; 122 Stat. 2474) is amended by striking ''December 31, 2017'' and inserting ''June 1, 2015''.

(c) ORDERS IN EFFECT.—Section 404(b)(1) of such Act (Public Law 110–261; 50 U.S.C. 1801 note) is amended in the paragraph heading by striking ''DECEMBER 31, 2017'' and inserting ''JUNE 1, 2015''.

SEC. 306. INSPECTOR GENERAL REVIEWS OF AUTHORITIES.

(a) AGENCY ASSESSMENTS.—Section 702(l)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(l)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''authorized to acquire foreign intelligence information under subsection (a)'' and inserting ''subject to the targeting or minimization procedures approved under this section'';

(2) in subparagraph (C), by inserting ''United States persons or'' after ''later determined to be''; and

(3) in subparagraph (D)—

(A) in the matter preceding clause (i), by striking ''such review'' and inserting ''review conducted under this paragraph'';

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

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following new clause:

''(iii) the Inspector General of the Intelligence Community; and''.

(b) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REVIEW.—

(1) RECURRING REVIEWS.—Section 702(l) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(l)) is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph:

''(3) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REVIEW.—

''(A) IN GENERAL.—The Inspector General of the Intelligence Community is authorized to review the acquisition, use, and dissemination of information acquired under subsection (a) to review compliance with the targeting and minimization procedures adopted in accordance with subsections (d) and (e) and the guidelines adopted in accordance with subsection (f), and in order to conduct the review required under subparagraph (B).

''(B) MANDATORY REVIEW.—The Inspector General of the Intelligence Community shall review the procedures and guidelines developed by the elements of the intelligence community to implement this section, with respect to the protection of the privacy rights of United States persons, including—

''(i) an evaluation of the limitations outlined in subsection (b), the procedures approved in accordance with subsections (d) and (e), and the guidelines adopted in accordance with subsection (f), with respect to the protection of the privacy rights of United States persons; and

''(ii) an evaluation of the circumstances under which the contents of communications acquired under subsection (a) may be searched in order to review the communications of particular United States persons.

''(C) CONSIDERATION OF OTHER REVIEWS AND ASSESSMENTS.—In conducting a review under subparagraph (B), the Inspector General of the Intelligence Community shall take into consideration, to the extent relevant and appropriate, any reviews or assessments that have been completed or are being undertaken under this section.

''(D) PUBLIC REPORTING OF FINDINGS AND CONCLUSIONS.—In a manner consistent with the protection of the national security of the United States, and in unclassified form, the Inspector General of the Intelligence Community shall make publicly available a summary of the findings and conclusions of the review conducted under subparagraph (B).''.

(2) REPORT.—Not later than December 31, 2014, the Inspector General of the Intelligence Community shall submit a report regarding the reviews conducted under paragraph (3) of section 702(l) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(l)), as amended by paragraph (1) of this subsection, to—

(A) the Attorney General;

(B) the Director of National Intelligence; and

(C) consistent with the Rules of the House of Representatives, the Standing Rules of the Senate, and Senate Resolution 400 of the 94th Congress or any successor Senate resolution—

(i) the congressional intelligence committees; and

(ii) the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

(c) ANNUAL REVIEWS.—Section 702(l)(4)(A) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(l)(4)(A)), as redesignated by subsection (b)(1), is amended—

(1) in the matter preceding clause (i)—

(A) in the first sentence—

(i) by striking ''conducting an acquisition authorized under subsection (a)'' and inserting ''subject to targeting or minimization procedures approved under this section''; and

(ii) by striking ''the acquisition'' and inserting ''acquisitions under subsection (a)''; and

(B) in the second sentence, by striking ''acquisitions'' and inserting ''information obtained through an acquisition''; and

(2) in clause (iii), by inserting ''United States persons or'' after ''later determined to be''.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 401. OFFICE OF THE SPECIAL ADVOCATE.

(a) ESTABLISHMENT.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following new title:

''TITLE IX—OFFICE OF THE SPECIAL ADVOCATE

''SEC. 901. DEFINITIONS.

''In this title:

''(1) DECISION.—The term 'decision' means a decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.

''(2) FOREIGN INTELLIGENCE SURVEILLANCE COURT; COURT.—The terms 'Foreign Intelligence Surveillance Court' and 'Court' mean the court established under section 103(a) and the petition review pool established under section 103(e).

''(3) FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW; COURT OF REVIEW.—The terms 'Foreign Intelligence Surveillance Court of Review' and 'Court of Review' mean the court of review established under section 103(b).

''(4) OFFICE.—The term 'Office' means the Office of the Special Advocate established under section 902(a).

''(5) SIGNIFICANT CONSTRUCTION OR INTERPRETATION OF LAW.—The term 'significant construction or interpretation of law' means a significant construction or interpretation of a provision, as that term is construed under section 601(c).

''(6) SPECIAL ADVOCATE.—The term 'Special Advocate' means the Special Advocate appointed under section 902(b).

''SEC. 902. OFFICE OF THE SPECIAL ADVOCATE.

''(a) ESTABLISHMENT.—There is established within the judicial branch of the United States an Office of the Special Advocate.

''(b) SPECIAL ADVOCATE.—

''(1) IN GENERAL.—The head of the Office is the Special Advocate.

''(2) APPOINTMENT AND TERM.—

''(A) APPOINTMENT.—The Chief Justice of the United States shall appoint the Special Advocate from the list of candidates submitted under subparagraph (B).

''(B) LIST OF CANDIDATES.—The Privacy and Civil Liberties Oversight Board shall submit to the Chief Justice a list of not less than 5 qualified candidates to serve as Special Advocate. The Board shall select candidates for such list whom the Board believes will be zealous and effective advocates in defense of civil liberties and consider with respect to each potential candidate—

''(i) the litigation and other professional experience of such candidate;

''(ii) the experience of such candidate in areas of law that the Special Advocate is likely to encounter in the course of the duties of the Special Advocate; and

''(iii) the demonstrated commitment of such candidate to civil liberties.

''(C) SECURITY CLEARANCE.—An individual may be appointed Special Advocate without regard to whether the individual possesses a security clearance on the date of the appointment.

''(D) TERM AND DISMISSAL.—A Special Advocate shall be appointed for a term of 3 years and may be removed only for good cause shown, including the demonstrated inability to qualify for an adequate security clearance.

''(E) REAPPOINTMENT.—There shall be no limit to the number of consecutive terms served by a Special Advocate. The reappointment of a Special Advocate shall be made in the same manner as appointment of a Special Advocate.

''(F) ACTING SPECIAL ADVOCATE.—If the position of Special Advocate is vacant, the Chief Justice of the United States may appoint an Acting Special Advocate from among the qualified employees of the Office. If there are no such qualified employees, the Chief Justice may appoint an Acting Special Advocate from the most recent list of candidates provided by the Privacy and Civil Liberties Oversight Board pursuant to subparagraph (B). The Acting Special Advocate shall have all of the powers of a Special Advocate and shall serve until a Special Advocate is appointed.

''(3) EMPLOYEES.—The Special Advocate may appoint and terminate and fix the compensation of employees of the Office without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

''(c) DUTIES AND AUTHORITIES OF THE SPECIAL ADVOCATE.—

''(1) IN GENERAL.—The Special Advocate—

''(A) may consider any request for consultation by a party who has been served with an order or directive issued under this Act requiring the party to provide information, facilities, or assistance to the Federal Government;

''(B) may request to participate in a proceeding before the Foreign Intelligence Surveillance Court;

''(C) shall participate in such proceeding if such request is granted;

''(D) shall participate in a proceeding before the Court if appointed to participate by the Court under section 903(a);

''(E) may request reconsideration of a decision of the Court under section 903(b);

''(F) may appeal or seek review of a decision of the Court or the Foreign Intelligence Surveillance Court of Review under section 904; and

''(G) shall participate in such appeal or review.

''(2) ACCESS TO APPLICATIONS AND DECISIONS.—

''(A) APPLICATIONS.—The Attorney General shall provide to the Special Advocate each application submitted to a judge of the Foreign Intelligence Surveillance Court under this Act at the same time as the Attorney General submits such applications.

''(B) DECISIONS.—The Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review shall provide to the Special Advocate access to each decision of the Court and the Court of Review, respectively, issued after the date of the enactment of the USA FREEDOM Act and all documents and other material relevant to such decision in complete, unredacted form.

''(3) ADVOCACY.—The Special Advocate shall vigorously advocate before the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review, as appropriate, in support of legal interpretations that protect individual privacy and civil liberties.

''(4) OUTSIDE COUNSEL.—The Special Advocate may delegate to a competent outside counsel who has or is able to obtain an appropriate security clearance any duty or responsibility of the Special Advocate set out in subparagraph (C), (D), or (G) of paragraph (1) with respect to participation in a matter before the Court, the Court of Review, or the Supreme Court of the United States.

''(5) AVAILABILITY OF DOCUMENTS AND MATERIAL.—The Court or the Court of Review, as

appropriate, shall order any agency, department, or entity to make available to the Special Advocate, or appropriate outside counsel if the Special Advocate has delegated duties or responsibilities to the outside counsel under paragraph (4), any documents or other material necessary to carry out the duties described in paragraph (1).

''(d) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the Executive branch shall cooperate with the Office, to the extent possible under existing procedures and requirements, to expeditiously provide the Special Advocate, appropriate employees of the Office, and outside counsel to whom the Special Advocate delegates a duty or responsibility under subsection (c)(4) with the security clearances necessary to carry out the duties of the Special Advocate.

''SEC. 903. ADVOCACY BEFORE THE FOREIGN INTELLIGENCE SURVEILLANCE COURT.

''(a) APPOINTMENT TO PARTICIPATE.—

''(1) IN GENERAL.—The Foreign Intelligence Surveillance Court may appoint the Special Advocate to participate in a proceeding before the Court.

''(2) STANDING.—If the Special Advocate is appointed to participate in a Court proceeding pursuant to paragraph (1), the Special Advocate shall have standing as a party before the Court in that proceeding.

''(b) RECONSIDERATION OF A FOREIGN INTELLIGENCE SURVEILLANCE COURT DECISION.—

''(1) AUTHORITY TO MOVE FOR RECONSIDERATION.—The Special Advocate may move the Court to reconsider any decision of the Court made after the date of the enactment of the USA FREEDOM Act by petitioning the Court not later than 30 days after the date on which all documents and materials relevant to the decision are made available to the Special Advocate.

''(2) DISCRETION OF THE COURT.—The Court shall have discretion to grant or deny a motion for reconsideration made pursuant to paragraph (1).

''(c) AMICI CURIAE PARTICIPATION.—

''(1) MOTION BY THE SPECIAL ADVOCATE.—The Special Advocate may file a motion with the Court to permit and facilitate participation of amici curiae, including participation in oral argument if appropriate, in any proceeding. The Court shall have the discretion to grant or deny such a motion.

''(2) FACILITATION BY THE FOREIGN INTELLIGENCE SURVEILLANCE COURT.—The Court may, sua sponte, permit and facilitate participation by amici curiae, including participation in oral argument if appropriate, in proceedings before the Court.

''(3) REGULATIONS.—Not later than 180 days after the date of the enactment of USA FREEDOM Act, the Court shall promulgate regulations to provide the public with information sufficient to allow interested parties to participate as amici curiae.

''SEC. 904. APPELLATE REVIEW.

''(a) APPEAL OF FOREIGN INTELLIGENCE SURVEILLANCE COURT DECISIONS.—

''(1) AUTHORITY TO APPEAL.—The Special Advocate may appeal any decision of the Foreign Intelligence Surveillance Court issued after the date of the enactment of the USA FREEDOM Act not later than 90 days after the date on which the decision is issued.

''(2) STANDING AS APPELLANT.—If the Special Advocate appeals a decision of the Court pursuant to paragraph (1), the Special Advocate shall have standing as a party before the Foreign Intelligence Surveillance Court of Review in such appeal.

''(3) MANDATORY REVIEW.—The Court of Review shall review any Foreign Intelligence Surveillance Court decision appealed by the Special Advocate and issue a decision in such appeal, unless it would be apparent to all reasonable jurists that such decision is dictated by statute or by precedent.

''(4) STANDARD OF REVIEW.—The standard for a mandatory review of a Foreign Intelligence Surveillance Court decision pursuant to paragraph (3) shall be—

''(A) de novo with respect to issues of law; and

''(B) clearly erroneous with respect to determination of facts.

''(5) AMICI CURIAE PARTICIPATION.—

''(A) IN GENERAL.—The Court of Review shall accept amici curiae briefs from interested parties in all mandatory reviews pursuant to paragraph (3) and shall provide for amici curiae participation in oral argument if appropriate.

''(B) REGULATIONS.—Not later than 180 days after the date of the enactment of the USA FREEDOM Act, the Court of Review shall promulgate regulations to provide the public with information sufficient to allow interested parties to participate as amici curiae.

''(b) REVIEW OF FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW DECISIONS.—

''(1) AUTHORITY.—The Special Advocate may seek a writ of certiorari from the Supreme Court of the United States for review of any decision of the Foreign Intelligence Surveillance Court of Review.

''(2) STANDING.—In any proceedings before the Supreme Court of the United States relating to a petition of certiorari filed under paragraph (1) and any proceedings in a matter for which certiorari is granted, the Special Advocate shall have standing as a party.

''SEC. 905. DISCLOSURE.

''(a) REQUIREMENT TO DISCLOSE.—The Attorney General shall publicly disclose—

''(1) all decisions issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review after July 10, 2003, that include a significant construction or interpretation of law;

''(2) any decision of the Court appealed by the Special Advocate pursuant to this title; and

''(3) any Court of Review decision that is issued after an appeal by the Special Advocate.

''(b) DISCLOSURE DESCRIBED.—For each disclosure required by subsection (a) with respect to a decision, the Attorney General shall make available to the public documents sufficient—

''(1) to identify with particularity each legal question addressed by the decision and how such question was resolved;

''(2) to describe in general terms the context in which the matter arises;

''(3) to describe the construction or interpretation of any statute, constitutional provision, or other legal authority relied on by the decision; and

''(4) to indicate whether the decision departed from any prior decision of the Court or Court of Review.

''(c) DOCUMENTS DESCRIBED.—The Attorney General shall satisfy the disclosure requirements in subsection (b) by—

''(1) releasing a Court or Court of Review decision in its entirety or as redacted;

''(2) releasing a summary of a Court or Court of Review decision; or

''(3) releasing an application made to the Court, briefs filed before the Court or the Court of Review, or other materials, in full or as redacted.

''(d) EXTENSIVE DISCLOSURE.—The Attorney General shall release as much information regarding the facts and analysis contained in a decision described in subsection (a) or documents described in subsection (c) as is consistent with legitimate national security concerns.

''(e) TIMING OF DISCLOSURE.—

''(1) DECISIONS ISSUED PRIOR TO ENACTMENT.—The Attorney General shall disclose a decision issued prior to the date of the enactment of the USA FREEDOM Act that is required to be disclosed under subsection (a)(1) not later than 180 days after the date of the enactment of such Act.

''(2) FISA COURT DECISIONS.—The Attorney General shall release Court decisions appealed by the Special Advocate not later than 30 days after the date on which the appeal is filed.

''(3) FISA COURT OF REVIEW DECISIONS.—The Attorney General shall release Court of Review decisions for which the Special Advocate seeks a writ of certiorari not later than 90 days after the date on which the petition is filed.

''(f) PETITION BY THE SPECIAL ADVOCATE.—

''(1) AUTHORITY TO PETITION.—The Special Advocate may petition the Court or the Court of Review to order—

''(A) the public disclosure of a decision of the Court or Court of Review, and documents or other material relevant to such a decision, previously designated as classified information; or

''(B) the release of an unclassified summary of such decisions and documents.

''(2) CONTENTS OF PETITION.—Each petition filed under paragraph (1) shall contain a detailed declassification proposal or a summary of the decision and documents that the Special Advocate proposes to have released publicly.

''(3) ROLE OF THE ATTORNEY GENERAL.—

''(A) COPY OF PETITION.—The Special Advocate shall provide to the Attorney General a copy of each petition filed under paragraph (1).

''(B) OPPOSITION.—The Attorney General may oppose a petition filed under paragraph (1) by submitting any objections in writing to the Court or the Court of Review, as appropriate, not later than 90 days after the date such petition was submitted.

''(4) PUBLIC AVAILABILITY.—Not less than 91 days after receiving a petition under paragraph (1), and taking into account any objections from the Attorney General made under paragraph (3)(B), the Court or the Court of Review, as appropriate, shall declassify and make readily available to the public any decision, document, or other material requested in such petition, to the greatest extent possible, consistent with legitimate national security considerations.

''(5) EFFECTIVE DATE.—The Special Advocate may not file a petition under paragraph (1) until 181 days after the date of the enactment of the USA FREEDOM Act, except with respect to a decision appealed by the Special Advocate.

''SEC. 906. ANNUAL REPORT TO CONGRESS.

''(a) REQUIREMENT FOR ANNUAL REPORT.—The Special Advocate shall submit to Congress an annual report on the implementation of this title.

''(b) CONTENTS.—Each annual report submitted under subsection (a) shall—

''(1) detail the activities of the Office of the Special Advocate;

''(2) provide an assessment of the effectiveness of this title; and

''(3) propose any new legislation to improve the functioning of the Office or the operation of the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review that the Special Advocate considers appropriate.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978, as amended by section 101(c)(2) of this Act, is further amended by adding at the end the following new items:

''TITLE IX–OFFICE OF THE SPECIAL ADVOCATE

''Sec. 901. Definitions.
''Sec. 902. Office of the Special Advocate.
''Sec. 903. Advocacy before the Foreign Intelligence Surveillance Court.
''Sec. 904. Appellate review.
''Sec. 905. Disclosure.
''Sec. 906. Annual report to Congress.''.

SEC. 402. FOREIGN INTELLIGENCE SURVEILLANCE COURT DISCLOSURE OF OPINIONS.

Section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following new subsection:

''(g)(1) A judge of the court established under subsection (a) who authored an order, opinion, or other decision may sua sponte or on motion by a party request that such order, opinion, or other decision be made publicly available.

''(2) Upon a request under paragraph (1), the presiding judge of the court established under subsection (a), in consultation with the other judges of such court, may direct that such order, opinion, or other decision be made publicly available.

''(3) Prior to making an order, opinion, or other decision of the court established under subsection (a) publicly available in accordance with this subsection, the presiding judge of such court may direct the Executive branch to review such order, opinion, or other decision and redact such order, opinion, or other decision as necessary to ensure that properly classified information is appropriately protected.''.

SEC. 403. PRESERVATION OF RIGHTS.

Nothing in this title or an amendment made by this title shall be construed—

(1) to provide the Attorney General with authority to prevent the court established under section 103(a) of Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)), the petition review pool established under section 103(e) of such Act (50 U.S.C. 1803(e)), or the court of review established under section 103(b) of such Act (50 U.S.C. 1803(b)) from declassifying decisions or releasing information pursuant to this title or an amendment made by this title; or

(2) to eliminate the public's ability to secure information under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') or any other provision of law.

TITLE V—NATIONAL SECURITY LETTER REFORMS

SEC. 501. NATIONAL SECURITY LETTER AUTHORITY.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''may—'' and all that follows through the period at the end and inserting the following: ''may request the name, address, length of service, and local and long distance toll billing records of a person or entity if the Director (or his designee) certifies in writing to the wire or electronic communication service provider to which the request is made that—''; and

(B) by adding at the end the following new paragraphs:

''(1) the name, address, length of service, and toll billing records sought are relevant and material to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the First Amendment to the Constitution of the United States; and

''(2) there are reasonable grounds to believe that the name, address, length of service, and toll billing records sought pertain to—

''(A) a foreign power or agent of a foreign power;

''(B) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(C) an individual in contact with, or known to, a suspected agent of a foreign power.''; and

(2) by adding at the end the following new subsection:

''(g) For purposes of this subsection, the terms 'agent of a foreign power', 'foreign power', 'international terrorism', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended to read as follows:

''SEC. 1114. ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, may issue in writing and cause to be served on a financial institution, a request requiring the production of—

''(A) the name of a customer of the financial institution;

''(B) the address of a customer of the financial institution;

''(C) the length of time during which a person has been, or was, a customer of the financial institution (including the start date) and the type of service provided by the financial institution to the customer; and

''(D) any account number or other unique identifier associated with a customer of the financial institution.

''(2) LIMITATION.—A request issued under this subsection may not require the production of records or information not listed in paragraph (1).

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—A request issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (d) through (g) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider; and

''(B) include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant and material to an authorized investigation (other than a threat assessment and provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the First Amendment to the Constitution of the United States) to—

''(I) obtain foreign intelligence information not concerning a United States person; or

''(II) protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power.

''(2) DEFINITIONS.—For purposes of this subsection, the terms 'agent of a foreign power', 'foreign intelligence information', 'foreign power', 'international terrorism', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

''(c) DEFINITION OF FINANCIAL INSTITUTION.—For purposes of this section (and sections 1115 and 1117, insofar as the sections relate to the operation of this section), the term 'financial institution' has the same meaning as in subsections (a)(2) and (c)(1) of section 5312 of title 31, United States Code, except that the term shall include only a financial institution any part of which is located inside any State or territory of the United States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands.''.

(c) NATIONAL SECURITY LETTER AUTHORITY FOR CERTAIN CONSUMER REPORT RECORDS.—

(1) IN GENERAL.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(A) by striking subsections (a) through (c) and inserting the following new subsections:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, may issue in writing and cause to be served on a consumer reporting agency a request requiring the production of—

''(A) the name of a consumer;

''(B) the current and former address of a consumer;

''(C) the current and former places of employment of a consumer; and

''(D) the name and address of any financial institution (as that term is defined in section 1101 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401)) at which a consumer maintains or has maintained an account, to the extent that the information is in the files of the consumer reporting agency.

''(2) LIMITATION.—A request issued under this subsection may not require the production of a consumer report.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—A request issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (d) through (g) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider; and

''(B) include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant and material to an authorized investigation (other than a threat assessment and provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the First Amendment to the Constitution of the United States) to—

''(I) obtain foreign intelligence information not concerning a United States person; or

''(II) protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power.

''(2) DEFINITIONS.—In this subsection, the terms 'agent of a foreign power', 'foreign intelligence information', 'foreign power', 'international terrorism', and 'United States person' have the meaning given such terms in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).'';

(B) by striking subsections (f) through (h); and

(C) by redesignating subsections (d), (e), (i), (j), (k), (l), and (m) as subsections (c), (d), (e), (f), (g), (h), and (i), respectively.

(2) REPEAL.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is repealed.

SEC. 502. LIMITATIONS ON DISCLOSURE OF NATIONAL SECURITY LETTERS.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no wire or electronic communication service provider, or officer, employee, or agent thereof, that receives a request under subsection (b), shall disclose to any person that the Director of the Federal Bureau of Investigation has sought or obtained access to information or records under this section.

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from investigation or prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations;

''(vi) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(vii) otherwise seriously endangering the national security of the United States.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A wire or electronic communication service provider, or officer, employee, or agent thereof, that receives a request under subsection (b) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (b) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—In the case of any request for which a recipient has submitted a notification or filed a petition for judicial review under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the Federal Bureau of Investigation shall promptly notify the wire or electronic service provider, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), as amended by section 501(b) of this Act, is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no financial institution, or officer, employee, or agent thereof, that receives a request under subsection (a) shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from investigation or prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations;

''(vi) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(vii) otherwise seriously endangering the national security of the United States.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A financial institution, or officer, employee, or agent thereof, that receives a request under subsection (a) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—In the case of any request for which a financial institution has submitted a notification or filed a petition for judicial review under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the Federal Bureau of Investigation shall promptly notify the financial institution, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u), as amended by section 501(c) of this Act, is further amended by striking subsection (c) (as redesignated by section 501(c)(1)(D) of this Act) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no consumer reporting agency, or officer, employee, or agent thereof, that receives a request under subsection (a) shall disclose or specify in any consumer report, that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a) or (b).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from investigation or prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations;

''(vi) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(vii) otherwise seriously endangering the national security of the United States.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency, or officer, employee, or agent thereof, that receives a request under subsection (a) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) or (b) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—In the case of any request for which a consumer reporting agency has submitted a notification or filed a petition for judicial review under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the Federal Bureau of Investigation shall promptly notify the consumer reporting agency, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(d) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended by striking subsection (b) and inserting the following new subsection:

''(b) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (c) is provided, no governmental or private entity, or officer, employee, or agent thereof, that receives a request under subsection (a), shall disclose to any person that an authorized investigative agency described in subsection (a) has sought or obtained access to information under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of an authorized investigative agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from investigation or prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations;

''(vi) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(vii) otherwise seriously endangering the national security of the United States.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A governmental or private entity, or officer, employee, or agent thereof, that receives a request under subsection (a) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the authorized investigative agency described in subsection (a).

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of an authorized investigative agency described in subsection (a), or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head of the authorized investigative agency or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—In the case of any request for which a governmental or private entity has submitted a notification or filed a petition for judicial review under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the authorized investigative agency described in subsection (a) shall promptly notify the governmental or private entity, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(e) JUDICIAL REVIEW.—Section 3511 of title 18, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

''(b) NONDISCLOSURE.—

''(1) IN GENERAL.—

''(A) NOTICE.—If a recipient of a request for a report, records, or other information under section 2709 of this title, section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), wishes to have a court review a nondisclosure requirement imposed in connection with the request, the recipient may notify the Government or file a petition for judicial review in any court described in subsection (a).

''(B) APPLICATION.—Not later than 30 days after the date of receipt of a notification under subparagraph (A), the Government shall apply for an order prohibiting the disclosure of the existence or contents of the relevant request. An application under this subparagraph may be filed in the district court of the United States for the judicial district in which the recipient of the order is doing business or in the district court of the United States for any judicial district within which the authorized investigation that is the basis for the request is being conducted. The applicable nondisclosure requirement shall remain in effect during the pendency of proceedings relating to the requirement.

''(C) CONSIDERATION.—A district court of the United States that receives a petition under subparagraph (A) or an application under subparagraph (B) should rule expeditiously, and shall, subject to paragraph (3), issue a nondisclosure order that includes conditions appropriate to the circumstances.

''(2) APPLICATION CONTENTS.—An application for a nondisclosure order or extension thereof or a response to a petition filed under paragraph (1) shall include a certification from the Attorney General, Deputy Attorney General, an Assistant Attorney General, or the Director of the Federal Bureau of Investigation, or in the case of a request by a department, agency, or instrumentality of the Federal Government other than the Department of Justice, the head or deputy head of the department, agency, or instrumentality, containing a statement of specific facts indicating that the absence of a prohibition of disclosure under this subsection may result in—

''(A) endangering the life or physical safety of any person;

''(B) flight from investigation or prosecution;

''(C) destruction of or tampering with evidence;

''(D) intimidation of potential witnesses;

''(E) interference with diplomatic relations;

''(F) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(G) otherwise seriously endangering the national security of the United States.

''(3) STANDARD.—A district court of the United States shall issue a nondisclosure requirement order or extension thereof under this subsection if the court determines that there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period will result in—

''(A) endangering the life or physical safety of any person;

''(B) flight from investigation or prosecution;

''(C) destruction of or tampering with evidence;

''(D) intimidation of potential witnesses;

''(E) interference with diplomatic relations;

''(F) alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target; or

''(G) otherwise seriously endangering the national security of the United States.''.

SEC. 503. JUDICIAL REVIEW.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, as amended by section 501(a) of this Act, is further amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (b) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511.

''(2) NOTICE.—A request under subsection (b) shall include notice of the availability of judicial review described in paragraph (1).''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), as amended by section 502(b) of this Act, is further amended—

(1) by redesignating subsection (d) (as redesigned by such section 502(b)) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Right to Financial Privacy Act (15 U.S.C. 1681u), as amended by section 502(c) of this Act, is further amended—

(1) by redesignating subsections (d) through (i) (as redesignated by such section 502(c)) as subsections (e) through (j), respectively; and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(d) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended—

(1) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

SEC. 504. INSPECTOR GENERAL REPORTS ON NATIONAL SECURITY LETTERS.

Section 119 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 219) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2010 through 2013'' after ''2006''; and

(B) in paragraph (3)(C), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(3) CALENDAR YEARS 2010 THROUGH 2013.—Not later than December 31, 2014, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on the Judiciary and the Select Committee on Intelligence of the Senate a report containing the results of the audit conducted under subsection (a) for calendar years 2010 through 2013.'';

(3) by striking subsection (g) and inserting the following new subsection:

''(h) DEFINITIONS.—In this section:

''(1) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(2) NATIONAL SECURITY LETTER.—The term 'national security letter' means a request for information under—

''(A) section 2709(b) of title 18, United States Code (to access certain communication service provider records);

''(B) section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)) (to obtain financial institution customer records);

''(C) section 802 of the National Security Act of 1947 (50 U.S.C. 3162) (to obtain financial information, records, and consumer reports); or

''(D) section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) (to obtain certain financial information and consumer reports).

''(3) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).'';

(4) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively;

(5) by inserting after subsection (c) the following new subsection:

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2010, and ending on December 31, 2013, the Inspector General of the Intelligence Community shall—

''(A) examine the use of national security letters by the intelligence community during the period;

''(B) describe any noteworthy facts or circumstances relating to the use of national security letters by the intelligence community, including any improper or illegal use of such authority;

''(C) assess the importance of information received under the national security letters to the activities of the intelligence community; and

''(D) examine the manner in which information received under the national security letters was collected, retained, analyzed, and disseminated.

''(2) SUBMISSION DATE FOR ASSESSMENT.—Not later than December 31, 2014, the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2010 through 2013.'';

(6) in subsection (e), as redesignated by paragraph (4)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by striking ''Inspector General of the Department of Justice'' and inserting ''Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, and any Inspector General of an element of the intelligence community that prepares a report to assist the Inspector General of the Department of Justice or the Inspector General of the Intelligence Community in complying with the requirements of this section''; and

(B) in paragraph (2), by striking ''the reports submitted under subsection (c)(1) or (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)''; and

(7) in subsection (f), as redesignated by paragraph (4)—

(A) by striking ''The reports submitted under subsections (c)(1) or (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''.

SEC. 505. NATIONAL SECURITY LETTER SUNSET.

(a) REPEAL.—Effective on June 1, 2015—

(1) section 2709 of title 18, United States Code, is amended to read as such provision read on October 25, 2001;

(2) section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)) is amended to read as such provision read on October 25, 2001;

(3) subsections (a) and (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) are amended to read as subsections (a) and (b), respectively, of the second of the 2 sections designated as section 624 of such Act (15 U.S.C. 1681u) (relating to disclosure to the Federal Bureau of Investigation for counterintelligence purposes), as added by section 601 of the Intelligence Authorization Act for Fiscal Year 1996 (Public Law 104–93; 109 Stat. 974), read on October 25, 2001; and

(4) section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended to read as such provision read on October 25, 2001.

(b) TRANSITION PROVISION.—Notwithstanding subsection (a), the provisions of law referred to in subsection (a), as in effect on May 31, 2015, shall continue to apply on and after June 1, 2015, with respect to any particular foreign intelligence investigation or with respect to any particular offense or potential offense that began or occurred before June 1, 2015.

SEC. 506. TECHNICAL AND CONFORMING AMENDMENTS.

Section 3511 of title 18, United States Code, is amended in subsections (a), (c), and (d), by striking ''or 627(a)'' each place it appears.

TITLE VI—FISA AND NATIONAL SECURITY LETTER TRANSPARENCY REFORMS

SEC. 601. THIRD-PARTY REPORTING ON FISA ORDERS AND NATIONAL SECURITY LETTERS.

(a) IN GENERAL.—Each electronic service provider may report information to the public in accordance with this section about demands and requests for information made by any Government entity under a surveillance law, and is exempt in accordance with subsection (d) from liability with respect to that report, even if such provider would otherwise be prohibited by a surveillance law from reporting that information.

(b) PERIODIC AGGREGATE REPORTS.—An electronic service provider may report such information not more often than quarterly and only to the following extent:

(1) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS MADE.—The report may reveal an estimate of the number of the demands and requests described in subsection (a) made during the period to which the report pertains.

(2) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS COMPLIED WITH.—The report may reveal an estimate of the numbers of the demands and requests described in subsection (a) the electronic service provider complied with during the period to which the report pertains, regardless of when the demands or requests were made.

(3) ESTIMATE OF NUMBER OF USERS OR ACCOUNTS.—The report may reveal an estimate of the numbers of users or accounts, or both, of the electronic service provider, for which information was demanded, requested, or provided during the period to which the report pertains.

(c) SPECIAL RULES FOR REPORTS.—

(1) LEVEL OF DETAIL BY AUTHORIZING SURVEILLANCE LAW.—Any estimate disclosed under this section may be an overall estimate or broken down by categories of authorizing surveillance laws or by provisions of authorizing surveillance laws.

(2) LEVEL OF DETAIL BY NUMERICAL RANGE.—Each estimate disclosed under this section shall be rounded to the nearest 100. If an estimate is zero, an electronic service provider may report the estimate as zero.

(3) REPORT MAY BE BROKEN DOWN BY PERIODS NOT LESS THAN CALENDAR QUARTERS.—For any reporting period, an electronic service provider may break down the report by calendar quarters or any other time periods greater than a calendar quarter.

(d) LIMITATION ON LIABILITY.—An electronic service provider making a report that the electronic service provider reasonably believes in good faith is authorized by this section is not criminally or civilly liable in any court for making the report.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit disclosures other than those authorized by this section.

(f) DEFINITIONS.—In this section:

(1) ELECTRONIC SERVICE PROVIDER.—The term ''electronic service provider'' means an electronic communications service provider (as that term is defined in section 2510 of title 18, United States Code) or a remote computing service provider (as that term is defined in section 2711 of title 18, United States Code).

(2) SURVEILLANCE LAW.—The term ''surveillance law'' means any provision of any of the following:

(A) The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(B) Section 802(a) of the National Security Act of 1947 (50 U.S.C. 436(a)).

(C) Section 2709 of title 18, United States Code.

(D) Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)).

(E) Subsection (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u(a), 1681u(b)).

(F) Section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)) (as in effect on the day before the date of the enactment of this Act).

SEC. 602. GOVERNMENT REPORTING ON FISA ORDERS.

(a) ELECTRONIC SURVEILLANCE.—

(1) REPORT OF ELECTRONIC SURVEILLANCE.—Section 107 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1807) is amended—

(A) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively;

(B) in the matter preceding paragraph (1) (as redesignated by subparagraph (A) of this paragraph)—

(i) by striking ''In April'' and inserting ''(a) In April''; and

(ii) by striking ''Congress'' and inserting ''the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate'';

(C) in subsection (a) (as designated by subparagraph (B) of this paragraph)—

(i) in paragraph (1) (as redesignated by subparagraph (A) of this paragraph), by striking ''; and'' and inserting a semicolon;

(ii) in paragraph (2) (as so redesignated), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following new paragraphs:

''(3) the total number of individuals who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100; and

''(4) the total number of United States persons who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100.''; and

(D) by adding at the end the following new subsection:

''(b)(1) Each report required under subsection (a) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (a), the Attorney General shall make such report publicly available.''.

(2) CONGRESSIONAL OVERSIGHT.—Section 108(a)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1808) is amended by striking ''the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence, and the Committee on the Judiciary of the Senate'' and inserting ''the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

(b) PHYSICAL SEARCHES.—Section 306 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1826) is amended—

(1) in the first sentence, by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the Senate'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''; and

(2) in the second sentence, by striking ''and the Committee on the Judiciary of the House of Representatives''.

(c) PEN REGISTER AND TRAP AND TRACE DEVICES.—Section 406 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1846) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3), by striking the period and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(4) each department or agency on behalf of which the Government has made application for orders approving the use of pen registers or trap and trace devices under this title;

''(5) for each department or agency described in paragraph (4), a breakdown of the numbers required by paragraphs (1), (2), and (3);

''(6) a good faith estimate of the total number of individuals who were targeted by the installation and use of a pen register or trap and trace device authorized under an order entered under this title, rounded to the nearest 100;

''(7) a good faith estimate of the total number of United States persons who were targeted by the installation and use of a pen register or trap and trace device authorized under an order entered under this title, rounded to the nearest 100; and

''(8) a good faith estimate of the total number of United States persons who were targeted by the installation and use of a pen register or trap and trace device authorized under an order entered under this title and whose information acquired by such pen register or trap and trace device was subsequently reviewed or accessed by a Federal officer, employee, or agent, rounded to the nearest 100.''; and

(2) by adding at the end the following new subsection:

''(c)(1) Each report required under subsection (b) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (b), the Attorney General shall make such report publicly available.''.

(d) ACCESS TO CERTAIN BUSINESS RECORDS AND OTHER TANGIBLE THINGS.—Section 503 of the Foreign Intelligence Surveillance Act of 1978, as redesignated by section 101(c) of this Act, is amended—

(1) in subsection (a), by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate'' and inserting after ''Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Committees on the Judiciary of the House of Representatives and the Senate'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''to the preceding calendar year—'' and inserting ''to the preceding calendar year the following:'';

(B) in paragraph (1)—

(i) by striking ''the total'' and inserting ''The total''; and

(ii) by striking the semicolon and inserting a period;

(C) in paragraph (2)—

(i) by striking ''the total'' and inserting ''The total''; and

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

(D) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''the number'' and inserting ''The number''; and

(ii) by adding at the end the following new subparagraphs:

''(F) Records concerning electronic communications.

''(G) Records concerning wire communications.''; and

(E) by adding at the end the following new paragraphs:

''(4) A description of all other tangible things sought by an application made for the production of any tangible things under section 501, and the number of orders under such section 501 granted, modified, or denied, for each tangible thing.

''(5) A description of each order under section 501 granted, modified, or denied for the production of tangible things on an ongoing basis.

''(6) Each department or agency on whose behalf the Director of the Federal Bureau of Investigation or a designee of the Director has made an application for an order requiring the production of any tangible things under section 501.

''(7) For each department or agency described in paragraph (6), a breakdown of the numbers and descriptions required by paragraphs (1), (2), (3), (4), and (5).''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (B), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

''(C) a good faith estimate of the total number of individuals whose tangible things were produced under an order entered under section 501, rounded to the nearest 100;

''(D) a good faith estimate of the total number of United States persons whose tangible things were produced under an order entered under section 501, rounded to the nearest 100; and

''(E) a good faith estimate of the total number of United States persons whose tangible things were produced under an order entered under section 501 and subsequently reviewed or accessed by a Federal officer, employee, or agent, rounded to the nearest 100.''; and

(B) by adding at the end the following new paragraph:

''(3) Not later than 7 days after the date on which a report is submitted under paragraph

(1), the Attorney General shall make such report publicly available.''.

(e) ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 707 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881f) is amended by adding at the end the following new subsection:

''(c) ADDITIONAL ANNUAL REPORT.—

''(1) REPORT REQUIRED.—In April of each year, the Attorney General shall submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate a report setting forth with respect to the preceding year—

''(A) the total number of—

''(i) directives issued under section 702;

''(ii) orders granted under section 703; and

''(iii) orders granted under section 704;

''(B) good faith estimates of the total number of individuals, rounded to the nearest 100, whose electronic or wire communications or communications records were collected pursuant to—

''(i) a directive issued under section 702;

''(ii) an order granted under section 703; and

''(iii) an order granted under section 704;

''(C) good faith estimates of the total number, rounded to the nearest 100, of United States persons whose electronic or wire communications or communications records were collected pursuant to—

''(i) a directive issued under section 702;

''(ii) an order granted under section 703; and

''(iii) an order granted under section 704; and

''(D) a good faith estimate of the total number of United States persons whose electronic or wire communications or communications records were collected pursuant to a directive issued under section 702 and subsequently reviewed or accessed by a Federal officer, employee, or agent, rounded to the nearest 100.

''(2) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form.

''(3) PUBLIC AVAILABILITY.—Not later than 7 days after the date on which a report is submitted under paragraph (1), the Attorney General shall make such report publicly available.''.

SEC. 603. GOVERNMENT REPORTING ON NATIONAL SECURITY LETTERS.

Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (18 U.S.C. 3511 note) is amended to read as follows:

''(c) REPORT ON REQUESTS FOR NATIONAL SECURITY LETTERS.—

''(1) CLASSIFIED FORM.—

''(A) IN GENERAL.—Not later than March 1, 2015, and every 180 days thereafter, the Attorney General shall submit to the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives a report fully informing the committees concerning the requests made under section 2709(a) of title 18, United States Code, section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)), section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162) during the applicable period.

''(B) CONTENTS.—Each report under subparagraph (A) shall include, for each provision of law described in subparagraph (A)—

''(i) authorized requests under the provision, including requests for subscriber information; and

''(ii) the number of authorized requests under the provision—

''(I) that relate to a United States person;

''(II) that relate to a person that is not a United States person;

''(III) that relate to a person that is—

''(aa) the subject of an authorized national security investigation; or

''(bb) an individual who has been in contact with or otherwise directly linked to the subject of an authorized national security investigation; and

''(IV) that relate to a person that is not known to be the subject of an authorized national security investigation.

''(2) UNCLASSIFIED FORM.—

''(A) IN GENERAL.—Not later than March 1, 2015, and every 180 days thereafter, the Attorney General shall submit to the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives a report fully informing the committees concerning the aggregate total of all requests identified under paragraph (1) during the applicable period. Each report under this paragraph shall be in unclassified form.

''(B) CONTENTS.—Each report under subparagraph (A) shall include the aggregate total of requests—

''(i) that relate to a United States person;

''(ii) that relate to a person that is not a United States person;

''(iii) that relate to a person that is—

''(I) the subject of an authorized national security investigation; or

''(II) an individual who has been in contact with or otherwise directly linked to the subject of an authorized national security investigation; and

''(iv) that relate to a person that is not known to be the subject of an authorized national security investigation.

''(3) DEFINITIONS.—In this subsection:

''(A) APPLICABLE PERIOD.—The term 'applicable period' means—

''(i) with respect to the first report submitted under paragraph (1) or (2), the period beginning 180 days after the date of enactment of the USA FREEDOM Act and ending on December 31, 2014; and

''(ii) with respect to the second report submitted under paragraph (1) or (2), and each report thereafter, the 6-month period ending on the last day of the second month before the date for submission of the report.

''(B) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

TITLE VII—PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA AUTHORITY

SEC. 701. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA AUTHORITY.

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended—

(1) in paragraph (1)(D), by striking ''submit a written request to the Attorney General of the United States that the Attorney General'';

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3).

TITLE VIII—SEVERABILITY

SEC. 801. SEVERABILITY.

If any provision of this Act or an amendment made by this Act, or the application of the provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act and the amendments made by this Act, and the application of the provisions of this Act and the amendments made by this Act to any other person or circumstance, shall not be affected thereby.

By Ms. MURKOWSKI (for herself, Mr. WYDEN, Mr. UDALL of Colorado, Mr. HELLER, Mr. ENZI, Mrs. HAGAN, Mr. THUNE, Mr. COONS, Mr. HOEVEN, Ms. LANDRIEU, Mr. COATS, Mr. BEGICH, Mr. RISCH, Ms. KLOBUCHAR, Mr. BLUNT, Mr. FRANKEN, and Mr. CRAPO):

S. 1600. A bill to facilitate the reestablishment of domestic, critical mineral designation, assessment, production, manufacturing, recycling, analysis, forecasting, workforce, education, research, and international capabilities in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, our national security depends upon minerals that enable nearly all of the defense and weapons systems used by the U.S. Armed Forces. These minerals are also critical to the clean energy, electronics, and medical industries. Yet, for how critical these minerals are, the vast majority of our domestic supply is imported from China in order to reduce cost. In fact, China supplies 90 to 95 percent of our rare earth oxides, a special class of critical minerals. We have seen how dangerous this dependence can be—in 2009, China choked off the supply of these materials to the rest of the world, restricting exports by 72 percent and causing the prices of rare earth elements to skyrocket here in the U.S.

I am pleased to join Senators MURKOWSKI, UDALL, and HELLER as the leading sponsors of bipartisan legislation to prevent future supply shocks of these critical minerals that are the key to our defense, energy, electronics, and medical industries by expanding U.S. production and supply of these important substances. This legislation—the Critical Minerals Policy Act of 2013—builds on two bills that were introduced in the 112th Congress and which were referred to the Committee on Energy and Natural Resources. S. 383, the Critical Minerals and Materials Promotion Act of 2011, which I cosponsored, was introduced by Senator MARK UDALL. S. 1113, the Critical Minerals Policy Act, was introduced by Senator MURKOWSKI. The Energy and Natural Resources Committee held a hearing on these bills in June 2011, and this new bill is a product of those efforts. We are being joined by 13 of our Senate colleagues as original bipartisan cosponsors: Senators RISCH, HAGAN, THUNE, BEGICH, ENZI, COONS, HOEVEN, LANDRIEU, COATS, KLOBUCHAR, BLUNT, FRANKEN, and CRAPO.

Critical minerals are pervasive in our everyday life. Let me give you a few examples. They are the key to stronger permanent magnets, which allow for smaller electric motors and other electronic devices, as well as for more efficient clean wind energy and MRI machines. They are essential for rechargeable batteries in hybrid and electric vehicles and the high-efficiency motors that power them. They are vital to phosphors, which give us more efficient lighting and flat panel displays. They serve as catalysts for fuel cells and for refining automobile fuel. Our Armed Forces also rely on critical minerals every time they use night-vision goggles, heads-up displays, satellite images, radar systems, high-energy laser weapons, precision-guided missiles, and fighter jets. By one estimate, the Defense Department alone constitutes 5 percent of total U.S. demand for rare earth elements. In short, critical minerals are so indispensable that we can't imagine life without them. They are called critical minerals because they are indeed critical to the development of so many high-tech weapons systems and commercial products.

Although China currently enjoys near-monopoly in the global production of critical minerals, the truth is that it doesn't have to be this way. China only holds 50 percent of the world's natural reserves, while the U.S. holds about 13 percent of the world's reserves, according a recent study by the U.S. Geological Survey. In fact, a large part of the critical minerals supply shock in 2009 was due to uncertainty about the global distribution of critical minerals. When China began to restrict supply, the rest of the world was in the dark about what alternative sources of supply were even available. Clearly, there is significant work to be done in this field.

The bill being introduced today outlines a series of measures to expand U.S. supplies of critical minerals starting with the identification of which minerals and elements are truly in need of special attention. The bill then requires the Interior Department to conduct assessments of where these minerals are located within the U.S. and expands research to find more efficient ways of extracting and processing those minerals. The bill also includes research programs to extract critical minerals from unconventional sources, such as coal or geothermal energy wells, as well as recycling these important substances from obsolete devices. The bill also requires the two lead agencies which manage our public lands and forests—the Department of the Interior and the Department of Agriculture—to reexamine the permitting processes for hard rock minerals under current law to see if there are ways of reducing delays for mining projects that would extract critical minerals. This legislation also includes programs to enable our next generation of scientists studying critical minerals and to prepare them for jobs in these fields as well as efforts to work with our international trading partners on expanding worldwide supplies of these materials.

I commend Senator MURKOWSKI for her leadership on this issue. This legislation is important for our national security. It is important for our high-tech manufacturing industries. It is important for U.S. competitiveness. I ask all Senators to support this bipartisan legislation.

By Ms. MURKOWSKI:

S. 1605. A bill for the relief of Michael G. Faber; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce unique legislation to remedy a clear mistake by the Federal Government that affects only a single person, an Army veteran, formerly from Alaska, now living in Idaho, who for the past nearly 40 years has been trying to get the Federal Government to remedy an inequity that has affected him, but also has impacts on his family.

While Congress is struggling to find solutions for the economic and health care problems of all 311 million Americans and a means to fund the Federal Government, I hope we also can find the time to right a wrong for a single man and his family.

The issue briefly is that Michael Faber, a Tsimshian Indian whose family has long roots in Southeast Alaska, initially had been granted membership/stock in 1973 in the Sealaska Native Regional Corp., the corporation made up of Southeast Alaska Natives formed as a result of the aboriginal land claims settlement between the Federal Government and Alaska Natives accomplished through passage of the Alaska Native Claims Settlement Act, ANCSA, of 1971. Because of a clerical error by the Bureau of Indian Affairs in the early 1970s Mr. Faber was shifted without cause or his permission to the out-of-state 13th Regional Corporation in late 1976. For decades Mr. Faber has been trying to win reinstatement to the Sealaska Corp., a request the corporation has endorsed, but that the Federal Government, and now seemingly the Federal courts, have decided can't happen without Congress expressly authorizing his reenrollment.

The legislation I offer today, which to my knowledge is supported by everyone possibly connected to this case, will do nothing but right an error by our government that never should have happened. It is a bill that affects a sole individual, which I know is something that has become unpopular on Capitol Hill in recent years. But Congress early in history provided an avenue for passage of legislation to provide relief for individuals who are the victims of an injustice. In fact, it was once relatively common for Congress to pass such legislation. There were hundreds of such bills approved between 1817 and 1971. Admittedly just one was approved last year, when Nigerian student, Sopuruchi ''Victor'' Chukwueke, became the first person in two years to win a private relief bill so he could stay in the United States on an expired visa and gain a path to permanent residency so he could enter medical school in Ohio. Mr. Faber's case is even more worthy of approval because this bill simply remedies a mistake clearly caused by a Federal agency.

This issue stems from the fact that during the original enrollment process following passage of the Alaska Native Claims Settlement Act, Michael Faber enrolled in the Sealaska Corporation, the tenth of the thirteen corporations created by the Act, along with his father, Clyde Benjamin Faber, his brother Gary Dennis Faber and his sister Debra Marlene Faber. Michael Faber's enrollment was approved by the Bureau of Indian Affairs, and he received Sealaska share number 13–752–39665–01, and an initial 100 shares of stock in the Sealaska Corporation. The family lived in Metlakatla, Alaska prior to passage of the claims act, and by the time of implementation of the act had moved to Juneau, AK.

In the mid-1960s Mr. Faber joined the U.S. Army and was stationed in Germany. At some point in 1976, while Mr. Faber was on duty with the Army, and consequently had an out-of-Alaska mailing address, someone in BIW apparently moved to shift his enrollment from the Sealaska Corp. to the then newly created 13th Corporation. That corporation was intended to serve the needs of Alaska Natives living outside of Alaska.

Under the law, Mr. Faber was sent a ballot that he was required to sign to accept the shift in enrollment. However, he never received the ballot; it was returned to BIA—unopened and unsigned. Mr. Faber had been badly injured during his military service and, in early 1976, was in and out of rehabilitation hospitals and clinics at different locations. By late 1976, Mr. Faber spent 19 months in a military hospital in Texas recovering from severe burns. Unfortunately, someone at BIA went ahead, and without Mr. Faber's legal approval, administratively completed the enrollment shift. Mr. Faber eventually was placed on the military's Temporary Disability Retirement List, TDRL, and then was involved in years of post-service counseling. It wasn't until after his recovery that he fully realized he had been shifted from Sealaska to the 13th Corporation, and it was then that he began his effort to be reenrolled in the Sealaska Corp.

The record indicates that during the 1990s BIA acknowledged it made an error in shifting Mr. Faber's enrollment without his written approval. Unfortunately, by then BIA believed it did not have the legal authority to reenroll Mr. Faber in the Sealaska Corporation shareholder rolls. Over the years, Mr. Faber won a resolution of support by the Sealaska Corporation's Board of Directors. The resolution welcomed his

reinstatement to that corporation. He filed in U.S. District Court in Idaho a request for a writ ordering BIA to change his enrollment back to membership in Sealaska. In late 2012, however, a Federal judge in Idaho encouraged all parties to dismiss the suit without prejudice. Accordingly, there is no avenue for this injustice to be rectified without congressional authorization of Mr. Faber's reenrollment in the Sealaska Corp.

This case has been complicated by the fact that Mr. Faber moved back to the community of Metlakatla, Alaska in the mid–1990s to work as the Executive Director of the Metlakatla Housing Authority. The complication is that residents of Metlakatla, the main community on the Annette Island Indian Reservation, were allowed by ANCSA to maintain their reservation status—the only reservation in the state to be reauthorized by the claims settlement act. But in return, members of the Metlakatla Indian Community were required to denounce other ANCSA benefits. This legislation, to prevent any precedents and to clarify the factual record, not only requires Mr. Faber to surrender or abrogate any possible membership in the Metlakatla Indian Community before his enrollment in the Sealaska Corp. can take effect, but also in no way alters the Section 19(a) provisions of ANCSA involving Metlakatla reservation status.

Mr. Faber has been waiting for nearly 40 years for someone to champion his quest to be restored to the Sealaska Corp., a legacy he wants largely for the benefit of his children. This legislation will allow Mr. Faber retroactive benefits only to 2011. In that year, Sealaska's board voted to welcome Mr. Faber back to its membership. It also voted to support the legislation. The bill sets no precedents for other Natives to seek changes in their ANCSA enrollments because of the unique and singular nature of the clerical error that was responsible for this change in enrollment status in the first place. This bill will simply treat Mr. Faber and his descendants humanely and formally recognize their legal and cultural status as Alaska Natives.

I hope that Congress will see fit to pass this bill promptly—truly the right and just result.

By Mr. SCHATZ (for himself and Ms. HIRONO):

S. 1607. A bill to provide conformity in Native small business opportunities and promote job creation, manufacturing, and American economic recovery; to the Committee on Small Business and Entrepreneurship.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1607

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native Small Business Conformity Act of 2013''.

SEC. 2. SMALL BUSINESS CONFORMITY.

(a) HUBZONE ELIGIBILITY.—

(1) IN GENERAL.—Section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3)) is amended—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

''(D) a small business concern that is owned and controlled by an organization described in section 8(a)(15);''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 3(p)(5)(A)(i)(I)(aa) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)(aa)) is amended by striking ''subparagraph (A), (B), (C), (D), or (E) of paragraph (3)'' and inserting ''subparagraph (A), (B), (C), (D), (E) or (F) of paragraph (3)''.

(b) 8(a) PROGRAM.—

(1) IN GENERAL.—Section 8(a)(6) of the Small Business Act (15 U.S.C. 637(a)(6)) is amended by adding at the end the following:

''(F) If an organization described in paragraph (15) establishes that it is economically disadvantaged under this paragraph in connection with an application for 1 small business concern owned or controlled by the organization, the organization shall not be required to reestablish that it is economically disadvantaged in order to have other businesses that it owns or controls certified for participation in the program under this subsection, unless specifically requested to do so by the Administration.''.

(2) APPLICABILITY.—The amendment made by this subsection shall take effect on the date of enactment of this Act and apply to determinations of economic disadvantage made before, on, or after the date of enactment of this Act.

By Mr. SCHATZ:

S. 1608. A bill to authorize appropriations for the SelectUSA Initiative, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1608

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''SelectUSA Authorization Act of 2013''.

SEC. 2. SELECTUSA INITIATIVE DEFINED.

In this Act, the term ''SelectUSA Initiative'' means the SelectUSA Initiative established by Executive Order 13577 of June 15, 2011.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR THE SELECTUSA INITIATIVE.

There is authorized to be appropriated for the SelectUSA Initiative $17,000,000 for each of fiscal years 2014 through 2018.

SEC. 4. REPORTS AND NOTIFICATIONS TO CONGRESS.

(a) IN GENERAL.—Not later than December 31 of 2014, 2015, 2016, 2017, and 2018, the Secretary of Commerce shall submit to Congress a report on the activities of the SelectUSA Initiative during the preceding fiscal year.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, for the period covered by the report, the following:

(1) A description of the outreach activities of the SelectUSA Initiative and the amounts used by the SelectUSA Initiative for such activities.

(2) The number of foreign firms that relocated to the United States as a result of the activities of the SelectUSA Initiative.

(3) A description of the progress made by the United States in increasing its share of foreign direct investment from the Asia and Pacific regions.

(4) Any findings that are made by the SelectUSA Initiative in conducting its activities and are relevant to promoting the United States as a destination for the location of foreign direct investment.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 276—DESIGNATING OCTOBER 2013 AS ''NATIONAL WORK AND FAMILY MONTH''

Mr. MERKLEY (for himself, Mr. CRAPO, Mr. DURBIN, Mrs. MURRAY, Mr. SCHATZ, Mr. BROWN, Mr. UDALL of New Mexico, Mr. HEINRICH, Mr. BEGICH, Ms. WARREN, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 276

Whereas, according to a report by WorldatWork, a nonprofit professional association with expertise in attracting, motivating, and retaining employees, the quality of a job and the supportiveness of a workplace are key predictors of the job productivity, job satisfaction, and commitment to the employer of workers, as well as of the ability of an employer to retain workers;

Whereas the term ''work-life balance'' refers to specific organizational practices, policies, and programs that are guided by a philosophy of active support for the efforts of employees to achieve success within and outside the workplace, such as caring for dependents, promoting health and wellness, providing paid and unpaid time off, providing financial support, encouraging community involvement, and improving workplace culture;

Whereas numerous studies show that employers that offer effective work-life balance programs are better able to recruit more talented employees, maintain a happier, healthier, and less stressed workforce, and retain experienced employees, which produces a more productive and stable workforce with less voluntary turnover;

Whereas job flexibility often allows parents to be more involved in the lives of their children, and research demonstrates that parental involvement is associated with higher achievement in language and mathematics, improved behavior, greater academic persistence, and lower dropout rates in children;

Whereas military families have special work-life needs that often require robust policies and programs that provide flexibility to employees in unique circumstances;

Whereas studies show that family rituals such as sitting down to dinner together and sharing activities on weekends and holidays positively influence the health and development of children, and that children who eat dinner with their families every day consume nearly a full serving more of fruits and vegetables per day than those who never eat dinner with their families or do so only occasionally; and

Whereas the month of October is an appropriate month to designate as National Work and Family Month: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2013 as ''National Work and Family Month'';

(2) recognizes the importance of work schedules that allow employees to spend time with their families to job productivity and healthy families;

(3) urges public officials, employers, employees, and the general public to work together to achieve more balance between work and family; and

(4) calls upon the people of the United States to observe National Work and Family Month with appropriate ceremonies and activities.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, October 30, 2013, at 9:15 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S.____, Children's Hospital GME Support Reauthorization Act of 2013; S. ____, CHIMP Act Amendments of 2013; H.R. 2094, School Access to Emergency Epinephrine Act; S. ____, Older Americans Act Reauthorization Act of 2013; S. 1302, Cooperative and Small Employer Charity Pension Flexibility Act, H.R. 2747, Streamlining Claims Processing for Federal Contractor Employees Act, the nominations of Michael Keith Yudin, to serve as Assistant Secretary for Special Education and Rehabilitative Services, Department of Education; James Cole, Jr., to serve as General Counsel, Department of Education; and Chai Feldblum, to serve as Commissioner, Equal Employment Opportunity Commission; as well as any additional nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224–5375.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, October 31, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Attaining a Quality Degree: Innovations to Improve Student Success''

For further information regarding this meeting, please contact Aissa Canchola of the committee staff on (202) 224–2009.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 29, 2013, at 10 a.m., to conduct a hearing entitled ''Housing Finance Reform: Essentials of a Functioning Housing Finance System for Consumers.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 29, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON COMMUNICATION, TECHNOLOGY, AND THE INTERNET

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 29, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Broadband Adoption: The Next Mile.''

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate on October 29, 2013, at 10 a.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled '''Stand Your Ground' Laws: Civil Rights and Public Safety Implications of the Expanded Use of Deadly Force.''

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

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Aaron Goldner and Danielle Schreiber, two fellows in my office, be granted floor privileges for the remainder of this Congress.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 242 and 377; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

FEDERAL COMMUNICATIONS COMMISSION

Thomas Edgar Wheeler, of the District of Columbia, to be a Member of the Federal Communications Commission.

Michael P. O'Rielly, of New York, to be a Member of the Federal Communications Commission.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

NATIONAL BISON DAY

Mr. REID. I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 254.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 254) designating November 2, 2013, as ''National Bison Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 254) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 24, 2013, under ''Submitted Resolutions.'')

NATIONAL WORK AND FAMILY MONTH

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of S. Res. 276, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution, (S. Res. 276) designating October 2013 as ''National Work and Family Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 276) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, OCTOBER 30, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, October 30, 2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session to consider the Estevez nomination, with the time until 10:30 a.m. equally divided and controlled in the usual form.

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

PROGRAM

Mr. REID. The first rollcall vote will be at 10:30 a.m. tomorrow morning on the motion to invoke cloture on the nomination of Alan Estevez to be a Principal Deputy Under Secretary of Defense.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:30 p.m., adjourned until Wednesday, October 30, 2013, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 29, 2013:

FEDERAL COMMUNICATIONS COMMISSION

THOMAS EDGAR WHEELER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2013.

NATIONAL LABOR RELATIONS BOARD

RICHARD F. GRIFFIN, JR., OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD FOR A TERM OF FOUR YEARS.

FEDERAL COMMUNICATIONS COMMISSION

MICHAEL P. O'RIELLY, OF NEW YORK, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2014.

EXTENSIONS OF REMARKS

RECOGNIZING JEREMY HISSONG'S EFFORTS TO SUPPORT HOMELESS STUDENTS

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to recognize an inspiring effort to support homeless students in Rockford, Illinois. Under the leadership of Jeremy Hissong, friends and neighbors of the Rockford School District banded together to collect clothes and school supplies to benefit the District's homeless student program.

After learning of the over 1,200 homeless children in the Rockford Public School District, Mr. Hissong utilized social media and the internet to organize "Kids Need Us" to gather support for a supply drive. His employer, Mondelez International, provided space in its parking lot for volunteers to collect needed supplies from the community such as socks, pants, coats, hats, pens, and paper to be donated to the homeless student program.

I applaud Mr. Hissong, and the community, for their success in bringing people together, gathering needed items, and educating the public about the awful reality of youth homelessness in our communities. This story of action is an important reminder of the victims of a slow economy and the importance of taking action in order to help those most in need.

Mr. Speaker, on behalf of the 16th District of Illinois, I wish to express our deep appreciation for Jeremy Hissong's work and the rest of the community for their support of this important cause.

WATER RESOURCES REFORM AND DEVELOPMENT ACT OF 2013

SPEECH OF

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservative and development of water and related resources, and for other purposes:

Mr. GARAMENDI. Mr. Chair, I want to thank Committee Chairman SHUSTER and Ranking Member RAHALL, as well as Subcommittee Chairman GIBBS and Ranking Member BISHOP for their hard work in putting together a bill that all of us can support. There are many good things in the bill and a few things that still need some work.

The Water Resources Reform and Development Act (WRRDA) is a vitally important bill to my constituents in the 3rd District of California. The levee projects that are authorized will provide life-saving protection for residents throughout California's flood prone Central Valley, while other construction projects will help to rebuild our crumbling water infrastructure and create jobs. The improvements to revitalize our ports and waterways will bolster business development and ensure that products grown and manufactured in the United States will continue to be exported around the world.

I commend Committee leadership for finding a way to authorize much needed projects without violating the earmark ban. The Natomas Levee Improvement Project will be authorized when this bill becomes law, resulting in increased flood protection for thousands of residents in the Sacramento area. However, there is more we could do. There are approximately 15 projects that have Chief's Reports in the pipeline. They aren't yet completed, but should be in the next several months. I urge an expansion of the authorization to include those projects that will have completed Chief's Reports by the end of the Fiscal Year so that important projects like the one in the Sutter Basin can begin work without wondering when we might get around to passing another WRDA bill.

Much needed language was included to instruct the Corps to revise its regulations regarding levee vegetation. Each part of the country is different and it is vital that the Corps have the flexibility to make determinations based on the individual community and what is needed to provide the most protection. As the bill moves forward in the process, I urge my colleagues to be open to discussing changes to the crediting provisions. Crediting is critical to ensure timely investments in public infrastructure and encourage local communities to start sooner than later to respond to flood threats. One slight change I would like to see would be to move the milestone earlier as to when a non-federal sponsor of a project could begin receiving credit. This does not obligate additional federal funds, nor does it guarantee a non-federal sponsor will receive credit. It merely lets local communities begin to address risks to the public safety as soon as possible.

The Committee has taken strides to reform the way money in the Harbor Maintenance Trust Fund (HMTF) is spent. Over the next several years, more funding will be funneled back to our ports to ensure those paying into the fund actually receive the dollars back to maintain the infrastructure. Again, more can be done to make sure California gets a fair shake. Most of our ports are donors to the fund, but get little back. The world is only getting smaller and we must do all that we can to ensure American products can get out of our country and into the global market. All of our ports are important to international trade and all should get adequate funding to be the best they can be.

This bill is a milestone in a divided Congress and represents compromise in an era of partisanship. A vote for this bill today is a vote for jobs and for our economy, two things we can all support.

HONORING THE CAREER OF JUSTICE THOMAS KILBRIDE

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to honor Justice Thomas Kilbride, who just completed his term as Chief Justice of the Illinois Supreme Court on October 25th. Justice Kilbride received his law degree from Antioch School in Washington, DC, and practiced law for 20 years in the 17th District of Illinois before being elected to the Illinois Supreme Court in 2000. He graciously conducted a ceremonial swearing in for me in Rock Island after I took office in the U.S. House of Representatives in January.

Justice Kilbride made a great impact on public access to the law during his term as Chief Justice. He promoted the increased use of technology in the court, spearheading efforts to put cameras in Illinois courtrooms and allowing electronic filing of many documents for the Supreme Court.

Additionally, Justice Kilbride formed the Illinois Supreme Court Access to Justice Commission, as he explained, in order to "make access to justice a high priority for everyone in the legal system." Among other accomplishments, the Commission has broadened the use of standardized legal forms in plain English to make it easier for people to navigate the law without needing to hire an attorney.

Mr. Speaker, I want to thank Justice Kilbride for his friendship, his commendable work as Chief Justice and his dedication to making the law accessible to everyone in Illinois.

TRIBUTE TO CHARLEY GREENE DIXON, JR.

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a dear friend and true leader for southern Kentucky, Charley Greene Dixon, Jr., in honor of his selection as the 2013 Knox County Chamber of Commerce Man of the Year.

During his ten-year service as the Knox County Attorney, Charley Greene Dixon witnessed first-hand how the prescription drug abuse epidemic destroyed the lives of countless families in our region. The rapid rate of overdose deaths and repeat drug trafficking offenders funneling through his courtroom stirred a passion within him to do more—to try to save the lives of his neighbors and their children. In response, Charley played a key role in establishing Juvenile, Family and Adult Drug Courts in his hometown, and he remains a steadfast advocate for expanding drug-free

education and treatment efforts across our region. I count it an honor to stand shoulder-to-shoulder with Charley in this fight for our communities.

Outside of the courtroom, Charley Greene Dixon has rallied efforts in our schools and communities, as Chairman of the Knox County UNITE Coalition. Through his dedicated support, thousands of young people have had the opportunity to attend drug-free events like, Hooked on Fishing Not on Drugs, a prevention camp, as well as faith-based walks, parades, along with basketball and cheerleading programs. He has undoubtedly inspired countless young people to break the cycle of addiction in their families, encouraging them to dream big and to accomplish great things through a life of sobriety.

Additionally, Charley has worked diligently to obtain several instrumental grants for Knox County, including a victim advocate grant, a truancy prevention grant, and an environmental PRIDE award. Those grant dollars have been vital to the growth, security, and health of area communities.

Despite his battle with cancer, Charley's passion for progress in Knox County is still holding strong. He continues to serve as a member of the Knox County Chamber of Commerce Board of Directors and President of the region's Bar Association. He is also very active in his church, serving as an usher for the past 15 years and a trustee for two years.

Mr. Speaker, I ask my colleagues to join me in honoring a champion for southern Kentucky, Charley Greene Dixon, Jr. His recognition as the Knox County Chamber of Commerce Man of the Year is duly warranted and I wish Charley the very best in the years to come.

MISSISSIPPI COLLEGE

HON. ALAN NUNNELEE

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. NUNNELEE. Mr. Speaker, Mississippi College, the oldest institution of higher learning in the state of Mississippi and the second oldest Baptist university in the United States, recently celebrated the opening of its 187th school year. Mississippi College has since pre-Civil War days provided students from across the state and around the world an education informed by Christian values, and was the first co-educational institution in the nation to grant a degree to a woman.

The university has a long and distinguished history of educating future public servants, counting current leaders in federal and state government among her alumna, including current Third Congressional District Rep. Gregg Harper, and current Mississippi Gov. Phil Bryant. As a member of the Board of Trustees I am also proud to recognize the leadership of Order of the Golden Arrow recipient Gayle Wicker has provided to the university's presidents through the years. Mississippi College, located in Clinton, is a proud constituent of the Second Congressional District represented by Rep. Bennie Thompson.

For 64 years, students have received exemplary training in areas of speech, media, public relations, theater and related practices in the Mississippi College Communication Department. Founded in 1949 by Drs. Hollis and Julia Todd as the Department of Speech, the current Communication Department presented diplomas to hundreds of students who have subsequently experienced personal and career success in their chosen fields. Among its alumni, the department prides itself by seeing former graduates become leaders in fields as diverse as business and ministry, education and journalism.

The faculty of the Mississippi College Communication Department embodies dedicated and sustained service to the university and its mission. In fact, only three men have chaired the department over the span of its 64 years: Dr. Hollis Todd, Dr. Billy Lytal, for whom the annual student scholarship fund is named, and current chair Dr. Cliff Fortenberry. With a teaching philosophy built around the practical application of theory and curriculum, departmental faculty are teachers first, individuals who view their service at Mississippi College as an investment in their students' lives and in their community.

The Mississippi College Communication Department currently enrolls undergraduates in interpersonal and public communication, journalism, mass media, public relations, and theater concentrations, and offers graduate degrees in journalism, health services communication, professional communication in sports, and public relations and corporate communication. Leading in innovative online classroom offerings, the communication department partners with other academic departments to offer unique degree programs to meet student and market demands.

With a current enrollment of over 5,000 students and future leaders, Mississippi College seeks to be known as a university recognized for academic excellence and commitment to the cause of Christ. The faculty, staff, students and alumni of the Mississippi College Communication Department are proud to fulfill this vision as the department enters its 65th year of service.

IN RECOGNITION OF THE ONE YEAR ANNIVERSARY OF HURRICANE SANDY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. KING of New York. Mr. Speaker, I rise to reflect on the aftermath of Hurricane Sandy, which made landfall one year ago.

Super Storm Sandy was the second largest natural disaster in our nation's history and the second costliest. New York State alone incurred $32.8 billion in damage, $8.4 billion of which was on Long Island. 305,000 homes and 265,300 businesses in the state were damaged or destroyed. While these numbers are shocking, they don't begin to tell the story of the suffering my constituents experienced.

This devastation was exacerbated by the failure of Congress to provide immediate aid to the affected communities. The Northeast was forced to wait more than three months for a federal aid package, thereby delaying the region's recovery. Fortunately, this assistance is beginning to flow and communities are in the process of rebuilding.

While we have made progress, the road to recovery remains long and difficult. Thousands of New York and New Jersey residents are still displaced and others are living in partially repaired homes. Infrastructure throughout the region awaits repair and needs to be hardened. I am confident that with the continued commitment of state and federal partners, our communities will rebound and come out stronger than ever.

TRIBUTE TO JOHN AND MARY PAPPAJOHN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and honor John and Mary Pappajohn for being the named the 2013 recipients of Eli and Edythe Broad Award for Philanthropy in the Arts at the National Arts Awards ceremony.

In celebration of National Arts and Humanities Month, Americans for the Arts organizes the National Arts Awards each October to recognize the achievements of individuals and corporations who have exhibited outstanding leadership in the arts, arts education and philanthropy. Accordingly, the Eli and Edythe Broad Award for Philanthropy is reserved for individuals who have demonstrated an extraordinary commitment of philanthropic generosity to one or more major arts institutions.

The selection of the Pappajohns to receive such a prestigious award should come as no surprise to those that know this incredible couple and their love of the arts. John served on the board of directors of the Des Moines Art Center and continues to be an honorary trustee, while his wife serves as the head of the museum's Acquisition Committee and has continued to serve as an active trustee for nearly two decades. Together they have donated several works of art to the museum, including those that comprise the beloved sculpture park in downtown Des Moines. They have also been members of the National Committee of Performing Arts of the Kennedy Center in Washington, DC for more than two decades and continually rank among the top art collectors in the world.

Mr. Speaker, Mr. and Mrs. Pappajohn's lifelong commitment to philanthropy at the local, state, and national levels cannot be overstated. John and Mary's selfless contributions have changed countless lives for the better and I cannot imagine a more deserved selection for this prestigious award. It is a great honor to represent John and Mary in the United States Congress and I invite my colleagues in the House to join me in congratulating them for this momentous recognition and thanking them for their continued dedication to their community and our nation.

WATER RESOURCES REFORM AND DEVELOPMENT ACT OF 2013

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 2013

The House in Committee of the Whole House on the state of the Union had under

consideration the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of H.R. 3080, the Water Resources Reform and Development Act (WRRDA) of 2013. As the Senior Texan on the Transportation and Infrastructure Committee and cosponsor of this legislation, I am glad to once again be addressing water resources legislation on the House Floor. Such legislation has not been passed by this esteemed Body since 2007, when I served as Chairwoman of the Water Resources and Environment Subcommittee that helped craft and usher the Water Resources Development Act (WRDA) of 2007 into law over a presidential veto. With this background, I understand the challenge of composing and advancing such legislation to this point. I applaud the leadership demonstrated by the Chairman and Ranking Members of both the Full Transportation and Infrastructure Committee and the Water Resources and Environment Subcommittee for bringing this bill to the Floor today.

While I ultimately support the passage of this legislation, I am concerned about the weakening of environmental protections and the ability of the public to participate in that process as a result of the streamlining provisions of this bill. The Army Corps of Engineers project construction backlog and astronomical figure it carries demonstrates that project efficiency must be improved. I understand the desire to expedite Army Corps of Engineers study and project completions, yet do not believe that the environmental safeguards such as the National Environmental Policy Act are the cause of those delays. If properly funded, necessary projects can be completed with appropriate environmental considerations. I am discouraged that environmental protections are being weakened under this guise.

As Co-Chair of the Texas Maritime Caucus, I have supported language in this bill to increase commercial navigation capabilities for Texas' ports and waterways. I am excited about Texas' ports and the role that they play in cultivating the Texas economy, the National economy, and the global economy. With expansive coastlines, established intermodal infrastructure, and strategically beneficial location, maritime commerce has a bright future in Texas. Moreover, the American economy has a brighter future because of Texas' transportation investments and capabilities.

I am glad to have worked in a bipartisan fashion to include language in this legislation for an assessment of the Gulf Intracoastal Waterway. This assessment will be a valuable tool for the State of Texas to determine its current and future operation and maintenance needs for navigation improvements to the Gulf Intracoastal Waterway, allowing it to be utilized more efficiently and productively in maritime commerce.

Further, I supported the inclusion of projects at the Sabine-Neches Waterway, Texas and at Freeport Harbor, Texas—both of which are authorized in this legislation. The Sabine-Neches Waterway project will contribute to the economic effectiveness of commercial navigation in a system of navigation channels in the Sabine-Neches estuary of Texas and Louisiana. The Freeport Harbor project provides for a deep-draft waterway from the Gulf of Mexico to the City of Freeport through the original mouth of the Brazos River. It will contribute to the economic efficiency of commercial navigation in the region and will significantly improve Freeport Harbor's ability to compete in international maritime commerce.

These projects will help bring nearly a billion dollars of Federal funds to Texas' ports and waterways. In turn, these improvements will be a boon for Texas' economy and the National economy. Further, with the expansion of the Panama Canal, these improvements will allow Texas' ports to play an increased role in the global economy. The increased economic benefit and movement of goods will be felt throughout Texas, including in my home district in Dallas, home to two Class One rail lines, an intermodal facility, numerous interstate highways, and a strong consumer marketplace.

It is my hope that the passage of this legislation will revive the biannual WRDA authorization schedule. Monitoring the streamlining provisions of this bill, as well as assessing the expenditures of the Harbor Maintenance Trust Fund will be ripe for reconsideration during the next Congress—as will many other issues. It is my belief that the overall objectives and purposes of water resources legislation are vital to America and should be considered on a biannual basis. The importance of this bill should not be lost in politics.

In closing, I want to once again thank the Chairman and Ranking Members of both the Full Transportation and Infrastructure Committee and the Water Resources and Environment Subcommittee for their leadership in advancing this legislation to the floor today.

VULNERABLE VETERANS HOUSING REFORM ACT OF 2013

SPEECH OF

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 28, 2013

Mr. KILMER. Mr. Speaker, I rise today in support of H.R. 1742, the Vulnerable Veterans Housing Reform Act of 2013.

Our country enjoys unparalleled freedom because of the commitment and sacrifice of our troops. I believe that if you serve our country, we should have your back. That means ensuring that military families and veterans have access to the full level of benefits they have earned.

Mr. Speaker, it is unacceptable that the aid and assistance we provide to our heroes and their families, would end up diminishing housing benefits. Treating this allocation as part of the income calculation to determine HUD benefits could lead to an increase in homelessness. Why force our heroes to choose between the care they require and the shelter they need?

H.R. 1742 clarifies that the benefits earned by our military retirees shall remain used to the purposes provided—and that assistance for caring for the disabled shall not jeopardize the ability to get the housing and shelter they require.

Again I am proud to support the Vulnerable Veterans Housing Reform Act of 2013 and urge my colleagues to do the same. Let's continue our commitment to our veterans. Let us do what we can to honor their service and sacrifices. With more and more servicemen transitioning to veteran status, it's critical that we protect the benefits they have earned in service to their country.

ESTABLISHING COMMISSION OR TASK FORCE TO EVALUATE THE BACKLOG OF DISABILITY CLAIMS

SPEECH OF

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 28, 2013

Ms. FRANKEL of Florida. Mr. Speaker, the veterans' disability claims backlog is simply unacceptable. American service members who risk their lives to protect our freedoms should not have to wonder if they will receive the basic benefits they deserve. Today, more than 405,000 veterans are waiting for their benefits in this tragically backlogged system. These aren't just numbers. These are real people—heroes who served our country.

Take for example Jeff Colaicovo, a veteran living in my district in South Florida. Jeff received two Purple Hearts for his courageous service during the Vietnam War. He sacrificed for his country, and unbelievably, our claims system failed him.

Until his case was brought to my office's attention earlier this year, Jeff had made little progress towards receiving the benefits he has earned. In fact, he and his wife spent over two years struggling with bills that his benefits should have helped cover. Finally, after reaching out to my office, Jeff began receiving his far-overdue benefits in June. Jeff, along with all of our nation's veterans, deserves better.

Thankfully, today, we took an important step towards helping our veterans by passing H.R. 2189.

Part of the reason veterans often wait so long for their benefits decisions is that the average number of conditions afflicting our veterans has grown significantly. This was true for Jeff whose conditions include PTSD, loss of hearing, irregular heartbeat, and severe back problems. In fact, our service members currently returning home from Iraq and Afghanistan submit an average of 8.5 separate conditions, whereas WWII veterans typically submitted less than three.

Under the current system, each medical condition is individually adjudicated and the veteran only begins receiving benefits once the entire claim has been processed.

H.R. 2189 will address this issue by requiring the Veterans Administration to pay benefits as each element of a veteran's claim is reviewed, rather than when the entire package has been processed. This would allow veterans to begin receiving benefits checks much sooner.

While much more still needs to be done, this is an important step to help repair a broken system.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. GRAVES of Missouri. Mr. Speaker, on Monday, October 28, I missed a series of rollcall votes. Had I been present, I would have voted "yea" on Nos. 561 and 562.

IN RECOGNITION OF THE RETIREMENT OF THE HONORABLE JUDGE JOHN D. ALLEN

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal congratulations and best wishes to a great friend and servant of humankind, Judge John D. Allen, Chief Judge of the Chattahoochee Circuit of the Third Superior Court District of Georgia. Judge Allen will be recognized by the Columbus Bar Association for his distinguished service on Tuesday, October 29, 2013, at the Columbus Convention and Trade Center in Columbus, Georgia. He will be retiring on Thursday, October 31, 2013.

Judge Allen was born on January 17, 1943 in segregated Columbus, Georgia. It seemed like all the odds were against him of one day becoming a Superior Court Judge. Despite the lack of black role models in the law as he was growing up, Judge Allen kept education as his main priority. He graduated from Tuskegee University in 1966 with a Bachelor's degree in Mechanical Engineering.

A distinguished cadet in the ROTC, Judge Allen was commissioned into the Air Force in 1966 as a 2nd Lieutenant Pilot. He completed Advanced Survival Training in 1967, and he was promoted to 1st Lieutenant/Tactical Fighter Pilot in 1968. Upon completion of course, he was assigned to Southeast Asia and flew 167 combat missions while stationed in Thailand. After promotions to Tactical Aircraft Commander, then to Captain, Judge Allen flew another 127 combat missions in Southeast Asia before returning to Tampa, Florida and serving as an academic and flight instructor until his discharge in July of 1973. He left the Air Force as a highly decorated pilot, earning 23 Air Medals, 2 Air Force Commendation Medals, and numerous other awards for his service during the Vietnam War.

In 1975, Judge Allen earned a Juris Doctor from the University of Florida. He was admitted to the Georgia bar in 1976. From 1976 to 1987, he maintained a private law practice in the Columbus area. At that time, Judge Allen and I were two of only four black lawyers in Columbus.

Judge Allen continued to break barriers when he began serving as a Columbus Recorder's Court judge for a year before assuming a position on the State Court for Muscogee County in 1987. In 1993, he was appointed to the position of Chattahoochee Judicial Circuit Superior Court Judge. He has been re-elected repeatedly since his appointment.

Judge Allen's diligent judicial service has also been mirrored by his extensive involvement with the local and state communities. In conjunction with his professional accomplishments in the Air Force and on the bench, Judge Allen has served on a number of boards and commissions, most notably as Chairman of the Judicial Qualifications Commission, and has received many awards and accolades for his service. Judge Allen's contributions to the Columbus area and the state of Georgia have even earned him recognition from the Columbus Ledger-Enquirer as one of "100 People to Remember for the Century."

None of Judge Allen's momentous accomplishments would have been possible without the enduring love and support of his wife Victoria; children John Jr., Geoffrey, and Kevin; and grandchildren John III and Carson.

A true Georgian devoted to serving his great state, Judge Allen embodies Georgia's state motto, "Wisdom, Justice and Moderation." Judge Allen is a man of great integrity who sets a high standard of values that make for a strong foundation of character in himself and in others. On a personal note, I would like to thank Judge Allen for his friendship, advice and counsel over the years. His wisdom and sage advice have contributed immensely to my success. For that I will always be grateful.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the more than 700,000 residents of Georgia's Second Congressional District in honoring Judge John D. Allen for his outstanding professional achievements and dedicated service to his country and to the people of the state of Georgia as he retires from his position as Chief Judge of the Chattahoochee Circuit of the Third Superior Court District of Georgia.

WELCOMING GUEST CHAPLIN JACK HIBBS TO U.S. HOUSE OF REPRESENTATIVES

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. GARY G. MILLER of California. Mr. Speaker, I rise to welcome Pastor Jack Hibbs of Calvary Chapel Chino Hills and thank him for delivering today's opening prayer.

I have known Pastor Hibbs for many years through his teaching of the Lord's message. He is best known for his passion, and great ability to incorporate the Lord's word into our everyday lives.

Each week, thousands come together from all over Southern California to hear his sermons. And his radio broadcast is listened to on five continents.

Pastor Hibbs is the author of "Turnaround at Home," a practical guide to inviting God into your home, and creating positive cycles in marriage and parenting. He and his wife, Lisa, share their own experiences and inspiring stories about understanding how emotional, spiritual and social background factors play into families. And how to make changes for good—starting at home.

I thank Pastor Hibbs for what he's done for my community and sharing his time with us today.

CONGRATULATING SAINT LOUIS DE MONTFORT CATHOLIC SCHOOL, A BLUE RIBBON SCHOOL

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate an outstanding school in my district that is being honored as a 2013 National Blue Ribbon School. It is a pleasure to congratulate Saint Louis de Montfort Catholic School in Fishers, Indiana in celebration of this special occasion.

The National Blue Ribbon designation, given by the U.S. Department of Education, is awarded to both public and private schools across our great nation. Started by President Reagan and given annually since 1982, the award celebrates great American schools that achieve very high learning standards or are making significant improvements in the academic achievements of their students. In my district and across the country, the award recognizes the great educators, students and parents who have worked so hard to ensure Indiana's children reach their full potential and achieve academic success.

For all of these reasons and many more, I am so proud that Saint Louis de Montfort is receiving this prestigious designation. It is a wonderful acknowledgement of the school's commitment to providing young Hoosiers an exceptional education. While 417 schools nationwide may be nominated, only 286 are chosen as a National Blue Ribbon School, making this recognition all the more impressive.

Serving children from junior kindergarten through eighth grade, Saint Louis de Montfort Catholic School provides its students with an outstanding education in both academics and the Catholic faith. It has consistently been graded as an "A" school by the Indiana Department of Education and is a leader in incorporating technology and learning in the classroom, while also engaging its students in daily prayer, religion classes, liturgical celebrations, and service learning projects. As a mother whose children attended Catholic school, I applaud Saint Louis de Montfort for its work to ensure its students engage with the Hoosier community and remain service-oriented.

As a member of the Education and the Workforce Committee, I also want to acknowledge how important it is to our nation's future to encourage and raise a new generation of Americans who have the skills and knowledge to succeed both in and out of the classroom. Students like those at Saint Louis de Montfort give me hope that we will accomplish this vital mission. Their outstanding work is an inspiration to students, educators and parents across the nation. Once again, congratulations to Saint Louis de Montfort. I am very proud of you.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 562 I was unable to be present for the vote on H.R. 2011.

Had I been present, I would have voted "yes."

RECOGNIZING LUCY BILLINGSLEY AS RECIPIENT OF THE 2013 H. NEIL MALLON AWARD

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Lucy Billingsley who received the 2013 H. Neil Mallon Award from the World Affairs Council on Friday, October 25. Mrs. Billingsley is a Dallas native and well-known real estate developer in North Texas.

Past recipients of the H. Neil Mallon Award include Stanley Marcus, Ray Hunt, President George H.W. Bush, Ross Perot, and Trammell Crow. The World Affairs Council was founded by H. Neil Mallon in 1951 in order to educate and involve Americans in global issues.

The only daughter of developer Trammell Crow Sr., Mrs. Billingsley is not only a local real estate mogul but also has a major global impact. Billingsley serves as the International Board Chair of Women for Women, the Chiapas International Founder, a member of the National Geographic Society Council of Advisors, a member of the Council of Foreign Relations, a member of the Tate Board at Southern Methodist University, and on the University of Texas at Dallas Center for Brain Health Advisory Committee.

Before developing Billingsley Company with her husband, Henry, Mrs. Billingsley was the Chief Executive Officer of the Dallas Market Center and the Crow Design Centers across the United States. Billingsley also grew her travel agency, Wyndham Jade, to be the largest privately owned travel agency in the Southwest. The recently re-imagined and acclaimed Dallas Arts District was just one brain child of Billingsley's many.

Lucy Billingsley has served as an inspiration not only to women of Dallas, but also nationally and internationally. Her humanitarian efforts to promote business and diplomatic relations across the globe will not go unnoticed. Mrs. Billingsley is a personal friend and I applaud her efforts in Dallas and globally.

RECOGNIZING DETECTIVE STEVE LAIR FOR RECEIVING THE PARTNERSHIP FOR PUBLIC SAFETY AWARD

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of Detective Steve Lair of Carrollton, Texas and his earning of the Partnership for Public Safety award for going above and beyond his normal duties as a Carrollton police officer in his work with an Immigrations and Customs Enforcement Task Force involved in the statewide, multi-agency investigation and prosecution of members of the Aryan Brotherhood of Texas.

The Partnership for Public Safety Award is given to an officer on a local level which proves critical in the joint actions with Immigrations and Customs Enforcement. Detective Lair was selected from among hundreds of other applicants throughout the nation, where his credentials withstood the rigorous process of approval. The citizens of North Texas are certainly safer due to his actions, and he is a perfect example of how all members of Operation Community Shield Gang Task Force should operate.

In August 2011, Detective Lair was asked to participate in an ongoing investigation of the Aryan Brotherhood of Texas as well as organize Dallas-Fort Worth area law enforcement in an effort to disrupt and dismantle the powerful race-based criminal prison street gang in North Texas. As a direct result of the actions of the law enforcement agencies Detective Lair organized, three Aryan Brotherhood of Texas members have been indicted, one of which has pleaded guilty. The overall case currently has 36 defendants who have been indicted on racketeering charges. Detective Lair has been instrumental in coordinating the flow of information between agency partners and the Special Prosecutor from the Department of Justice Organized Crime and Gang Section. Additionally, he has been essential in the development of confidential sources, providing information on numerous short term investigations of both federal and state violations.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the work of Detective Steve Lair and congratulating him on this prestigious award.

IN REMEMBRANCE OF THE AMERICAN JAZZ VOCALIST GLORIA LYNNE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. RANGEL. Mr. Speaker, today I rise to honor the passing of one of Harlem's most talented musicians, and a dear friend of mine, the late Gloria Lynne. As I speak with grief of such an overwhelming loss, I join my community in rejoicing a life well-lived and to celebrate the accomplishments of a remarkable woman. At 83, Gloria remained a golden child of Harlem, and with an incredible soul touching the lives of everyone who met her. Her passing on October 15th, 2013 at Columbus Hospital in Newark, N.J., brought immense sorrow to the countless fans of and individuals associated with the R&B, jazz, and pop genres.

Gloria Lynne was born in Harlem on November 23, 1929. Throughout her lengthy career, which spanned more than five decades, her signature resonant contralto could be recognized on more than 25 albums. During her extraordinary life, Gloria Lynne brought great pride to her beloved neighborhood by releasing such hits as her English rendition of "I Wish You Love" and receiving a multitude of awards, including the Outstanding Achievement in Jazz at the New York MAC awards, International Women of Jazz Award and having the City of New York proclaim July 25, 1995 as "Gloria Lynne Day."

Gloria displayed immense talent and love for her community, participating in her local church choir and winning first prize at the "Amateur Night" at the Apollo at 15. As she grew famous she never forgot her hometown, despite sharing the stage with many renowned names, including artists such as Quincy Jones, Ray Charles and Ella Fitzgerald.

Gloria will be long remembered for her extraordinary voice, charisma, discipline, spirit, and clear purpose which won the admiration of all who were privileged to come to know and work with her during her distinguished career in and around music. I consider myself fortunate to have had the opportunity to enjoy her music and observe her example as a personal inspiration.

But most of all Gloria Lynne was a loving mother and sister, and is survived by her son P.J. Allen and her brother John Wilson who now inherit the solemn pride of having known Ms. Lynne so closely.

Mr. Speaker, rather than mourn her passing, I hope that my colleagues will join me in celebrating the life of my friend Gloria Lynne by remembering that she exemplified greatness in every way.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 561 I was unable to be present for the vote on H.R. 2189. Had I been present, I would have voted "yes."

CONGRATULATING THE NORTHERN VIRGINIA BLACK CHAMBER OF COMMERCE, INC., AND THE GLOBAL BUSINESS NETWORK ASSOCIATION

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. MORAN. Mr. Speaker, I rise today to congratulate the Northern Virginia Black Chamber of Commerce, Inc. (NVBCC) and the Global Business Network Association (GBNA) on five years of dedicated achievement, and to recognize the Celebration Gala and Awards Dinner being held to commemorate this auspicious occasion.

This year not only marks a milestone for both organizations, it signals the emergence of an improving economy five years after the economic strife that impacted the globe. The Celebration Gala and Awards Dinner will honor the achievements of business leaders and young scholars in our region who are significantly contributing to a more robust economy and vibrant business community.

The NVBCC is creating opportunities for businesses and entrepreneurs to build networks, obtain practical professional development, and gain the skills to strategically grow companies. The Chamber delivers products and services designed to maximize investment, including networking events, seminars, and resources, connecting members, companies, fellow entrepreneurs, public and private leaders who can help advance businesses

and inform on the economic, legal, policy, social, cultural and other factors that impact black-owned businesses.

GBNA is a regional network of business and nonprofit leaders that represents all industry sectors. Founded in 2007, GBNA's membership consists of start-up and experienced entrepreneurs and businesses. GBNA has assisted the local business community by working to bring the issues and concerns of small businesses to the forefront to the national economic agenda.

Mr. Speaker, we applaud the work of these two venerable institutions in Northern Virginia, and send our best wishes for a successful celebration dinner.

CONGRATULATING SAINT MARIA GORETTI SCHOOL, A BLUE RIBBON SCHOOL

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate an outstanding school in my district that is being honored as a 2013 National Blue Ribbon School. It is a pleasure to congratulate Saint Maria Goretti School in Westfield, Indiana in celebration of this special occasion.

The National Blue Ribbon designation, given by the U.S. Department of Education, is awarded to both public and private schools across our great nation. Started by President Reagan and given annually since 1982, the award celebrates great American schools that achieve very high learning standards or are making significant improvements in the academic achievements of their students. In my district and across the country, the award recognizes the great educators, students and parents who have worked so hard to ensure Indiana's children reach their full potential and achieve academic success.

For all of these reasons and many more, I am so proud that Saint Maria Goretti School is receiving this prestigious designation. It is a wonderful acknowledgement of the school's commitment to providing young Hoosiers an exceptional education. While 417 schools nationwide may be nominated, only 286 are chosen as a National Blue Ribbon School, making this recognition all the more impressive.

Since opening in 1996, Saint Maria Goretti School has consistently provided its students with an outstanding education in both academics and the Catholic faith and currently serves 460 students in grades K–8. The school starts each day with a prayer that provides guiding principles for its students. As a mother whose children attended Catholic school, I applaud Saint Maria Goretti for its work to develop each child in mind, body, and spirit.

As a member of the Education and the Workforce Committee, I also want to acknowledge how important it is to our nation's future to encourage and raise a new generation of Americans who have the skills and knowledge to succeed both in and out of the classroom. Students like those at Saint Maria Goretti School give me hope that we will accomplish this vital mission. Their outstanding work is an inspiration to students, educators and parents across the nation. Once again, congratulations to Saint Maria Goretti School. I am very proud of you.

RECOGNIZING THE 10TH ANNIVERSARY OF LINDENWOOD UNIVERSITY-BELLEVILLE

HON. WILLIAM L. ENYART

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. ENYART. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 10th Anniversary of Lindenwood University-Belleville.

While Lindenwood University-Belleville, at 10 years old, is a relative newcomer for institutions of higher learning, it is part of Lindenwood University which has a long history in the Midwest. Founded in 1827 in St. Charles, Missouri, Lindenwood University is the second oldest college west of the Mississippi River.

As a four-year liberal arts university with a rich tradition in the St. Louis metropolitan area, the administration of Lindenwood University began talks with city leaders in Belleville, Illinois around 2001, looking to expand the university to the east side of the Mississippi River. The Belleville High School District had recently moved the location of the Belleville West High School to another location, leaving an existing facility ready for use. Talks proved fruitful and Lindenwood University acquired the 22 acre tract of land for its Belleville campus in November of 2003.

The first classes for LU-Belleville were held in the Spring Quarter of 2004 for an incoming class of 52 students. Initially only offering evening classes, the first programs were a Master of Arts in Education and Education Administration.

Today, LU-Belleville has over 1,000 full-time students enrolled in a wide range of academic programs with hundreds more in graduate, continuing education and specialized programs. In its first decade, LU-Belleville has grown into a strong and vibrant institution that contributes much to the richness of Belleville and to the higher education choices of Southern Illinois.

This past spring, I had the high honor of addressing graduates at LU-Belleville's first commencement exercises. I quoted Lindenwood University's mission statement to provide programs "leading to the development of the whole person-an educated, responsible citizen of a global community." In its first decade, LU-Belleville has done just that.

Mr. Speaker, I ask my colleagues to join me in congratulating the administration, faculty, staff and student body of Lindenwood University-Belleville on the occasion of their 10th Anniversary and wishing them continued success for many more years to come.

RECOGNITION OF DOMESTIC VIOLENCE AWARENESS MONTH

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of Domestic Violence Awareness Month. During each October since 1981, we mourn those who have died due to domestic violence, celebrate those who have survived, and connect those who work to end violence.

Many of us know someone who has suffered from domestic violence. Whether you are a sibling, parent, or friend, your support is necessary. Each day, three women die as a result of domestic violence. Your support could turn a battered woman into a survivor.

Domestic violence not only affects more than 12 million people each year, but one in four women have been a victim of physical violence by a partner. The Violence Against Women Act (VAWA) is a helpful tool to combat violence, but the fight against domestic violence must continue. VAWA improved the criminal justice response to violence against women and the reauthorization this year extends protection to native women, lesbian, gay, bisexual, and transgender individuals.

Though policies are put in place to end domestic violence and to support women who are survivors, it is essential that we also provide critical resources to save lives and prevent future domestic crimes. When women are silent, domestic violence thrives. But when women speak out, domestic violence can end. I urge my colleagues to support programs and shelters nationwide that provide safety for the many survivors each day.

HONORING CHARLES L. BLOCKSON

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor the scholarship and dedication of historian Charles L. Blockson, upon the occasion of the publication of his latest book—The President's House Revisited Behind The Scenes: The Samuel Fraunces Story. For most of his life Mr. Blockson has collected and preserved African and African American historical tomes, art and artifacts. In 2001 I was privileged to have sponsored an appropriation to fund the digitalization of the Collection.

Housed at Temple University, the Collection is one of the nation's leading research facilities for the study of the history and culture of Africans of the Diaspora with special emphasis on the lives and experiences of African Americans in Philadelphia and the surrounding Delaware Valley.

I am proud to know this much esteemed and dedicated man who has provided us with a window into the lives of the African and African Americans who too often have been written out of history. I salute Charles L. Blockson, a distinguished scholar.

HONORING BENAVIDEZ-PATTERSON "ALL AIRBORNE" CHAPTER, 82ND AIRBORNE DIVISION ASSOCIATION

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. O'ROURKE. Mr. Speaker, I am honored to recognize the Benavidez-Patterson "All Airborne" Chapter of the 82nd Airborne Division,

a distinguished Veterans Service Organizational in El Paso, Texas.

The Benavidez-Patterson ''All-Airborne'' Chapter is comprised of current and former military paratroopers. The unit develops new relationships and cultivates existing bonds among those who have served in the Airborne; honors the memory of troopers who died in service; and informs its members of legislative changes and policy ideas relevant to veterans.

With 250 members, the Benavidez-Patterson Chapter is the largest ''All-Airborne'' chapter in Texas and has included representation from virtually every Airborne unit since World War II. It is comprised of national heroes. Members have included veteran paratroopers who had combat assignments in Africa, Sicily, Italy, France, The Netherlands, Belgium, Germany, Korea, the Dominican Republic, Vietnam, Grenada, Panama, Iraq and Afghanistan, along with others currently deployed in the Middle East. Members have included one of the original Darby's Rangers and a Pathfinder on D-Day. Others were involved in ''Operation: Overlord'' into Normandy, France, on D-Day; ''Operation: Market Garden'' in Holland; and the ''Battle of the Bulge.''

Chartered in August 1985, the Benavidez-Patterson ''All-Airborne'' Chapter is named in honor of the late MSG Roy P. Benavidez and CSM Robert Patterson (Ret.), both recipients of the Medal of Honor. The Chapter was further honored through the membership of Medal of Honor recipients COL. Joseph Rodriguez (Deceased) of El Paso and LTC (Ret.) Alfred Rascon. Other distinguished members have included MG Howard Bromberg; BG Shuffer, a statesman, author and paratrooper; in addition to LTG Lionetti, MG Lennox, MG Cravens, MG Infante, MG Little, MG Oblinger and MG Michael G. Vane.

I thank the Benavidez-Patterson ''All-Airborne'' Chapter for their commitment to honoring our veterans and for helping to strengthen the bonds among service members and veterans in the El Paso community.

HONORING LAUREN HALLSTROM

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. GARDNER. Mr. Speaker, I rise today to honor Lauren Hallstrom from Douglas County, Colorado. Last November, sixteen-year-old Lauren participated in Douglas County Libraries' National Novel Writing Month (NaNoWriMo) and authored an entire novel in only 30 days.

Miss Hallstrom's novel, Dreamweaver, tells the tale of a girl named Audrey in a place called Fortune. The novel follows Audrey's efforts to rid her town of bad luck after an unlucky penny wreaks havoc on Fortune and its citizens. This intriguing story and Lauren's outstanding efforts were recognized when Dreamweaver was announced the winner of the Douglas County Libraries' novel-writing contest last February.

As part of Lauren's prize, Douglas County Libraries provided editing and cover design services for Dreamweaver, and it is now possible to find Lauren's book on both Bookcrafters.net and Amazon.com. Such literary success is truly remarkable for a sixteen-year-old.

I am extremely honored to represent this talented young woman. Please join me in congratulating Lauren on the publication of her first novel. I hope we continue to see many more from her in the future.

SUPPORT OF A WOMAN'S RIGHT TO CHOOSE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of the recent determination by a federal judge that new Texas abortion restrictions directly violate the U.S. Constitution. When Governor Rick Perry signed into law Texas H.B. 2, a smattering of new limitations on access to abortion, he threatened to take away a woman's right to choose.

The Texas law would ban abortions 20 weeks after fertilization, mandate that abortion providers have admitting privileges at a hospital within 30 miles of the facility, and requires doctors to administer the abortion-inducing medication in person rather than at home. These provisions would cause dozens of abortion clinics to shutter their doors, restricting access to women.

District Judge Lee Yeakel struck down the regulation that would require doctors to have admitting privileges at nearby hospitals, a notion that creates an undue obstacle for women seeking an abortion. Yeakel also blocked the provision that would require physicians to follow U.S. Food and Drug Administration procedure for abortion medication because a physician can ultimately determine what route of medication is best for the preservation of the life or health of the mother.

Unfortunately, the law still bans abortions at 20 weeks of pregnancy and requires all physicians to perform abortions in surgical facilities. Restricting care for women is unconscionable. Currently, a woman's access to abortion depends mostly on her zip code. While the U.S. Constitution federally protects women, states with anti-abortion leaders impose restrictive laws. These state laws cannot stand up to the U.S. Constitution.

I urge my colleagues to support a woman's right to choose, a law that was established in 1973 with the decision made in Roe v. Wade. I am proud to stand as a pro-choice legislator and vow to protect fair access to abortions in my state.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 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 $17,081,509,219,288.50. We've added $6,454,632,170,375.42 to our debt in 4 years. This is $6.4 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING SERGEANT PAUL CAVALLARO

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. MARINO. Mr. Speaker, I rise today in honor of Sergeant Paul Cavallaro of the Pennsylvania State Police.

Sergeant Cavallaro has been serving the citizens of Pennsylvania as a State Trooper since 1992. He has served in numerous patrol and crime units in stations throughout the Commonwealth. He has held numerous roles within the State Police such as: Alternate Identification Unit Officer, Alternate CIA officer, Patrol Unit Supervisor, Criminal Investigation Unit Supervisor, Patrol Section Supervisor, and his most recent title as Station Commander.

Sergeant Cavallaro has received letters of commendation in 2002 and 2008, and received a nomination for the International Association of Chiefs of Police Trooper of the Year Award in 2003. Additionally, he has also received letters of appreciation from the Pike County District Attorney's Office and the Monmouth & Ocean County Intelligence Bureau.

As a member of the Pennsylvania State Police, Sergeant Cavallaro has obtained training in wiretap, street gangs, domestic violence, hate crimes, advanced crime scene investigation, terrorism awareness, FBI post blast investigations, interview and interrogation, advanced hidden compartments and has received special deputation as a United States Marshall.

Along with his duties as Station Commander, Sergeant Cavallaro is a bugler for the Pennsylvania State Police Ceremonial Unit, negotiator with the Special Emergency Response Team and he sponsors the annual Troop R Cadet Golf Tournament. In his spare time he coaches youth baseball, hockey, football and soccer.

Mr. Speaker, Sergeant Cavallaro has devoted his life to serving his community and others; it is with great pride that I honor him today.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Monday, October 28, 2013. I had family obligations that kept me in Wisconsin. Had I been present, I would have voted in favor of H.R. 2189 (rollcall No. 561) and in favor of H.R. 2011 (rollcall No. 562).

CONGRATULATING CREEKSIDE MIDDLE SCHOOL, A BLUE RIBBON SCHOOL

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate an outstanding school in my district that is being honored as a 2013 National Blue Ribbon School. It is a pleasure to congratulate Creekside Middle School in Carmel, Indiana in celebration of this special occasion.

The National Blue Ribbon designation, given by the U.S. Department of Education, is awarded to both public and private schools across our great nation. Started by President Reagan and given annually since 1982, the award celebrates great American schools that achieve very high learning standards or are making significant improvements in the academic achievements of their students. In my district and across the country, the award recognizes the great educators, students and parents who have worked so hard to ensure Indiana's children reach their full potential and achieve academic success.

For all of these reasons and many more, I am so proud that Creekside is receiving this prestigious designation. It is a wonderful acknowledgement of the school's commitment to providing young Hoosiers an exceptional education. While 417 schools nationwide may be nominated, only 286 are chosen as a National Blue Ribbon School, making this recognition all the more impressive.

Since opening ten years ago, Creekside has grown tremendously and now serves nearly 1,500 students. Creekside has also consistently placed as one of Indiana's top middle schools. I applaud its administrators and teachers for their focus on rigorous and relevant curriculum that will help students succeed in their future endeavors.

As a member of the Education and the Workforce Committee, I also want to acknowledge how important it is to our nation's future to encourage and raise a new generation of Americans who have the skills and knowledge to succeed both in and out of the classroom. Students like those at Creekside give me hope that we will accomplish this vital mission. Their outstanding work is an inspiration to students, educators and parents across the nation. Once again, congratulations to Creekside. I am very proud of you.

RECOGNIZING DR. CATALINA GARCIA

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Dr. Catalina Garcia, an accomplished anesthesiologist from El Paso, Texas, and one of the first Mexican-Americans to graduate from the UT Southwestern Medical School. Dr. Garcia is being honored as a "Latina Living Legend" by the DFW Hispanic 100, a local service organization that enables Hispanic women to participate in social issues.

Dr. Garcia was inspired early in her youth to pursue a career in medicine. From a family of doctors, dentists, and pharmacists, Dr. Garcia grew up with the value of helping others embedded in her psyche. Today, Dr. Garcia blazed her own path as a prominent community leader.

In addition to her accomplishments in medicine, Dr. Garcia spearheaded a number of philanthropic endeavors. She is a founding member of the Dallas Women's Foundation, an organization that promotes women's issues through education, and dedicates much of her time to teach English to immigrant women.

Mr. Speaker, Dr. Garcia deserves great recognition for her efforts to empower members of our community. Dr. Garcia demonstrated tremendous resolve in bringing community-oriented services to Texas, and I am proud to recognize her many accomplishments.

ESTABLISHING COMMISSION OR TASK FORCE TO EVALUATE THE BACKLOG OF DISABILITY CLAIMS

SPEECH OF

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 28, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to celebrate the passage of H.R. 2189, a bipartisan bill that among many things will finally recognize the valiant service of Merchant Mariners that operated domestically during World War II. It has been my honor for the past three Congresses to introduce legislation that would recognize these brave Americans and correct an injustice that has remained for over 70 years.

The Merchant Marine were private citizens employed by freight shipping companies. In an effort to support the American war effort during World War II, those same freight shipping companies and their employees became an auxiliary to the United States Navy. Their mission was to transport bulk war materials including food, clothing, weapons, and even troops to all areas of conflict and coastal installations here at home.

During the World War II war effort, many of these mariners were tasked with the critically important role of transporting materials along the U.S. coast using tugboats and barges. Although these mariners did not sail across the Atlantic or Pacific Oceans into areas of conflict, they still encountered the enemy while delivering cargo that kept the war effort moving forward. One tugboat, the *Menomonee,* operating just off the coast of Virginia on March 31st, 1942, was sunk by German U-Boat 754 tragically killing several members of the crew.

This tragic story has been the impetus for the legislation I have introduced in the past three Congresses to finally honor this small group of unsung heroes. In fact, a North Carolinian, Don Horton, whose brother William Lee Horton, Jr. was on that tugboat and lost his life aboard the ship that rescued him from the ocean and debris, has been the driving force behind this legislative effort. William Lee Horton, Jr., was 17 at the time of his death while bravely serving his country. Many members of Don Horton's family served on these tugboats and barges during World War II in support of the war effort. Don Horton has become the foremost expert on this forgotten segment of the World War II Merchant Marine, and has worked tirelessly to see mariners like his brother gain the recognition as veterans that they rightly deserve and earned through service to their country.

The ranks of these coastwise tugboats and barges were not solely operated by men, but also women, as in the case of the Horton family. Don Horton's mother and sister, along with many other women, served alongside their male counterparts, but were never issued formal documentation for their service aboard these vessels because of an order by the War Shipping Administration. Many male Merchant Mariners that operated domestically were also never issued formal documentation or the documentation that was issued is extremely hard to find today because many of these documents were ordered destroyed by the U.S. Government.

Currently, a certificate of shipping and discharge forms, continuous deck or engine logbooks, and shipping company records that indicate the vessel names and dates of voyages are the only documents that are considered acceptable to determine an individual's service in the Merchant Marine. In fact, by order of the Coast Guard Commandant, captains of tugboats and seagoing barges were relieved of the responsibility of submitting reports of seamen shipped or discharged. The deck or engine logbooks were turned over to the War Shipping Administration and were ordered destroyed because they were too "voluminous to maintain, costly to keep, and rarely used for research." Shipping company records that indicate the vessel names and dates of voyages likely never existed because written communication relating to the movement of supplies and troops was strictly forbidden by U.S. military commanders.

After 70 long years, the passage of H.R. 2189 finally offers these mariners a chance to receive the recognition they deserve. H.R. 2189 expands the acceptable forms of documentation used to determine eligible service in the Merchant Marine. The bill allows Social Security Administration records, validated testimony by the applicant or closest living relative, and other official records that provide sufficient proof of service.

Mr. Speaker, estimates show that there are fewer than 2,000 of these mariners surviving today. It's time to finally recognize these mariners for their service to our country. I want to thank my colleagues in the House for supporting these brave men and women that served in the Merchant Marine during World War II, and I implore my colleagues in the Senate to consider this legislation as quickly as possible and support its passage.

HONORING THE REV. THOMAS E. GILMORE

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize and celebrate the extraordinary contributions of Rev. Thomas E. Gilmore, a Civil Rights icon and Alabama

treasure who was the first black sheriff elected to serve in Greene County, Alabama. Recently, the courthouse square in Greene County was named in honor of this American hero and I am honored to join with my home State in saluting the numerous contributions of this American hero.

Rev. Gilmore was born on May 1, 1941 in Forkland, Alabama to Beatrice O'Neal and a loving grandmother, Clara Gilmore. Throughout his lifetime, Rev. Gilmore has often credited his journey of greatness to the unyielding love of both of these extraordinary women. Today, he reflects on the passion, wisdom and courage they instilled in him that served as cornerstones for his desire to make a difference.

Gilmore attended Greene County public schools and later enrolled in Selma University in 1959. Shortly after, he married his childhood sweetheart, the late Minnie Gilmore, whom Rev. Gilmore also credited for being a source of great strength throughout their 35–year partnership. The young couple left Alabama briefly for a move to Los Angeles, but the native son made the decision to return home in 1963.

Gilmore returned home to an Alabama that was plagued by the perils of racism and injustice. And one evening, as Gilmore was headed to a local gas station to purchase milk for his young son, he fell victim to a painful reminder of the racial turbulence in Greene County. As he drove, Gilmore unknowingly ran into a puddle of water and splashed a white state trooper. Assuming that Gilmore was a civil rights worker, the trooper retaliated by pushing Gilmore against a gas pump and forcing him to wash his car. At that moment, the young minister was led to make a difference and he was inspired to find ways to end police brutality.

Gilmore became active in the local civil rights movement and mass meetings and was later recruited by the Rev. James Orange to work for Dr. Martin Luther King Jr. and the Southern Christian Leadership Conference. Under Dr. King's leadership, Gilmore helped to organize and lead voter registration drives.

The impetus for Gilmore's run for sheriff stems from his efforts in attempting to file a complaint against a local officer that assaulted a young black woman. During his attempt, the Greene County Sheriff savagely beat Gilmore in the district attorney's office. Shortly after the incident, Gilmore and other local civil rights leaders constructed the idea that he should run for sheriff to combat the violence that was brewing in Greene County, Selma and surrounding areas.

At the age of 24, this young warrior launched his first campaign for sheriff in 1966. Today, he describes his candidacy as ''unheard of.'' While he was unsuccessful on his first attempt, he was elected four years later. He served as Sheriff of Greene County from 1971–1983. When asked what it was like to be a trailblazer, this humble servant simply replied ''I thought about being the best sheriff I could be . . . I thought about walking tall.''

During his influential tenure, Gilmore became known as ''The Sheriff Without A Gun.'' Led by the nonviolent teachings he learned during his time as a civil rights activist, Gilmore endeavored to govern through the use of non-violence. Gilmore retired as Sheriff in 1983 and relocated to Birmingham to serve as Pastor of First Baptist Church in Ensley, AL. Today Rev. Gilmore remains a dedicated Pastor, leader, and servant.

Rev. Gilmore's many accomplishments are an inspiration to us all. He is truly an Alabama treasure and an American hero worthy of recognition. On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in honoring the life and legacy Rev. Thomas E. Gilmore.

PERSONAL EXPLANATION

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. OWENS. Mr. Speaker, yesterday, I had to tend to a personal matter in Plattsburgh, NY. Consequently, I was not able to return to Washington, D.C. in time to vote on H.R. 2189, a Bill to Improve the Processing of Disability Claims by the Department of Veterans Affairs (rollcall No. 561) and H.R. 2011, the Veterans' Advisory Committee on Education Improvement Act (rollcall No. 562). As a veteran and representative of thousands of other veterans, making sure the men and women who served our Nation have access to the care they deserve is one of my top priorities. Had I been present to vote, I would have voted ''yea'' for both bills.

HONORING PROFESSOR TERENCE J. ANDERSON ON THE OCCASION OF HIS RETIREMENT AS PROFESSOR OF LAW EMERITUS AT THE UNIVERSITY OF MIAMI SCHOOL OF LAW

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor my good friend, Professor Terence J. Anderson on the occasion of his retirement as Professor of Law Emeritus at the University of Miami School of Law. Professor Anderson is not only one of the most revered and respected law professors in the United States, but his legal jurisprudence far exceeds the boundaries of this nation, as his students and his influence span the globe.

Professor Anderson is an intellectual giant in the law and over the course of his career has demonstrated acute success as a practicing lawyer, an international courts commissioner, and an academic dean. His knowledge of constitutional law is renown, and he has become not only a trusted advisor to me throughout my legal career, but a good friend, too.

Since he joined the Law School faculty at the University of Miami in 1976 as a prized professorial recruit of the late Soia Mentschikoff, then-Dean of the Law School, Professor Anderson has been an indelible influence on virtually every aspect of law student and faculty life. Upon graduating from the University of Chicago Law School in 1964, he served for two years as a regional courts commissioner in Malawi, Africa as a member of the Peace Corps, practiced commercial and corporate transactional law for seven years in Chicago, and taught law and served as academic dean at the cutting-edge Antioch School of Law in Washington, DC.

As a law professor, he has been instrumental in helping students develop the analytical and critical thinking skills needed to successfully provide valued legal representation. Known for his demanding pursuit of perfection, Prof. Anderson's first-year elements course and upper-class evidence class were legendary for their reputation as both impossible to master yet required for those desiring to become formidable advocates. Having perfected Henry Wigmore's chart method of constructing arguments about questions of fact in complex cases, using boxes, circles and arrows, Prof. Anderson mystified the uninitiated but brought enlightenment and depth to the truly dedicated.

Professor Anderson's long-time collaboration with Professor William Twining in Great Britain and the United States redefined the law of evidence, culminating in a 27–year adventure with the publication of the critically acclaimed Analysis of Evidence. The analytical structure that Prof Anderson developed is not confined to legal jurisprudence, as he and Prof. Twining are now applying their principles to such varied domains as archeology and the applied sciences.

His meticulous attention to detail and perfection has produced a body of work that stands the test of time. His quick-thinking, crisp and clear arguments, and quick-fire repartee has been known to both amaze and confuse, all for the purpose of striking at the core of even the most intractable problems. His students remain passionate, as he is, about evidence, argumentation, and advocacy.

Professor Anderson knows no distinction between legal theory and practice, following in the footsteps of the great legal thinker Karl Llewellyn and his mentor Soia Mentschikoff, both of whom rejected any sharp divide between the two. His skills were much in demand when, during his 1994–1995 fellowship at the Netherlands Institute for Advanced Studies in Wassenaar, he lectured extensively on the American criminal process as the world focused on the unfolding O.J. Simpson trial. During that period, Professor Anderson developed an ''audit model'' that critically analyzed and explained how the Dutch system of criminal procedure was different from but no less as effective as the American adversarial system.

Through nearly 50 years as a gifted lawyer, advocate, professor, public servant, community conscience, international observer, family man, and legend, Terry Anderson has been a gift to the law and the legions of lawyers who owe their skills and successes to him. In ways both monumental and profound, Terry Anderson has changed for the better the course of the law and legal education in the United States and beyond. He truly represents the best of the American legal system.

Mr. Speaker, on the occasion of his Celebration of A Life of the Law at the University of Miami School of Law on November 7, 2013, I am proud to recognize his outstanding legacy that will remain for all time an important component of the history of the United States of America.

HURRICAN SANDY: ONE YEAR LATER

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. PASCRELL. Mr. Speaker, I rise as we recognize the anniversary of Hurricane Sandy, which made landfall in New Jersey one year ago today.

By now, we all know that Sandy was a storm of epic proportions. In New Jersey, 357,000 homes were damaged or destroyed, and 2.7 million households were left without power—some for weeks.

We pause to remember the over 3 dozen New Jerseyans tragically killed by the storm. It is only thanks to the heroic efforts of our first responders that many more were saved from the rising waters.

As media coverage focused on the destruction to shore communities, inland towns along the Hackensack River in Northern New Jersey were also being inundated by floodwaters

The towns of Little Ferry and Moonachie in Bergen County were particularly hard hit. About 90 percent of the homes there were damaged or destroyed.

Over $19.6 million in Individual Assistance from FEMA has been awarded in my district, including $9.3 million in Little Ferry and $6.2 million in Moonachie—two working class towns with a combined population of just over 13,000.

We have come far over the past year, but we still have a long way to go moving forward.

Moonachie's Borough Hall, which houses the municipal government and public safety department, is still operating out of temporary trailers.

In Little Ferry, many homeowners were only recently informed that after spending thousands on repairs, the extent of the damage was severe enough that their homes would have to be elevated—weeks after grant programs to help fund the elevations had closed their applications.

Unfortunately, the State of New Jersey has been slow to spend its initial allocation of HUD funding provided under the Sandy supplemental appropriations legislation. According to some estimates, just 25 percent of the funding allocated for housing programs has gone out the door to those in need.

With the next round of Community Development Block Grant—Disaster Recovery funding on the way for the regions impacted, I will be fighting to ensure that these critical aid dollars go towards addressing our outstanding needs and priorities quickly and efficiently.

Sandy taught us how utterly vulnerable we are when disaster strikes—a lesson we cannot soon forget.

As we continue to rebuild for the long term, we need to focus on finding solutions which will make our communities more resilient to better protect us from future storms.

We must also work towards reducing our carbon emissions in order to slow the warming of our climate, which is driving stronger storms, sea level rise, and more severe weather.

As we move into the second year of our recovery efforts, I urge my colleagues to stay firm in their resolve to support us in the work we still have ahead of us.

RECOGNIZING NATIONAL WORK AND FAMILY MONTH

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 29, 2013

Mr. GRAYSON. Mr. Speaker, I rise today in honor of National Work and Family Month. As a father of five, I understand the constant struggle faced by American families to balance their work and family life. Policies that promote work-life balance can, and have, helped to create healthier, more flexible work environments.

Today's families are increasingly likely to include two working parents. In addition to caring for children, a number of working-age adults face other demands on their time such as caring for an aging parent. To meet the needs of a modern workforce, many companies have created work-life programs to assist employees in balancing their jobs with their personal commitments.

Studies show that both employees and employers benefit from work-life flexibility programs. Benefits from such programs include increased productivity, recruitment, retention, and employee satisfaction. Work-life initiatives lead to better business, higher employee morale, and healthier families.

In today's economy, public and private employers, including our government, are finding it is not only necessary, but beneficial to support work-life balance. With this in mind, I have introduced the 'Paid Vacation Act' (H.R. 2096) to provide workers one week of paid leave annually under the Fair Labor Standards Act (FLSA). My bill would provide much needed time off to the one in four Americans, working in the private sector, who do not receive any paid vacation.

Today's employees work longer and harder than ever before. I strongly support policies, like paid vacation leave and sick leave, that allow workers to spend more time with their families, improve their mental and physical health, and ultimately be more productive. We in Congress must take National Work and Family Month as an opportunity to consider how to better promote work-life programs and policies that will benefit working families.

This October, in honor of National Work and Family Month, I encourage my colleagues to acknowledge the positive impacts of a healthy work-life balance on family life and the workforce.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7583–S7635

Measures Introduced: Seventeen bills and one resolution were introduced, as follows: S. 1594–1610, and S. Res. 276. **Pages S7615–16**

Measures Passed:

National Bison Day: Committee on the Judiciary was discharged from further consideration of S. Res. 254, designating November 2, 2013, as "National Bison Day", and the resolution was then agreed to. **Page S7634**

National Work and Family Month: Senate agreed to S. Res. 276, designating October 2013 as "National Work and Family Month". **Page S7634**

Measures Considered:

Debt Limit Authority: Senate began consideration of the motion to proceed to consideration of S.J. Res. 26, relating to the disapproval of the President's exercise of authority to suspend the debt limit, as submitted under section 1002(b) of the Continuing Appropriations Act, 2014 on October 17, 2013. **Pages S7585–95, S7595**

During consideration of this measure today, Senate also took the following action:

By 45 yeas to 54 nays (Vote No. 220), Senate rejected the motion to proceed to consideration of the joint resolution. **Page S7595**

Nominations Confirmed: Senate confirmed the following nominations:

By 55 yeas to 44 nays (Vote No. EX. 222), Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board for a term of four years. **Pages S7595–S7608, S7635**

During consideration of this nomination today, Senate also took the following action:

By 62 yeas to 37 nays (Vote No. 221), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination. **Page S7596**

Thomas Edgar Wheeler, of the District of Columbia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2013.

Michael P. O'Rielly, of New York, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2014. **Pages S7634, S7635**

Messages from the House: **Page S7615**

Measures Referred: **Page S7615**

Measures Placed on the Calendar: **Page S7615**

Additional Cosponsors: **Pages S7616–18**

Statements on Introduced Bills/Resolutions: **Pages S7618–34**

Additional Statements: **Page S7612**

Notices of Hearings/Meetings: **Page S7634**

Authorities for Committees to Meet: **Page S7634**

Privileges of the Floor: **Page S7634**

Record Votes: Three record votes were taken today. (Total—222) **Pages S7595, S7596, S7608**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:30 p.m., until 9:30 a.m. on Wednesday, October 30, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7635.)

Committee Meetings

(Committees not listed did not meet)

HOUSING FINANCE REFORM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine housing finance reform, focusing on the essentials of a functioning housing finance system for consumers, including S. 1217, to provide secondary mortgage market reform, after receiving testimony from Eric Stein, Center for Responsible Lending, Chapel Hill, North Carolina; Rohit Gupta, Genworth Financial, Valley, North Carolina; Gary Thomas, National Association of Realtors, Mission Viejo, California; Laurence E. Platt, K&L Gates LLP, and Lautaro Lot

Diaz, National Council of La Raza, both of Washington, DC; and Alys Cohen, National Consumer Law Center, Takoma Park, Maryland.

BROADBAND ADOPTION

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, and the Internet concluded a hearing to examine broadband adoption, after receiving testimony from former Senator John E. Sununu, Broadband for America, and Aaron Smith, Pew Research Center's Internet Project, both of Washington, DC; David L. Cohen, Comcast Corporation, Philadelphia, Pennsylvania; Bernadine Joselyn, Blandin Foundation, Grand Rapids, Minnesota; and Sunne Wright McPeak, California Emerging Technology Fund, San Francisco.

STAND YOUR GROUND LAWS

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Human Rights concluded a hearing to examine "Stand Your Ground" laws, focusing on civil rights and public safety implications of the expanded use of deadly force, after receiving testimony from Representatives Fudge, Gutierrez, and Gohmert; David LaBahn, Association of Prosecuting Attorneys, and Ilya Shapiro, Cato Institute, both of Washington, DC; Ronald S. Sullivan Jr., Harvard Law School, Cambridge, Massachusetts; John R. Lott, Jr., Crime Prevention Research Center, Swarthmore, Pennsylvania; Sybrina Fulton, Miami, Florida; and Lucia Holman McBath, Atlanta, Georgia.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 3361–3379; and 2 resolutions, H. Res. 393–394, were introduced. **Pages H6900–01**

Additional Cosponsors: **Pages H6902–03**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Collins (NY) to act as Speaker pro tempore for today. **Page H6831**

Recess: The House recessed at 10:42 a.m. and reconvened at 12 noon. **Page H6836**

Chaplain: The prayer was offered by the guest chaplain, Reverend Jack Hibbs, Calvary Chapel Chino Hills Church, Chino, California. **Page H6836**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Central Oregon Jobs and Water Security Act: H.R. 2640, to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary and to provide water certainty for the City of Prineville, Oregon; **Pages H6850–52**

Alaska Native Tribal Health Consortium Land Transfer Act: H.R. 623, amended, to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; **Pages H6852–53**

Distinguished Flying Cross National Memorial Act: H.R. 330, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; and **Pages H6853–54**

Lake Hill Administrative Site Affordable Housing Act: H.R. 2337, to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado. **Pages H6854–55**

Retail Investor Protection Act: The House passed H.R. 2374, to amend the Securities Exchange Act of 1934 to provide protections for retail customers, by a recorded vote of 254 ayes to 166 noes, Roll No. 567. **Pages H6855–69, H6869–72**

Rejected the Tierney motion to recommit the bill to the Committee on Education and the Workforce and the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 195 ayes to 223 noes, Roll No. 566. **Pages H6869–71**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–23 shall be considered as adopted, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. **Page H6855**

Rejected:

George Miller (CA) amendment (printed in H. Rept. 113–253) that sought to authorize the Department of Labor to issue a fiduciary duty rule that

protects access to investment education and advice and assures the availability of reasonable compensation to financial service providers. Would require a study of the effect of current investment industry practices on the standard of care provided to investors by persons providing investment advice, including the effect on low-income investors (by a yea-and-nay vote of 174 yeas to 243 nays, Roll No. 565). **Pages H6866–69, H6869**

H. Res. 391, the rule providing for consideration of the bills (H.R. 992) and (H.R. 2374), was agreed to by a recorded vote of 230 ayes to 188 noes, Roll No. 564, after the previous question was ordered by a yea-and-nay vote of 226 yeas to 193 nays, Roll No. 563. **Pages H6841–50**

Recess: The House recessed at 4:25 p.m. and reconvened at 4:37 p.m. **Page H6869**

Committee Resignation: Read a letter from Representative Pocan, wherein he resigned from the Committee on Oversight and Government Reform. **Page H6872**

Committee Election: The House agreed to H. Res. 393, electing a Member to a certain standing committee of the House of Representatives. **Page H6872**

Relating to the disapproval of the President's exercise of authority to suspend the debt limit: The House began consideration of H.J. Res. 99, relating to the disapproval of the President's exercise of authority to suspend the debt limit, as submitted under section 1002(b) of the Continuing Appropriations Act, 2014 on October 17, 2013. Further proceedings were postponed. **Pages H6872–76**

Pursuant to H. Res. 391 and section 1002(e) of the Continuing Appropriations Act, 2014, Representative Young (IN) moved that the House proceed to consider H.J. Res. 99, relating to the disapproval of the President's exercise of authority to suspend the debt limit, as submitted under section 1002(b) of the Continuing Appropriations Act, 2014 on October 17, 2013, and the motion was agreed to by voice vote. Subsequently, H.J. Res. 99 was considered under the provisions of H. Res. 391 and section 1002(e)(2)(C) of the Continuing Appropriations Act, 2014. **Page H6872**

Senate Message: Message received from the Senate today appears on page H6836.

Senate Referral: S. 893 was referred to the Committee on Veterans' Affairs. **Page H6899**

Quorum Calls—Votes: Two yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H6849, H6849–50, H6869, H6870–71, and H6871–72. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:42 p.m.

Committee Meetings

ACQUISITION REFORM

Committee on Armed Services: Full Committee held a hearing entitled "Twenty-five years of Acquisition Reform: Where do we go from here?". Testimony was heard from Paul Francis, Managing Director, Acquisition and Sourcing Management, Government Accountability Office; Moshe Schwartz, Specialist in Defense Acquisition Policy, Congressional Research Service; and a public witness.

REPORT FROM SIGAR: AFGHAN WOMEN'S GAINS

Committee on Armed Services: Subcommittee on Oversight and Investigation held a hearing entitled "Report from SIGAR: Challenges to Securing Afghan Women's Gains in a Post-2014 Environment". Testimony was heard from Kenneth Katzman, Specialist in Middle Eastern Affairs, Congressional Research Service; John Sopko, Special Inspector General for Afghanistan Reconstruction, Office of the Special Inspector General for Afghanistan Reconstruction.

NUCLEAR WEAPONS MODERNIZATION PROGRAMS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing entitled "Nuclear Weapons Modernization Programs: Military, Technical, and Political Requirements for the B61 Life Extension Program and Future Stockpile Strategy". Testimony was heard from Donald L. Cook, Deputy Administrator for Defense Programs, National Nuclear Security Administration; Madelyn Creedon, Assistant Secretary of Defense for Global Strategic Affairs, Department of Defense; Paul Hommert, Director, Sandia National Laboratories; and General C. Robert Kehler, USAF, Commander, US Strategic Command.

STRENGTHENING THE MULTIEMPLOYER PENSION SYSTEM

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor, and Pensions held a hearing entitled "Strengthening the Multiemployer Pension System: How Will Proposed Reforms Affect Employers, Workers, and Retirees?". Testimony was heard from public witnesses.

LEGISLATIVE MEASURE

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing on H.R. 3301, the "North American Energy Infrastructure Act". Testimony was heard from Jeff C. Wright Director, Office of Energy Projects Federal Energy Regulatory

Commission; David Mears, Commissioner Department of Environmental Conservation, State of Vermont; and public witnesses.

EPA'S REGULATORY THREAT TO AFFORDABLE, RELIABLE ENERGY: THE PERSPECTIVE OF COAL COMMUNITIES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''EPA's Regulatory Threat to Affordable, Reliable Energy: The Perspective of Coal Communities''. Testimony was heard from Albey Brock, Judge, Bell County, Kentucky; and public witnesses.

FEDERAL HOUSING ADMINISTRATION: IMPLICATIONS OF A $1.7 BILLION TAXPAYER BAILOUT

Committee on Financial Services: Full Committee held a hearing entitled ''Federal Housing Administration: Implications of a $1.7 billion Taxpayer Bailout''. Testimony was heard from Carol J. Galante, Federal Housing Administration Commission, Assistant Secretary for Housing, Department of Housing and Urban Development.

EXAMINING LEGISLATIVE PROPOSALS TO REFORM THE CONSUMER FINANCIAL PROTECTION BUREAU

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''Examining Legislative Proposals to Reform the Consumer Financial Protection Bureau''. Testimony was heard from public witnesses.

NEXT STEPS ON EGYPT POLICY

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Next Steps on Egypt Policy''. Testimony was heard from A. Elizabeth Jones, Acting Assistant Secretary, Bureau of Near East Affairs, Department of State; Derek Chollet, Assistant Secretary of Defense for International Security Affairs, Department of Defense; and Alina Romanowski, Deputy Assistant Administrator, Bureau for the Middle East, Agency for International Development.

AFTER THE WITHDRAWAL: THE WAY FORWARD IN AFGHANISTAN AND PAKISTAN

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa; and Subcommittee on Asia and the Pacific held a hearing entitled ''After the Withdrawal: The Way Forward in Afghanistan and Pakistan (Part II)''. Testimony was heard from public witnesses.

GUO FEIXIONG AND FREEDOM OF EXPRESSION IN CHINA

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled ''Guo Feixiong and Freedom of Expression in China''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Full Committee held a markup on the following legislation: H.R. 1095 to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to nonprofit organizations that provide places of rest and recuperation at airports for members of the Armed Forces and their families, and for other purposes; H.R. 1204, the ''Aviation Security Stakeholder Participation Act of 2013''; H.R. 1791, the ''Medical Preparedness Allowable Use Act''; H.R. 2719, ''Transportation Security Acquisition Reform Act''; H.R. 2952, the ''Critical Infrastructure Research and Development Advancement Act of 2013''; H.R. 3107, the ''Homeland Security Cybersecurity Boots-on-the-Ground Act''. The following bills were ordered reported, as amended: H.R. 2719; H.R. 1204; H.R. 1095; H.R. 2952; H.R. 3107; and H.R. 1791.

LEGISLATIVE MEASURE

Committee on the Judiciary: Full Committee held a hearing on H.R. 3309, the ''Improving the Patent System to Promote American Innovation and Competitiveness Act''. Testimony was heard from public witnesses.

ARE MORE JUDGES ALWAYS THE ANSWER

Committee on the Judiciary: Full Committee held a hearing entitled ''Are More Judges Always the Answer?''. Testimony was heard from Senator Grassley; and public witnesses.

THREATS, INTIMIDATION AND BULLYING BY FEDERAL LAND MANAGING AGENCIES

Committee on Natural Resources: Subcommittee on Public Lands and Environmental Regulation held a hearing entitled ''Threats, Intimidation and Bullying by Federal Land Managing Agencies''. Testimony was heard from public witnesses.

ROADMAP FOR INCREASING OUR WATER AND HYDROPOWER SUPPLIES: THE NEED FOR NEW AND EXPANDED MULTI-PURPOSE SURFACE STORAGE FACILITIES

Committee on Natural Resources: Subcommittee on Water and Power held a hearing entitled ''A Roadmap for Increasing our Water and Hydropower Supplies: The Need for New and Expanded Multi-Purpose Surface Storage Facilities''. Testimony was heard from Derek Sandison, Director, Office of Columbia River, Washington State Department of Ecology; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Oversight and Government Reform: Full Committee held a markup on the following legislation: H.R. 3345, the ''Stop Unworthy Spending Act of 2013''; H.R. 3316, the ''Grant Reform and New Transparency Act of 2013''; H.R. 2860, the ''OPM IG Act of 2013''; H.R. 3343, to amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia. The following bills were ordered reported without amendment: H.R. 2860; H.R. 3343; H.R. 3345; and H.R. 3316.

EPA POWER PLANT REGULATIONS

Committee on Science, Space, and Technology: Subcommittee on Environment; and Subcommittee on Energy held a hearing entitled ''EPA Power Plant Regulations: Is the Technology Ready?''. Testimony was heard from public witnesses.

COAST GUARD AND MARITIME TRANSPORTATION AUTHORIZATION ISSUES

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Coast Guard and Maritime Transportation Authorization Issues''. Testimony was heard from Representative Barr; Rear Admiral Frederick J. Kenney, Judge Advocate General, United States Coast Guard; Mario Cordero, Chairman, Federal Maritime Commission; Michael Shapiro, Principal Deputy Assistant Administrator, Office of Water, Environmental Protection Agency; and Mark R. Rosekind, Board Member, National Transportation Safety Board.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Full Committee held a markup on the following legislation: H.R. 3300, the ''FEMA Reauthorization Act of 2013''; H.R. 311, the ''Farmers Undertake Environmental Land Stewardship Act''; H.R. 935, the ''Reducing Regulatory Burdens Act of 2013''; and H.R. 2026, the ''Silviculture Regulatory Consistency Act of 2013''. The following bill was ordered reported, as amended: H.R. 3300. The following bills were ordered reported, without amendment: H.R. 2026; H.R. 311; and H.R. 935.

STATUS OF THE AFFORDABLE CARE ACT IMPLEMENTATION

Committee on Ways and Means: Full Committee held a hearing entitled ''Status of the Affordable Care Act Implementation''. Testimony was heard from Marilyn Tavenner, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

NSA PROGRAMS

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''NSA Programs''. Testimony was heard from James Clapper, Director, National Intelligence; James Cole, Deputy Attorney General, Department of Justice; General Keith Alexander, Director, National Security Agency/Chief, Central Security Service and Commander, U.S. Cyber Command; Chris Inglis, Deputy Director, National Security Agency; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 30, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance, and Investment, to hold hearings to examine the ''JOBS Act'' at a year and a half, focusing on assessing progress and unmet opportunities, 10 a.m., SD–538.

Committee on Finance: to hold hearings to examine the Transatlantic Trade and Investment Partnership, 11 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 1562, to reauthorize the Older Americans Act of 1965, S. 1557, to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals, S. 1561, to amend the Public Health Service Act to improve provisions relating to the sanctuary system for surplus chimpanzees, H.R. 2094, 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. 1302, 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, H.R. 2747, to amend title 40, United

States Code, to transfer certain functions from the Government Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title, and the nominations of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, and James Cole, Jr., of New York, to be General Counsel, both of the Department of Education, and Chai Rachel Feldblum, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission, and any pending nominations, 9:15 a.m., SD–430.

Committee on Indian Affairs: business meeting to consider S. 235, to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium, S. 611, to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act, and S. 920, to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land; to be immediately followed by a hearing to examine S. 1074, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, S. 1132, to provide for the recognition of the Lumbee Tribe of North Carolina, and S. 161, to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, 2:30 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine the nominations of John B. Owens, of California, to be United States Circuit Judge for the Ninth Circuit, Matthew Frederick Leitman, Judith Ellen Levy, Laurie J. Michelson, and Linda Vivienne Parker, all to be a United States District Judge for the Eastern District of Michigan, and Peter Joseph Kadzik, of New York, to be an Assistant Attorney General, Department of Justice, 2:30 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine pending health care and benefits legislation, 2 p.m., SR–418.

House

Committee on Energy and Commerce, Full Committee, hearing entitled ''PPACA Implementation Failures: Answers from HHS'', 9 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''China's Maritime and other Geographic Threats'', 10 a.m., 2255 Rayburn.

Subcommittee on the Middle East and North Africa; and Subcommittee on Africa, Global Human Rights, and International Organizations, hearing entitled ''Establishing a Syrian War Crimes Tribunal?'', 1:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Preparedness, Response, and Communications; and Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, hearing entitled ''Cyber Incident Response: Bridging the Gap Between Cybersecurity and Emergency Management'', 10 a.m., 311 Cannon.

Subcommittee on Oversight and Management Efficiency, hearing entitled ''Facility Protection: Implications of the Navy Yard Shooting on Homeland Security'', 9:30 a.m., 210 Cannon.

Committee on the Judiciary, Over-Criminalization Task Force, meeting entitled ''Regulatory Crime: Identifying the Scope of the Problem'', 9:30 a.m., 2237 Rayburn.

Committee on Natural Resources, Full Committee, markup on the following legislation: H.R. 298, to direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Mill Springs Battlefield located in Pulaski and Wayne Counties, Kentucky, and the feasibility of its inclusion in the National Park System, and for other purposes; H.R. 585, the ''Anchorage Land Conveyance Act of 2013''; H.R. 1308, the ''Endangered Salmon and Fisheries Predation Preservation Act''; H.R. 1846, the ''Lower East Side Tenement National Historic Site Amendments Act''; H.R. 2798, to amend Public Law 106–206 to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer; H.R. 2799, to establish the Wildlife and Hunting Heritage Conservation Council Advisory Committee to advise the Secretaries of the Interior and Agriculture on wildlife and habitat conservation, hunting, recreational shooting, and for other purposes; and H.R. 2954, to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance; 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''A Culture of Mismanagement and Wasteful Conference Spending at the Department of Veterans Affairs'', 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Energy, hearing entitled ''Providing the Tools for Scientific Discovery and Basic Energy Research: The Department of Energy Science Mission'', 9:30 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing entitled ''Review of FAA's Certification Process: Ensuring an Efficient, Effective, and Safe Process'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled ''Focused Issues on Dignified Burials: A National Cemetery Update'', 10 a.m., 334 Cannon.

Joint Meetings

Conference: meeting of conferees on S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023, 10 a.m., HC–5, Capitol.

Commission on Security and Cooperation in Europe: to receive a briefing on the U.S. Civil Rights Movement, focusing on how the movement has impacted Europe and the continuing work of the United States in advancing human rights for minorities in Europe, 2 p.m., 2255, Rayburn Building.

Conference: meeting of conferees on H.R. 2642, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, 2:30 p.m., 1100, Longworth Building.

Next Meeting of the SENATE

9:30 a.m., Wednesday, October 30

Senate Chamber

Program for Wednesday: Senate will resume consideration of the nomination of Alan F. Estevez, of the District of Columbia, to be a Principal Deputy Under Secretary of Defense, and vote on the motion to invoke cloture on the nomination at approximately 10:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, October 30

House Chamber

Program for Wednesday: Consideration of H.R. 992—Swaps Regulatory Improvement Act

(Subject to a Rule).

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