United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, NOVEMBER 14, 2013 No. 162

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 14, 2013.

I hereby appoint the Honorable THOMAS E. PETRI 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, but in no event shall debate continue beyond 11:50 a.m.

SPECIAL IMMIGRATION VISAS

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

Mr. BLUMENAUER. Mr. Speaker, since 2006, when I offered the first legislation that ultimately became the Iraqi special immigrant visa, I have been haunted by the prospect of the brave Iraqi and Afghan nationals that risked their lives to help American efforts in these troubled countries, that they themselves would be victims because of their trust in us.

As my friend Kirk Johnson eloquently stated in the title of his recent book, ''To Be a Friend is Fatal: The Fight to Save the Iraqis America Left Behind'':

> For 7 years, it has been a battle to have the United States honor its obligations to those who put their trust in us when they helped us.

As the United States has withdrawn from Iraq and is winding down in Afghanistan, people with very long memories are searching out, hunting down, and killing people they regard as traitors because they helped America as interpreters, as guides, as drivers.

We have seen some bright spots. One was where the program we fought so hard to establish was going to expire September 30, at the height of the government shutdown. In a reaffirmation of our ability to get something important done, we were able, on a bipartisan basis, to secure unanimous consent to keep the special immigrant visa program alive, at least through the end of the year, so we can work the problems out.

Another bright spot for me was being able to be at National Airport a couple of weeks ago, late at night, watching Janis Shinwari, the Afghan interpreter who saved the life of Captain Matt Keller, walk out of that causeway with his young wife and two children. It was a storybook effort of the will of Captain Keller, whose life Janis saved in a firefight, who wouldn't give up after 5 years. At times we didn't think it was possible, but after false starts and great danger to the family, they are now safe in America. This is an illustration of what can happen with effort and, candidly, a little media attention.

But now we are watching the State Department drag its feet on these visas for Afghans who risked their lives, creating impossible burdens for them to establish whether or not they are actually at risk.

Recent news accounts make it clear that there is a committee at the U.S. Embassy in Kabul that is placing inordinate roadblocks for people who we know are at risk, some of whom have already been hunted down and killed. We failed to establish a process that works for them.

We have only approved a trickle of the special immigrant visas out of the almost 9,000 that were authorized. It is unnecessary, it is shameful, and it is dangerous to long-term American interests. Who is going to trust us in the future if we need their help?

I was able to congratulate Secretary Kerry a few weeks ago for the State Department's rapid action to save the life of Janis, but every one of these thousands of cases should not require congressional intervention, extraordinary news coverage, and a major 5-year commitment from people like Captain Matt Keller.

There is no excuse to fail to make the SIV program work. Innocent lives are at stake, American honor is on the line, and our future actions could be compromised.

I would urge my colleagues to attend a session we are having next week to meet Kirk Johnson, who has dedicated his life for years to help these desperate people and for America to restore its honor. Join us next week in room 2168 in Rayburn on Wednesday for a special screening and discussion of the documentary ''The List.''

It is our duty now to save those who risked so much to help us when we needed them. They must not be left behind to the tender mercies of the Taliban and Al Qaeda.

PULSE OF TEXAS: OBCARE

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

Mr. POE of Texas. Mr. Speaker, the health of the Nation is now in the hands of government. Let's see how it is working out for people who work for a living. Many Americans are feeling

Printed on recycled paper.

the pain of government health care, and here is what some of them have sent me from my congressional district in Texas.

Billie from Spring, Texas, writes:

I can't afford what ObamaCare will cost. How can they say it is better? My company pays part of my insurance, and the insurance is good. Why do I have to change to something I cannot afford? It doesn't make any sense. My doctor told me a lot of them will retire rather than deal with this horrible health care law. The quality of doctors will diminish. I thought the government was for the people.

Well, Billie, apparently the government is for the government and not for the people.

James from Humble, Texas, says:

Please defund ObamaCare. My employer has already informed us our health care will be changing, and this comes at a very bad time for my family. We will be forced into exchanges and employer informs us the company has the right to end subsidized retiree health care in the future. Higher costs, higher deductibles, and total confusion. This will have a negative impact on our economic future as we enter our retirement years.

Small business owner Terrence Wolfe from Humble says:

Defund ObamaCare before we collapse our entire economy. We cannot afford it as a Nation, and I cannot afford it as a small business owner. I cover 80 percent of the premium for all 10 of my employees. All of us are bracing for at least a 20 percent to 40 percent increase.

Shannon Rudd from Humble, Texas, says:

I cannot believe ObamaCare is still a reality. The government has no business managing health care insurance. Furthermore, they have no right to tell Americans if they can or cannot have a procedure performed once the insurance is forced on individuals. Forcing people to pay a fine if they choose not to have health care is asinine and the furthest thing from democracy.

Unfortunately, Mr. Speaker, Shannon is wrong about it being a fine. It is not a criminal penalty; it is a tax. If it were a fine, you could have due process, you would be presumed innocent, your day in court, your jury trial, but under a tax, you have to pay the tax first and then fight the IRS to try to get it back. Good luck with that.

Sharon Coyle from Spring, Texas, says:

Now what? We may get the delay in ObamaCare mandate after all because of the cluster it has turned out to be, but what about those of us who have insurance through our employers?

My gold level of my insurance no longer allows me to participate in the flex spending account. I ultimately ended up having to go to a lower plan because it was cost-prohibited. My deductible is higher and now my copays are higher.

I will be paying at least $2,000 to $3,000 more per year on top of the $7,200 I already pay. We were told it is because of ObamaCare.

This is a big dupe to America. Obama wanted everything to be more fair. Sure, we all have insurance now, but no one can afford to go to the doctor.

Well said, Sharon.

Robert Arnold from Humble, Texas, says this:

It is incomprehensible that we put men on the Moon in 1969, but we can't get into a $400 million Web site to purchase insurance.

Yes, Mr. Speaker, those glitches seem to be a real problem.

Kenneth Earl Beeney from Kingwood, Texas, says:

Now when I look at what is available with OBCare, the plan that is closest to ours is going to cost $745 a month. This is absurd. It does not look like we will be able to keep our current policy, so we are being forced to pay $400 per month for coverage and the deductible will be $12,000.

I really like my current policy and the premium fits our budget. What can be done?

Mr. Speaker, this is bad news for the middle class.

Merin Porter from Houston, Texas, says:

I am the sole breadwinner for a family of five. I am eligible for affordable insurance through my employer; however, my family coverage is prohibitively expensive—$18,000 per year, or more than 30 percent of my take-home pay. As you can imagine, it is only affordable to us if food, shelter, and clothing were a luxury and not a necessity.

Mr. Speaker, Merin should not have to choose between feeding the family and being forced into ObamaCare. Why has the government done this to the people? As Billie says and said it best, ''I thought the government was for the people.'' Well, apparently not.

And that's just the way it is.

HONORING TOM GARDNER III

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

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor the outstanding career and acknowledge the retirement of Tom Gardner III.

A community leader, pastor, and family man, Tom served as chief executive officer of the Montgomery Community Action Committee for the past 39 years. For his dedicated service to the city of Montgomery and the State of Alabama, I pay tribute today to the life work of Tom Gardner III.

Tom was born to Reverend Tom Gardner, Jr., and Mrs. Effie Nell Gardner on January 22, 1946, in Hope Hull, Alabama.

Tom served his country in the United States Army in Vietnam from 1966 to 1968. As a result of his exemplary service and sacrifice, he received the Purple Heart in 1967 and the Bronze Star in 1968.

Tom received a bachelor's of science degree from Alabama State University and a master's of public administration from Troy University.

Tom is married to Mrs. Estella Gardner and is the loving father of two children, Debriena and Jonathan, and three grandchildren, Jaeda, Londyn, and Gavin.

In addition to his strong commitment to family, Tom has also demonstrated an enduring dedication to his faith in God. Carrying on the pastoral legacy of his father, Tom currently serves as pastor of Beulah Primitive Baptist Church in his hometown of Hope Hull, Alabama.

Tom has over 30 years of managerial experience and oversight of Federal, State, and local grants. He administered the Emergency Shelter Grant Homeless Assistance Program, the Community Housing Development Organization, the Housing Counseling Agency, and the Affordable Housing Development Program.

Tom has demonstrated an exemplary commitment to community service throughout his life by his participation in community organizations. Tom has dedicated the past 39 years of his career to the Montgomery Community Action Committee. He began his career at the Montgomery Community Action Committee in 1974 as director of personnel and served as the equal opportunity officer until 1975. He was promoted to chief executive officer of the Montgomery Community Action Committee in 1975, where he served until his retirement in October of 2013.

On a personal note, I know Tom Gardner as my beloved ''Uncle Sonny'' and my mother's youngest brother. I am blessed to have grown up with his wise counsel and guidance. Since the death of my grandfather, Uncle Sonny has served as the patriarch of the Gardner family. There is not a problem, nor a challenge, nor a concern that my cousins and I have not sought his wisdom and comfort. I am so proud of his 39-year career heading the Montgomery Community Action Committee, and I am equally prideful of my Uncle Sonny's continued dedication to the well-being and spiritual health of our family. Thank you, Uncle Sonny.

On behalf of the Seventh Congressional District, the State of Alabama, and this Nation, I ask my colleagues to join me in celebrating the career and retirement of Tom Gardner III. His life is a testament to his strong work ethic and passion for faith, family, and community.

□ 1015

OBAMACARE VIOLATES THE ORIGINATION CLAUSE

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

Mr. BROOKS of Alabama. Mr. Speaker, in a bold and agile display of legal sophistry, United States Supreme Court Justice John Roberts upheld the Affordable Care Act by declaring it a tax, while failing to address whether the tax complied with the Origination Clause of our Constitution.

The case of *Sissel* v. *The United States Department of Health and Human Services* is pending before the D.C. Court of Appeals and headed to the Supreme Court. *Sissel* challenges the constitutionality of roughly 20 tax increases that fund government-run health care.

Constitution article I, section 7 is the Origination Clause. It states, in part, that ''all Bills for raising Revenue shall originate in the House.''

I have joined 40 Members of Congress in a friend of the court brief filed this week that urges the court of appeals to obey the Constitution and declare the Affordable Care Act taxes unconstitutional because they violate the Origination Clause.

On October 8, 2009, the House of Representatives passed H.R. 3590, the Service Members Home Ownership Tax Act, a six-page bill. H.R. 3590 raised no taxes or revenue of any kind. To the contrary, H.R. 3590 cut taxes for veterans buying homes.

The Senate took H.R. 3590, deleted its substantive provisions and substituted a six-page bill with a 2,074-page bill, commonly referred to as ObamaCare, that raised roughly $50 billion a year in new taxes, making it one of the largest tax increases in the history of America.

None of these ObamaCare tax increases were in the original House bill. Hence, all of these new tax increases originated in the Senate, not the House, thereby violating the Origination Clause requirement that tax increases originate in the House.

The Origination Clause was subject to significant debate during America's 1787 Constitutional Convention. Massachusetts convention delegate and America's fifth Vice President, Elbridge Gerry, stated that the Origination Clause was ''the cornerstone of the accommodation'' of the Great Compromise of 1787 that persuaded a majority of the States to ratify the Constitution.

Stated differently, but for the Origination Clause, there would have been no Constitution and no United States as we know it. The Origination Clause was that important.

Virginia Delegate and coauthor of our Bill of Rights, George Mason, explained opposition to Senate tax originations when he declared:

> The Senate did not represent the people, but the States in their political character. It was improper, therefore, that it should tax the people. Again, the Senate is not like the House of Representatives chosen frequently and obliged to return frequently among the people. They are chosen by the States for 6 years, will probably settle themselves at the seat of Government, will pursue schemes for their aggrandizement, will be able by wearing out the House of Representatives, and taking advantage of their impatience at the close of a long Session, to extort measures for that purpose.

Mr. Speaker, America's Founding Fathers did not trust the Senate to originate and raise taxes because Senators sat unchallenged for 6 years, the greater part of a decade, and were too insulated and unaccountable for the taxes they forced on American citizens.

Mr. Speaker, no American court in history has ever upheld the constitutionality of taxes under the circumstances presented by ObamaCare. Doing so now would undermine and nullify the letter and spirit of the Origination Clause in a Constitution that has served America so well for so long.

Mr. Speaker, every Federal judge and justice took an oath to defend, protect, and uphold our Constitution. If these judges will put their partisanship and egos aside, if these judges will apply the Constitution as it is written and intended, if these judges will simply honor their oath of office, then ObamaCare will be declared unconstitutional because it violates the Origination Clause, and America's dangerous and failing experiment with socialized medicine will have ended. ObamaCare will be dead, and quality health care for Americans will survive.

HUNGER IN AMERICA

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

Mr. MCGOVERN. Mr. Speaker, last Wednesday, I had the privilege of joining Monte Belmonte, who is a radio host at WRSI in Northampton, Massachusetts, on a 26-mile walk to raise awareness about the issue of hunger and to raise money for the Western Massachusetts Food Bank. It was an incredible experience. My legs are sore, but it was inspiring to be part of that march.

For the entire 26 miles we were joined by a diverse group of people, people like Bill Stapleton, who is the president of the Northampton Cooperative Bank; Andrew Morehouse, who is the director of the Western Massachusetts Food Bank. We were joined by Dan Finn of Pioneer Valley Local First and a fellow named Sean Berry, who runs Four Season Liquor Store in Hadley.

Along the way, various people joined us for part of the march. We met with school groups along the way. We even marched along with a group called Mutton and Mead, who put on a medieval festival every year in western Massachusetts.

And as we marched, people would stop their cars to offer their support and offer some money; but they would also tell us stories about people they knew who are hungry in our community. Young kids in schools, some of them who marched with us, told us stories about how they had seen firsthand hunger. Some of them raised money to support the march.

We also stopped at a place called the Amherst Survival Center. It is a food pantry, a place for low-income people to get clothes, sometimes medical advice, sometimes counseling. And when we stopped there, the director handed me a bunch of plates, paper plates, where people who go to the Amherst Survival Center, and some people who work there, wanted to send a message to me and to Congress.

I want to read some of these plates. This one says:

> Try going hungry. Hunger hurts. The pantry provides.

This one is:

> I read the news about SNAP and I am afraid my family will go to bed hungry. How is this possible?

Another person wrote:

> I think everyone has a right to healthy food, which is why the pantry is so important.

Linda wrote:

> Dear Congress, please help us who need the help. I didn't think I would ever be like this.

This person wrote:

> No SNAP, no food.

This person wrote:

> I work and I am seeking more work. My husband works. It is not enough.

''Dear Congress, access to affordable food is a basic human right,'' signed by Shelley.

''What's for dinner? Nothing without the pantry,'' wrote Emily.

> Working in the pantry has opened my eyes to see all the wonderful people struggling in the community.

> Dear Congress, we need your help. Blessings.

> Food stamps help American agriculture.

> Hunger and homelessness in America?

I could go on and on and read some of these plates, and the reason why I am doing this is because we are so inundated with facts and figures and statistics that somehow I think we have lost our ability to feel them.

These are real people. These are real people who are struggling, real people who are working with struggling families. They deserve a voice. And one of the things that people are concerned about is Congress making their lives worse.

We are considering a farm bill; and in the House version of the farm bill, there is a $40 billion cut in SNAP—3.8 million people would lose their benefits. Hundreds of thousands of kids would no longer have access to free breakfast and lunch at school; 170,000 veterans would lose their benefits.

Mr. Speaker, we can do so much better. One of the things we are here for is to help the people like those who go to the Amherst Survival Center. One of the things that we are here for is to respond to the concerns that we heard along the way as I marched with Monte Belmonte and his crew.

You know, it is nice that this march was a success and they raised a lot of money for the Western Massachusetts Food Bank, but it is not enough. These food banks and these food pantries are at capacity. We can't make things worse.

Surely in the richest country in the history of the world we can do better. We can end hunger.

So, Mr. Speaker, I would urge all my colleagues, as we start to consider the farm bill, please do not support a farm bill that makes more people hungry. Let's do the right thing. This is a problem that we can solve.

Again, I want to thank Monte Belmonte and all the people at WRSI and Northampton for their compassion, for their activism, for helping people in need; but we need to be inspired by people like those who marched with me

from Northampton to Greenfield, and we need to do the right thing.

NEGATIVE EFFECTS OF THE IMPLEMENTATION OF OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, I rise today to share some of the stories of Alabamians who are being negatively affected by the implementation of the Affordable Care Act.

Over the last several weeks, thousands of health insurance policy holders in Alabama have received notice that their plans have been canceled or altered, and their costs have risen, some quite dramatically. This, despite President Obama's often-repeated and unmistakable promise to the contrary.

He promised of the Affordable Care Act:

> If you like your doctor, you will be able to keep your doctor. Period. If you like your health care plan, you will be able to keep your health care plan. Period. No one will take it away, no matter what.

Mr. Speaker, we now know this wasn't true. To make matters worse, the disastrous rollout of the ObamaCare Web site has made it nearly impossible for those affected to search for alternatives. The President didn't tell the truth, and the Americans who took him at his word are paying the price.

I recently reached out to Alabamians, asking those who have experienced health care plan cancelations or rate increases because of ObamaCare to tell me their stories. The response has been overwhelming; and, Mr. Speaker, I would like to share just a few of those stories here in the House this morning.

Allyson Strickland, a wife and a homeschooling mother of four from Dothan writes:

> We are a family of six with one income, and our premiums doubled from $420 to $940 a month. We are already under great financial strain, and this is not helping relieve any of the tension. At this point we are unsure about what we are going to do. With four growing children, we know insurance is vital, but at what cost to the daily needs of our family? We are very disappointed in the Obama administration.

Shaun Cunningham of Montgomery writes:

> I am a married father of two beautiful little girls. My jaw dropped when I found out my family's premium was going from $400 a month to $722. I called BlueCross first thing Monday morning, but I was told I needed to contact healthcare.gov for assistance. After 6 hours on the phone with them trying to apply for a subsidy, I did manage to find out that there was a cheaper premium. I could choose the Blue Saver Bronze at a rate of $545 per month, which was still an increase over the plan I liked. The other problem? My individual deductible would be $6,350 and my family deductible would be $12,700. I fail to see anything ''affordable'' about this.

Chris Vuccovich of Montgomery:

> Was notified that my policy was not ACA compliant. Paying $390 for family coverage, just found out comparable plan, ''Silver,'' would be $704, my out-of-pocket went up, so did deductibles and copays. We make too much money and will not qualify for, nor do I want, a subsidy.

Leigh Hayes Wiatt of Montgomery:

> Our premium went up to $1,374 a month.

Angela Zacchini of Greenville:

> Our family of four is paying $417 a month, and it is going to $765 a month.

Jim Harrell of Prattville:

> My doctor retired and told me that he was not going to deal with the changes in the Affordable Care Act. So I could not keep my doctor. Both of my adult daughters got letters indicating their policies were canceled due to not meeting all the requirements of the new law. New policies being issued will be about 33 percent more expensive. One has a specialist doctor who is now going to charge patients a costly fee up front each year, and then pay for services rendered. All of these effects are negative to my family.

Mr. Speaker, these individuals and families are not statistics. They are real people from Alabama's Second Congressional District whose lives are being made more difficult because of ObamaCare.

I don't know why the President repeatedly misled the country about the true implications of this health care law. This is the kind of Washington doublespeak, political doublespeak, people are so fed up with; and this time it is hurting people in a very real way.

We have an opportunity here in the House this week to make it right by acting to protect Americans from these rate hikes and plan cancelations. So that is why I am a cosponsor of Keep Your Health Plan Act, which will allow health care plans currently being offered to continue next year, just like the President promised.

□ 1030

This bill also ensures that Americans choosing to maintain their health care plans will not face a tax penalty under ObamaCare.

I appreciate the leadership of Chairman FRED UPTON of Michigan in bringing forth this legislation. The Keep Your Health Plan Act won't fix every problem with ObamaCare, but it will offer real changes and peace of mind to Americans affected by these changes.

Mr. Speaker, this isn't a partisan issue. Republicans and Democrats alike recognize the basic unfairness that has occurred here. So I urge my colleagues on both sides of the aisle to support the Keep Your Health Plan Act.

AFFORDABLE HEALTH CARE

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

Mr. PAYNE. Mr. Speaker, for millions of Americans, the dream of access to affordable health care is becoming a reality, thanks to the Affordable Care Act.

In New Jersey, 2.2 million people have already gained access to free preventative care. Premiums will be 20 percent lower in 2014. Seniors on Medicare already received a 50 percent savings on prescription drugs, and more than 70,000 young adults in New Jersey are able to see a doctor because they can stay on their parents' insurance.

Sadly, though, out of purely selfish political motivation, my Republican colleagues are obsessed with making this law fail and are working overtime to take away the benefits millions of people are already enjoying. I challenge my Republican colleagues to channel that same energy into making the law work so that millions can get the lifesaving care that they deserve.

Look around your districts. How many of your constituents could benefit from access to lifesaving health care, to free cancer screenings and reduced prescription drug costs? They don't need a 47th, 48th, or 49th vote to repeal the law. They need the affordable, quality care that the ACA provides. And they are counting on their leaders to make it work, not to work against them to make it fail.

RECOGNIZING DR. TOM KIM AND THE FREE MEDICAL CLINIC OF AMERICA

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

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise today to honor a Tennessean who has helped thousands of people in need across my district. Dr. Tom Kim came to America after escaping North Korea at the age of 6. Through a strong Christian upbringing and faith in God, he was led to a lifelong devotion of helping others.

Many years ago, I had lunch with Dr. Kim, and he shared with me his wish to open a clinic that provides free health care to the working poor in my district. The clinic would operate with a mission based on the Bible verse Matthew 25:40, ''Whatever you did for the least of these, you did for Me.'' From that vision came The Free Medical Clinic of America, which this year celebrated its 20th anniversary and 11,000th new patient. What started as a small clinic alongside Dr. Kim's own practice in Knoxville has grown to facilities in four other counties.

Most recently, the FBI office in Knoxville gave Dr. Kim the Director's Community Leadership Award. This yearly honor is given to citizens who go above and beyond in service to their communities.

Mr. Speaker, Dr. Tom Kim is one of the most selfless and kindest men I have ever known and is a man who possesses a contagious energy to help others. I wanted to bring his devotion to others to the attention of my colleagues. I hope The Free Medical Clinic of America continues to be an example of humanity and Christian service for many years to come.

While I came here primarily to honor a health care hero, I also want to make a few additional comments about health care.

The more we learn about the so-called Affordable Care Act, the worse it gets. It should be called the ''Unaffordable Care Act'' since cost estimates are already double or triple the estimated cost when it was passed, and Federal health plans have always been lowballed on the front end. According to the nonpartisan Congressional Research Service, Medicare was supposed to cost about $12 billion after 25 years. Instead, CRS reports that it costs almost 10 times that much, and this year, it will cost six times that amount, or over $600 billion.

Premiums are going way up for most people in preparation for the requirements of the new law.

The Associated Press reported on August 8:

> One casualty of the new health care law may be paid coverage for families of people who work for small businesses.

Employers are either not hiring as many workers as they ordinarily would, with many trying to stay under 50 employees so as not to be hit by the new law, or are switching people to part-time work. The State of Virginia notified 10,000 part-time workers they would not be allowed to go over 30 hours a week, and some have said the new norm all over the country is two 20-hour-a-week jobs.

One leading supporter of the act was famously quoted as saying that we would have to pass the law before we could find out what was in it. Now we are finding out all of the promises about keeping your plan if you liked it, keeping your doctor if you liked him, and that premiums would go down by as much as $2,500 a year were all false, exaggerated, or at least incorrect. Millions have lost or will lose their coverage. Millions more are facing huge increases in their premiums.

In our offices, we have helped many people with Medicare and Medicaid problems, and no one wants to see anyone denied medical care. However, before we start another program that we can't afford, we need to do more to eliminate the tremendous waste, fraud, and abuse that exists in Medicare and Medicaid today.

More significantly, some people and companies have become rich off of these two programs. The administrators of Medicare and Medicaid need to crack down on those who are turning Medicare and Medicaid into monetary bonanzas. One place to start is in the huge discrepancies in charges by hospitals.

A May 8 New York Times article reported that one hospital in Dallas billed Medicare $160,832 for lower joint replacements while another just 5 miles away and on the same street billed the government an average fee of $42,632. Two hospitals in New York City varied by 321 percent what they charged for complicated asthma treatment, one billing an average of a little over $34,000 while the other charged an average of a little over $8,000.

Columnist Charles Lane of The Washington Post wrote that Medicare reimburses power wheelchair suppliers $4,000 to $5,000 for a basic chair that costs the supplier $700. Just yesterday, in the Oversight and Government Reform Committee, we had a hearing about the botched rollout of the Affordable Care Web site. Already, over $600 million has been spent on this messed up, convoluted, confusing system. It is going to cost billions to straighten it out and keep updating the technology. None of this is going for actual health care. It is just going to some well-connected government contractors who are getting rich at great expense to American taxpayers.

What a great law this is, destroying jobs for average Americans but wonderful for lobbyists and government contractors. Pete Sepp of the National Taxpayers Union said:

> How ironic that while the Affordable Care Act is being blamed for slowing job creation outside the beltway, the law is offering plenty of job opportunities to firms inside the beltway willing to promote it.

How sad this is.

ARTICLE 32

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

Ms. SPEIER. Mr. Speaker, recently, a courageous 21-year-old female Naval Academy student was bold enough to report that three men on the Navy football team raped her while she was drunk. Little did she know that when she came forward, she would be put on trial, forced to testify, and be cross-examined for more than 30 hours. She was harangued by the defense team and asked humiliating and abusive questions for hours, with the clear objective to intimidate her and destroy the case.

What is so unbelievable is that her case hadn't even made it to trial. This was only the equivalent of a preliminary hearing, called an Article 32 hearing under the Uniform Code of Military Justice. It is supposed to be used to determine if a case should go forward to trial. The truth is that Article 32s have mutated and now serve to put the victim on trial, not the accused.

Her experience of not only being sexually assaulted but revictimized by the judicial system is all too common in the military. In Article 32 proceedings, it is standard operating procedure for the defense team to subject the victim to every irrelevant, indecent, and outright degrading question you can imagine.

In the Naval Academy case, the victim was asked by one of the defense attorneys, ''How wide do you open your mouth for oral sex?'' Another question was asked of her, ''Did you feel like a 'ho' the next morning?''

These questions would simply never, ever be permitted in a civilian criminal trial, let alone in a preliminary hearing. None of this is in pursuit of the truth, of course. It is all an effort to make victims think twice about even coming forward or pursuing a case.

At one point in the Naval Academy proceedings, the victim asked for a recess because of fatigue. Lawyers for the alleged rapists scoffed, ''What is so stressful about this?''

In the civilian world, a preliminary hearing is used to determine if there is probable cause and if a case should go to trial. Oftentimes, the victim is never even called, and the victim is certainly not berated for hours about their previous sexual history. These proceedings are very brief, and the scope of the hearing is limited to the question of probable cause.

The 5-day, 30-hour proceeding is such a glaring example of the difference between what justice looks like in the civilian courts and what it looks like in the military justice system. Simply put, Article 32 hearings are rigged in favor of the accused. The scales are so tilted in favor of the accused, the system is upended.

The proceedings also have a significant chilling effect on sexual assault reporting. Although the numbers have climbed, only 10 percent of the estimated 26,000 annual assaults are actually reported. Now, think about this: 26,000 assaults every year in the military of both men and women—and mostly men, I might add—with only 3,000 reported. Are we at all surprised that the numbers of reports are so small? Less than 1 percent of the offenders are ever convicted. This is called military justice?

After Air Force Lieutenant General Richard Harding testified that 30 percent of the victims drop out during the investigative process, it is time for us to do something meaningful about Article 32 hearings. That is why I am introducing the Article 32 Reform Act along with my cosponsor, the gentleman from Pennsylvania, Congressman PAT MEEHAN, which will align these proceedings with what happens in a civilian preliminary hearing and will give victims the option of whether or not to testify at all.

Ironically, civilian victims are currently afforded this right in military courts but not servicemembers. That is right. We allow civilian victims not to testify in Article 32s but force the brave servicemembers who are victims to be subjected to this abusive process.

This bill has bipartisan support in both the House and the Senate and will finally put an end to these open-ended, abusive hearings that revictimize those who come forward and prevent others from reporting for fear of being savaged by defense attorneys who have only one goal: to shut up the victim and sully their reputations. The proposed reform will put prosecutors in charge. It will shift the focus to probable cause, and the threshold will be what it should be: whether there is sufficient evidence to go to trial.

It is time that we give the same rights to brave servicemembers who come forward to report a crime, the rights that the rest of us have in civilian society. If we are serious about addressing the epidemic of sexual assault,

we must stop treating the victim as the criminal and stop protecting the sexual predators. It is time for us to clean up the military justice system.

HELP FOR THE PHILIPPINES

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

Mr. AL GREEN of Texas. Mr. Speaker, I rise today on a mission of mercy, with a message of gratitude.

I am grateful today to members of the Foreign Affairs Committee; the chairperson, Mr. ROYCE; and the ranking member, Mr. ENGEL. I am grateful that they have filed a resolution to support the people of the Philippines.

My mission of mercy is to ask for help for the people of the Philippines. This resolution, H. Res. 404, speaks to some of what we may be able to do, and it also addresses our sympathy for the people of the Philippines.

□ 1045

It expresses our solidarity with the people of the Philippines. It expresses our continuing support for relief and reconstruction assistance for the people of the Philippines, and it goes on to commend the Filipino community in the United States of America for their efforts to organize and to help with the disaster relief.

The Philippines are our allies. The people of the Philippines have been there with us through many struggles. They are the victims of a force of nature, but they can survive this with our help.

I want people to understand that there is a special relationship between America and the people of the Philippines. They were there with us during World War II. They fought side-by-side with our troops. Many of them fought and died together. My hope is that this special bond, this special connectivity that started long before World War II but that continued through World War II, is something that will cause us to remember that these are our friends. They need our help.

They were also there during this war at the Battle of Bataan. More than 70,000 troops marched in the Battle of Bataan. They were marched to a camp where they were to be incarcerated. Many died along the way. Many of them were Americans. More than 10,000 Americans were a part of that Bataan Death March, as it is called.

We have more than 17,000 troops that are buried in the Philippines. These persons are the ones that took up the clarion call to answer the call to duty in a distant place. My hope is that we will remember that they sacrificed their lives and that the people of the Philippines mean a lot more to us than just a simple place on a map.

I would remind us that on August 30, 1951, 62 years ago, we signed a Mutual Defense Treaty with the people of the Philippines. This is not defense in the traditional sense of defense, but it is defense in the sense that people are defenseless because they have been impacted by a force of nature unlike any other we may have seen on our planet.

This force of nature, according to USAID, has caused 9.7 million people to be affected. It has caused more than 23,000 people to have their homes damaged or destroyed. It has caused more than 600,000 people to be displaced. It has caused more than 700,000 people to find themselves being evacuated. The death toll is still climbing. It is at more than 2,000.

Today, I rise on a mission of mercy with a message of gratitude. The gratitude is to the United States of America and to this administration for sending in our troops. The Marines have landed, and more are on the way. We have an aircraft carrier, the USS *George Washington*, one of our finest. It will be there to provide support services and produce water.

$20 million in aid is good, but the world has to come to the aid of the people of the Philippines, and we have to do more.

I know that these are times of great austerity. I understand that we have cuts. I also remember something that happened in my family when a person who lived in our community lost their job. We were poor. We were not born into plenty. We were born into poverty. While we were poor, we still understood that someone who had lost a job merited some support. I can remember my parents talking between themselves about how we could help this family, notwithstanding our sense of poverty. When I say we were poor, I was telling a Member just yesterday that the subsidized public housing would have been a step up in life for us. We called it the ''projects,'' and we looked forward to moving to the projects. We never did, but we looked forward to it.

My point is this. Even when we were poor and when we had little, we still made room to help others who had less, and this is what a great country does, I believe.

A great country doesn't ask what will happen to us if we take up the cause of the people of the Philippines. A great country will ask what will happen to them if we do not take up the cause of the people of the Philippines.

So I beg today that we do all that we can to help and that we sign onto H. Res. 404, expressing our sympathy for the people of the Philippines.

God bless you, and God bless the United States of America. Let's pray for the people of the Philippines.

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 49 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 Larry Phillips, Midway Baptist Church, Mount Airy, North Carolina, offered the following prayer:

Almighty God, giver of eternal life, we thank You for this great Republic, a Nation conceived in religious liberty and the free exercise thereof. Today, as generations before us, we seek Your divine hand of providence to guide the affairs of our Nation and those who serve.

Guide our Representatives, we pray, on a path consistent with the original intent of our Constitution. Grant them the strength of character to defend life, liberty, and freedom for future generations. Lead them in the path of righteousness which will exalt this Nation.

As public servants, keep them from the sin of arrogance and self-centered pride by reminding them they are accountable to the people and to You for their decisions.

And I pray each Representative of this House may know that they are greatly loved by You.

As a follower of Jesus Christ, I pray this in His name.

Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

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

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

WELCOMING REVEREND LARRY PHILLIPS

The SPEAKER. Without objection, the gentleman from North Carolina (Mr. COBLE) is recognized for 1 minute.

There was no objection.

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

Mr. COBLE. Mr. Speaker, I am pleased that you accepted our nomination of Surry County minister and commissioner, Larry Phillips from Mount Airy, to lead the House with the opening prayer. In the short time that I have represented Surry County, I have come to know Larry as an outstanding elected official and a principled and thoughtful person.

Reverend Phillips is currently serving in his 25th year as senior pastor of Midway Baptist Church in Mount Airy, which is affiliated with the Southern Baptist Convention. He is a graduate of Liberty Baptist Theological Seminary, holds a master of arts in biblical studies, and is completing his master's of religious education.

Mr. Speaker, it has been said in North Carolina there are more Baptists than there are North Carolinians, and Reverend Phillips and his family belong to that very distinguished group.

Larry Phillips was born in Cherokee County, North Carolina, and has been married to Melinda Gay Johnson Phillips for 36 years and is father to Andrea and Darren, father-in-law to Meagan, and grandfather to Madison and Branson.

Larry Phillips was elected to the Surry County Board of Commissioners in 2012 and serves on the County Commissioners Economic Development Task Force, including the North Carolina Association of County Commissioners and Board of Directors.

We are pleased, Mr. Speaker, to have Larry Phillips as our guest chaplain today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

EFFECTS OF OBAMACARE

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

Mr. BOEHNER. Madam Speaker, I have heard from many of my constituents over the last couple of weeks who are struggling mightily under the President's health care law.

Ed from Hamilton is one of them. He and his wife recently retired but aren't old enough yet for Medicare. Their health care plan is being canceled. It is being replaced with one that will cost $500 more per month. Now think about that: $500 more per month every month for their new health care plan.

Then there is Brian from West Chester, my hometown. He runs a small business, just like I used to. Brian has been told that his health care premiums are going to double. If that happens, Brian said to me he might have to close his doors. That means his workers are going to lose their plan and lose their job.

Now, these are just two stories from my district in Ohio, and there are millions more of them all around the country. Premiums are going up. People are losing their coverage, and small businesses are being terrified.

The President's health care law is hurting a lot of our constituents. If he is serious about helping them, he can start by making good on his promise and supporting the Keep Your Health Care Act.

I would encourage every Member to help keep that promise and vote for this important bill.

THE PHILIPPINES ARE IN NEED

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

Ms. CHU. Madam Speaker, today my thoughts are with the victims of Super Typhoon Haiyan in the Philippines. The typhoon ravaged the Philippines, bringing sustained winds that reached 175 miles per hour and storm surges reaching 13 feet.

In the aftermath, reports have confirmed more than 2,300 dead; but the number could be far larger. Haiyan wiped out roads, electricity, and communications in much of the country.

Mayors are faced with unthinkable decisions, like choosing between transporting in food and relief supplies or transporting out the bodies of victims.

When those in the other parts of the globe are in need due to disaster, the United States always lends a hand. Right now, the Philippines are in need.

I urge Members of Congress and all members of this United States of America to continue opening their hearts to provide critical support to the recovery efforts.

OBAMACARE

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

Mrs. BLACK. Madam Speaker, Greg, a constituent from Fairfield Glade in my district, is one of tens of thousands across our State who has received one of these, a letter canceling their insurance policy.

Greg wrote to me that he ''operates a small painting business and was very happy with the Cover Tennessee program for small businesses and their employees. This program is being canceled effective January 2014 because it does not meet the minimum requirements of ObamaCare. This directly contradicts the promise made by President Obama that we could keep our existing programs,'' he says.

Madam Speaker, just yesterday, it was reported that only 992 Tennesseans—yes, less than 1,000 Tennesseans—have selected new coverage through the ObamaCare exchanges. Yet at least 94,000—yes, 94,000—across our State have lost their coverage.

The President must honor his promise to the American people and work with Congress to protect Americans like Greg.

THE AMERICAN WORK OPPORTUNITY ACT

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

Ms. KELLY of Illinois. Madam Speaker, last week I met with businesses from around my district as part of my economic development tour.

I visited Sip & Savor, a minority-owned coffee shop in Hyde Park, where people go for great coffee and conversation.

I met with Landauer in Glenwood, ranked 63rd on the Forbes list of Best Small Businesses in America. They are keeping our troops safe by investing in technologies that protect them from the harmful effects of radiation.

I spoke with workers at Nucor Steel in Kankakee, who are helping lead the manufacturing renaissance in the United States.

These businesses take pride in the work they do, but they need a Congress that is willing to work just as hard for them. We need folks on both sides who will reduce the barriers to business growth and who will support the small businesses that create 65 percent of the new jobs in our economy.

I recently introduced H.R. 3328, the American Work Opportunity Act, which extends the work opportunity tax credit for businesses that put Americans back to work. I urge my colleagues to support this bill and to work together to pass a comprehensive jobs bill.

HAPPY BIRTHDAY, KADEN

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

Mr. HULTGREN. Madam Speaker, this past weekend we remembered the brave men and women who have sacrificed so much for this Nation. In many cases, their families join in that sacrifice, forced to be apart for birthdays and other family celebrations while their loved ones serve overseas.

I am so grateful for these defenders of freedom who make the tough commitment to be away from their families so they can protect us abroad so we can enjoy peace at home. As these military families make sacrifices, we remember our own families who benefit from their service.

I want to wish my incredible son, Kaden, a happy birthday as he turns 12 today. Your mom and I are so blessed

by having you in our family, and we are looking forward to the great future God has planned for you.

I am so glad that we will be able to see each other this weekend and celebrate, when many other fathers and mothers abroad have to wait months to celebrate with their own kids.

Birthdays and holidays give us another chance to pause and remember them this year. Thank you, veterans.

And happy birthday, Kaden.

BLACKOUT RULES ARE UNFAIR

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

Mr. HIGGINS. Madam Speaker, earlier this month, the Federal Communications Commission chair put forth a proposal to end government support for sports blackouts. This is a welcome step in the fight to end blackouts once and for all.

In my home community of western New York, there is a threat of a blackout for the next two home games. This means that, despite overwhelming community support, money spent on merchandise, and tax dollars being spent for stadium improvements, Buffalo fans will not be able to see their NFL team on television.

On Tuesday I introduced the Furthering Access and Networks for Sports, or FANS, Act, which would eliminate these harmful blackouts once and for all. Senators BLUMENTHAL and MCCAIN introduced identical legislation in the Senate.

Madam Speaker, blackout rules are unfair, outdated, and alienate fans. I will continue to fight until sports teams do the right thing for their fans.

PRESIDENT OBAMA'S BROKEN PROMISE

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

Mr. GOSAR. Madam Speaker, I rise today to shed light on the President's broken health care promise. The President promised over and over again that Americans who like their health care plans could keep them, but that is just not true.

Here is what Wendy from my district wrote me:

> My BlueCross BlueShield policy will be canceled due to ObamaCare starting March 1, 2014. I checked out other policy options under ObamaCare and the least expensive qualifying plan was an additional $208.44 per month. This is with a higher deductible, larger out-of-pocket expense, and only three doctor visits per year per person. This is outrageous. Additionally, this rate only includes me and my three children, not even my husband. I guess we can't even keep a family together under ObamaCare.

As Wendy's story exemplifies, and as we predicted since 2010, ObamaCare is fundamentally flawed in concept and execution. Dictated government health care cannot beat free-market choices. And as a health care professional, I will continue to do all that I can to protect the American people from ObamaCare.

VETERANS TOUR

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

Mrs. BUSTOS. Madam Speaker, I rise today to talk about the recent veterans tour I conducted across my region of Illinois.

Last week I traveled to all corners of my district to meet with local veterans and listen to their priorities and to their concerns. I held listening roundtables with veterans to talk about ways we can cut down on the shameful backlog of VA claims, to make sure that veterans have access to good-paying jobs, to education, and to job training programs, and to put an end to veterans' homelessness.

I also worked a shift at the Sterling, Illinois, VA Clinic, where I shadowed nurses and saw firsthand new technology that help veterans have access to treatment closer to home.

And, finally, I interviewed Leland Chandler for the Library of Congress Veterans History Project. Mr. Chandler is a World War II veteran from Galesburg, Illinois, who was a prisoner of war in the Pacific Theater. He received many awards and decorations for his brave service to our Nation. He is a true American hero, and I am honored to share his story with the public.

During my time in Congress, I have made veterans my top priority, and I will continue to fight to protect the benefits that they have worked so hard to achieve.

□ 1215

AMERICANS LOSING THEIR HEALTH INSURANCE

(Mrs. MCMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCMORRIS RODGERS. Madam Speaker, today I want to talk about Debbie Brown, who is from Garfield County in Washington State. She has a daughter and two grandchildren and is 53 years old. She works at the local gas station to help support her family. A few weeks ago, she was one of many who were told that, as of December 31, 2013, her health insurance plan would no longer be available. She has looked at other plans and hasn't found one that is affordable, so she is uninsured now.

Unfortunately, her story is too common; and it is repeated all across this country, heartbreaking stories of everyday, average, hardworking Americans losing their health insurance. We can do better. Too many Americans are receiving cancelation notices; too many Americans are losing their doctors; and too many Americans don't have affordable health insurance because of the Affordable Care Act.

Madam Speaker, 3.5 million Americans have seen their plans canceled, almost 300,000 in Washington State alone. President Obama promised the American people, if you liked your health care plan, you could keep it—not, if he liked your plan, you could keep it.

Let's support the legislation tomorrow.

SEXUAL ORIENTATION AND GENDER IDENTITY EMPLOYMENT PROTECTIONS

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

Mr. KILMER. Madam Speaker, today I rise to call on the House to pass the Employment Nondiscrimination Act, which passed the Senate with bipartisan support. It is a bill with a simple premise: that people should be hired, fired, and assessed based on their capabilities and job performance, not on prejudice. It would take the commonsense step of extending Federal employment nondiscrimination protections to include sexual orientation and gender identity.

I spent a decade working in economic development, and the research by Richard Florida and others is pretty clear. One of the prime drivers of economic growth is tolerance, and yet, in 29 States, it is legal to fire an employee because of sexual orientation. The rights granted in my State shouldn't end at our borders.

Failure to act on this doesn't make economic sense; it doesn't make legislative sense; and it doesn't make moral sense.

But I am not here just as an economic developer. I am here as someone whose faith dictates that I love and respect all people and live by the Golden Rule, and I am here as a dad of two little girls. I want my daughters to grow up in a country where discrimination is a thing of the past, where folks can't be treated differently because of their gender or who they love. It is time to pass ENDA.

NUCLEAR NEGOTIATIONS WITH IRAN

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

Mr. HOLDING. Madam Speaker, President Rouhani of Iran is doing exactly what he was put in power to do: get the Obama administration to weaken international economic sanctions.

Our sanctions, Madam Speaker, are working. Unfortunately, Secretary Kerry and this administration have been chasing an agreement with Iran that relaxes sanctions and allows Iran to continue enriching material and developing their heavy-water reactor. This is an outcome that the regime in Tehran desires, and they won't have to make any concessions to get it.

Madam Speaker, the tentative deal does nothing to address Iran's sponsorship of terrorist organizations, like Hezbollah, nor does it deal with their overt persecution of religious minorities in Iran or their vast human rights abuses. As Prime Minister Netanyahu stated, ''This is a very, very bad deal.''

The administration needs to stop negotiating bad deals and cease their efforts to block a new round of sanctions.

TRIBUTE TO LEONEL J. CASTILLO: EDUCATOR, CIVIL RIGHTS ACTIVIST, AND HOUSTON'S FIRST HISPANIC ELECTED

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

Ms. JACKSON LEE. Madam Speaker, over this last weekend, we celebrated the life of Leonel J. Castillo: educator, civil rights activist, and Houston's first Hispanic elected official, but—a truely—wonderful and deserving and outstanding American.

I rise today to pay tribute to Leonel J. Castillo, a legendary pioneer figure in the history of Houston and, as I said, the first Hispanic elected to public office in Houston. He died on November 4, 2013.

But this weekend, we had a chance to be with his family and to celebrate his life, to name a neighborhood center after him, to hear the testimonies regarding his passion and his love of bringing people together, and to hear about his love for his family.

He was inspired by President John F. Kennedy and joined the Peace Corps, where he met his wonderful, beautiful wife, Evelyn, and had two children: a daughter, Avalyn, and a son, Efrem. He met his wife in the Philippines. And we know today that we are praying for all of them in the Philippines.

Leonel, of course, in 1967, moved his family back to Houston. We are so delighted. He served as the director of SER-Jobs for Progress. In 1971, he was elected comptroller of the city of Houston. When nominated for INS Commissioner President Carter said:

> ''He is a man who has the highest possible reputation. He is a public administrator, and I think I can tell you that he is going to take on one of the most difficult jobs in government.''

Mr. Castillo, a great American succeeded in that job and all that he did.

We thank you, Leonel Castillo, as you served the United States Government and all of America well. May you rest in peace.

KEEP YOUR HEALTH PLAN

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

Mr. JOYCE. Madam Speaker, despite promises that, if you liked your current health plan, you could keep it, millions of Americans have already received cancelation notices regarding current coverage. No matter how you feel about the Affordable Care Act, Ohioans that like their health care coverage should be able to keep it.

I have received countless emails and letters from Ohioans losing their coverage or being forced to pay more. One Ohioan who reached out to me because he was concerned about how higher costs could affect his family was Karl from Newbury, Ohio. Karl and his wife have six kids, recently bought a house, and stay busy because, not only is Karl a full-time employee, he is a full-time student.

Karl and his wife recently received a notice that their family would have to pay 30 to 40 percent more for their health care coverage next year. Now Karl and his wife are worried because they won't be able to afford the mortgage on their new home because of the increased health care costs.

Madam Speaker, Ohioans shouldn't be forced to pay more for health care because of a law coming out of Washington. That is why, this week, the House will vote for the Keep Your Health Plan Act, which will allow plans available on the individual market today to continue to be offered next year. It is a commonsense bill that will protect Americans from losing or paying more for their coverage, and I urge my colleagues to support it.

HEALTH INSURANCE OPTIONS

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

Mr. BARROW of Georgia. Madam Speaker, when the Affordable Care Act was first enacted, the American people were promised that, if they liked their coverage, they could keep it. Despite those assurances, millions of Americans who are happy with their insurance coverage are finding out they won't get to keep their coverage.

I am proud to cosponsor legislation, offered by my Republican colleague from Michigan, committee Chairman FRED UPTON, that gives the folks in my district in Georgia the opportunity to keep their current health insurance plan. I hope we will pass that legislation this week.

Many Americans don't feel well served by the limited health insurance options available in the exchanges, and people resent being misled by their elected officials about their options. It is important for us to give the American people the option to choose which plans work best for them, and this bill will help.

KEEP THE PLAN YOU LIKE

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

Mr. MEEHAN. Madam Speaker, I rise today on behalf of the thousands of Pennsylvanians from my district who are going to lose their health care coverage because of the rules and regulations of ObamaCare. I invited a number of them into my office, and their stories were both revealing and heartbreaking.

A small business woman from Newtown Square shared her story of shopping for a new plan after her policy was canceled. She must now pay more each month for a plan she doesn't like and coverage she does not want. Yet another is losing her doctor after more than 20 years because she was forced to switch insurance companies. Her long-term doctor isn't covered under the new, more expensive plan. And one constituent received this letter from her insurance company, informing her that she would have to pay as much as $3,500 more. It has higher deductibles and higher copays.

Madam Speaker, Americans are already struggling in this economy. Tomorrow the House will vote to ensure that the families that like their plans can keep them. President Obama and Senate Democrats should keep their promise to the American people and do the same.

THE BORDER PATROL PAY REFORM ACT

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

Mr. O'ROURKE. Madam Speaker, I have the honor of representing more than 2,500 Border Patrol agents in El Paso, Texas. They are a big reason why our border with Mexico is as secure as it has ever been, and they help keep El Paso the safest city in the United States; it was this year, the year before, and the year before that.

Now, despite their successful track record, their vigilance at our borders with Mexico and Canada, and the tough conditions under which they work, they are working with an antiquated, unfair, and inflexible pay system. That is why I am happy to work across the aisle with the gentleman from Utah, Representative CHAFFETZ, to introduce H.R. 3463, the Border Patrol Pay Reform Act. This provides a fair, flexible, and fiscally responsible way to compensate our Border Patrol agents. It allows management to deploy resources where they are most needed; it gives our agents some predictability in their work schedule; and it saves the American taxpayer over $1 billion over the next 10 years.

During a time of sequester and tight budgets, we need to use existing resources as judiciously as we can. I think this bill accomplishes that while supporting our Border Patrol agents. I urge my colleagues to join me in supporting this bill.

CANCELED HEALTH INSURANCE PLANS

(Mr. ROGERS of Alabama asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Madam Speaker, America is over 6 weeks into the ObamaCare rollout, and things are just a mess. Folks are still having problems signing up. But even more painful are the letters people are receiving, canceling their health insurance plans. Families and individuals are being forced into different and, oftentimes, more expensive plans.

Recently, I asked folks to let me know how their premiums were being affected. One person contacted me that their premiums went up $200 a month. Another family contacted me that their policy was canceled, and their premium is going up $740 per month.

The President promised, from the beginning, if you like your health care plan, you will be able to keep your health care plan, period. But that has turned out not to be the case, and he knew it all along.

ObamaCare has many flaws, but forcing people off their plans when they were promised they could keep them is really starting to hit home now. That is why I strongly support H.R. 3350, the Keep Your Health Plan Act. The legislation would allow health care plans on the individual market to remain available so people could have the option to keep their current health insurance if they want to.

I still believe the best path forward is to get rid of ObamaCare, but for now, we should support this bill to help hardworking Americans keep their health insurance.

SUPER TYPHOON HAIYAN

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

Ms. SPEIER. Madam Speaker, I rise today to extend my condolences to the thousands of families both in the Philippines and here in the United States who have lost loved ones due to Super Typhoon Haiyan, the deadliest natural disaster in the history of this region.

I proudly represent the largest population of Filipino Americans in the continental United States, and many of them are in anguish right now wanting to know whether or not their loved ones are still alive. The question that some may ask is, Well, why should we help?

Well, there are the obvious humanitarian reasons, but more importantly, we must never forget that in World War II, President Roosevelt sought to have Filipinos take arms and fight for us—some 250,000 of them—during World War II. We must help.

We have sent the USS *George Washington*, which has arrived today. Seven other ships are on their way. There are C–130s and Ospreys that have also been put in operation.

The gentleman from California, Congressman HONDA, and I have introduced a resolution, and I hope the House will take it up swiftly, seeking support for the Filipino people and providing the aid they need.

□ 1230

THE PRESIDENT'S HEALTH CARE LAW

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

Mr. BENISHEK. Madam Speaker, I am holding a copy of a letter that one of my constituents received informing him that his current health care plan—a plan that he was satisfied with and that he was able to afford—is being canceled, thanks to regulations imposed by the President's health care law.

Thousands of letters like this one have gone out to hardworking citizens in northern Michigan.

I asked my constituents to reach out to me about their experiences so I could hear firsthand about the impact of this disastrous overhaul. I received over 200 responses in a matter of days.

Patrick from Cheboygan will see his annual health insurance bill rise by over $6,000 on January 1, 2014. Russell from Amasa was finally able to log onto the President's Web site after 14 straight days of trying, only to discover that the closest equivalent option for his plan will be far too expensive for him to afford.

I ask all of my colleagues to join me in order to repeal this disastrous health care law and work together in order to promote affordable, patient-centered reforms.

SAFE CLIMATE CAUCUS

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

Mr. HUFFMAN. Madam Speaker, I rise today to once again speak about the issue of climate change that is affecting every country, but as the World Bank has found, the impacts are not distributed equally. It is likely that the poorest nations on Earth will be the hardest hit.

The U.N. ranks the Philippines as the country that is third most vulnerable to the effects of climate change because of its geography, its poverty, and the state of its infrastructure.

As all of my colleagues know, one of the most powerful storms on record tore through Asia this past week—and the Philippines in particular. In the wake of Typhoon Haiyan, many thousands are dead and hundreds of thousands more are homeless and desperate for help.

As we learn more about the devastation, I ask my colleagues to pay careful attention to the words of Yeb Sano, head of the Philippines delegation to the U.N. climate talks:

> What my country is going through as a result of this extreme climate event is madness . . . Typhoons such as Haiyan and its impacts represent a sobering reminder to the international community that we cannot afford to procrastinate on climate action.

He is right.

The Philippines tragedy is the latest wake-up call on climate change. So let's wake up.

OBAMACARE CANCELATIONS

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

Mr. COBLE. Madam Speaker, how many times did we hear the President promise the American people that if they liked their health care plan, they could keep their health care plan?

It doesn't matter how many times, Madam Speaker, you say something if it simply isn't true.

The fact is that Americans all across this country are getting letters from their insurance companies telling them their plans have been canceled. These are moms, dads, students, seniors, people who work diligently and who should be able to count on their health insurance when they need it.

What does ObamaCare offer them? Maybe they lose their plan altogether. Maybe their rates are going up. Maybe they can't visit the doctors and hospitals they have been using for years.

Madam Speaker, this has happened.

I urge victims to speak out. Go to the House Republican Web site at gop.gov and share your story.

VALLEY'S FIRST HONOR FLIGHT

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

Mr. COSTA. Mr. Speaker, I rise today to speak on behalf of our valley's first Honor Flight.

Recently, my colleagues, Representatives VALADAO and NUNES, and I honored the service of San Joaquin Valley veterans—as Tom Brokaw noted, perhaps America's Greatest Generation. These 69 men took off from Fresno and landed here in our Nation's Capital to see the monuments to their service to our country, most of them for the first time. In their youth, these men bravely but humbly answered their Nation's call.

Decades later, our first San Joaquin Valley Honor Flight came to Washington, where they witnessed the changing of the guard and remembered those of their fellow soldiers who did not make it home.

I also want to thank Congressmen HALL and DINGELL, who shared stories with them.

This forever grateful Nation is better for the men's sacrifices and the lives they led when they returned home to their farms, their storefronts, and their practices throughout the Valley to build a better life for themselves and our Nation.

I want to thank you for allowing us to share their experience and to show our gratitude for a debt which we can never fully repay.

FOR RUTHANN: PASS THE KEEP YOUR HEALTH PLAN ACT

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

Ms. FOXX. Mr. Speaker, the promises upon which ObamaCare was built are crumbling.

Ruthann from Hickory, North Carolina, is a healthy 61-year-old. Last month, she received this letter from her insurance provider:

> Dear Ruthann,
> Due to Affordable Care Act regulations, your current . . . medical plan will no longer be offered for 2014 . . . The monthly premium for your new plan will be $738.05.

Ruthann is right to be frustrated by this news.

Today, she pays $396 each month for a plan with a lower deductible that covers the services she needs. Paying $350 more each month is out of the question for Ruthann and her family.

Her next best option under ObamaCare is to pay $510 a month for a higher deductible plan that will force her to pay out of pocket for some of the basic tests and procedures her current insurance provides.

Ruthann says:

> In effect, I am now relegated to a policy that will only be helpful in case of a catastrophic illness resulting in hospitalization.

How is that anything resembling ''affordable care?''

AID TO THE PHILIPPINES

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

Ms. MENG. Mr. Speaker, I rise today to reaffirm the solidarity between the United States and the Philippines at this tragic time.

As the people of the Philippines rebuild their infrastructure, aid their injured, and mourn their deceased, the U.S. must remain a beacon of international humanitarian leadership.

Since the landfall of Typhoon Haiyan on November 8, 2103, the United States Government has provided over $20 million in immediate humanitarian assistance, shipping vital necessities like shelter, water, hygiene kits, plastic sheeting, and over 55 metric tons of emergency food provisions to Tacloban City and other devastated regions.

This aid is desperately needed. The typhoon has impacted 8 million Filipinos and taken the lives of nearly 3,400 people—a number expected to rise.

The tragedy has also touched the 17,000 people of Filipino heritage living in my district in Queens, New York. To them, I offer unwavering support and an unflinching resolve to do everything possible to help those affected overseas.

GET GOVERNMENT OUT OF THE WAY AND PUT AMERICANS BACK TO WORK

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

Mr. YODER. Madam Speaker, Americans want Congress to support policies that help put our Nation back to work. Creating jobs is the key to improving our economy.

However, too often, government stands in the way of job creation by imposing costly regulations on businesses and municipalities, creating uncertainty and hindering job growth.

I recently visited a wastewater treatment facility in my district. While there, I learned that new EPA mandates, specifically on wet weather wastewater treatment, will increase costs on Johnson County, Kansas, ratepayers by 25 percent.

New EPA regulations on an energy plant in Kansas City, Kansas, will force the board of public utilities to make modifications—$250 million in costs—resulting in a 15 to 20 percent monthly increase in the average electric bill to consumers, families, and businesses in Wyandotte County, who are already feeling the crunch of hard economic times.

These regulations are essentially hidden taxes on Kansas families, many of whom are already pinching pennies to pay their bills.

Madam Speaker, regulations do not create jobs. Let's get government out of the way and let's put Americans back to work.

HONORING COUNCILWOMAN MAXINE HERRING PARKER

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

Ms. SEWELL of Alabama. Madam Speaker, I rise today to pay tribute and honor to the life and legacy of Birmingham City Council President Maxine Herring Parker, who passed away suddenly on Tuesday, November 12, 2013.

Councilwoman Parker was the epitome of grace, class, and firm yet gentle leadership. With her signature flower lapels to accentuate her immaculate appearance, this soft-spoken leader personified womanhood while serving as a great source of strength for her family and community.

Her love of family was second only to her love of her constituents in Birmingham City Council District 4. Through her 8-year tenure on the city council in Birmingham, Alabama, Councilwoman Parker was best known for her advocacy for environmental justice on behalf of her constituents in north Birmingham. In 2011, as a result of her tireless advocacy, the Environmental Protection Agency began its first major intervention in the area. Today, that environmental cleanup still exists.

On behalf of our Nation, the State of Alabama, and the city of Birmingham, I am honored to pay tribute to the life and legacy of this phenomenal woman. She was indeed one of the most passionate community servants of her time. Let us all commit to continuing Councilwoman Parker's legacy of passion and concern for others.

I ask my colleagues to join me in honoring the life and legacy of Birmingham City Council President Maxine Herring Parker.

AID TO THE PHILIPPINES

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

Mr. AL GREEN of Texas. Madam Speaker, I am continuing the mission of mercy that started right after the typhoon hit the Philippines.

Madam Speaker, I am here to express my gratitude to the President of the United States of America. I just heard him speak of how the United States would do all that it can to help the people of the Philippines.

I am also grateful to the members of my community. We have approximately 40,000 persons of Filipino ancestry living in the Houston area. A good many of them are persons that I represent. I am honored to tell you that they are working tirelessly to do all that they can to help their brothers and sisters in the Philippines.

These are difficult times, but I am honored to say it is my belief that, with our help, we will be able to help the people of the Philippines get through this tragic circumstance.

There are two resolutions. H. Res. 404 is sponsored by Members ENGEL and ROYCE, ranking member and chair of the Foreign Affairs Committee. H. Res. 408 is sponsored by Members SPEIER and HONDA. I want to compliment them for what they have done.

IN SUPPORT OF THE AFFORDABLE CARE ACT

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

Mr. JOHNSON of Georgia. Madam Speaker, I rise in continued support of the Affordable Care Act and the promise of high quality, affordable health care for all.

Republicans and right-wing media are obsessed with problems about healthcare.gov. This law is more than just a Web site. It is affordable, quality health insurance for everyone. The majority of Americans who purchase their insurance purchase it outside of the individual market plan. Those individuals who purchase through their employers' offerings will suffer a price increase if the Upton legislation, which will be coming before us shortly,

passes. It is just a means to sabotage the Affordable Care Act, and I will not be in support of it.

There are over 100,000 people who have now been able to obtain insurance under the Affordable Care Act. It is working. We need to work to improve it. I stand ready to do so.

□ 1245

MOTION TO INSTRUCT CONFEREES ON H.R. 3080, WATER RESOURCES DEVELOPMENT ACT OF 2013

Mr. SHUSTER. Madam Speaker, I ask unanimous consent to take from the Speaker's table 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, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

A motion to reconsider was laid on the table.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Sean Patrick Maloney of New York moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3080 be instructed to recede from disagreement with the provisions contained in title IX of the Senate amendment (relating to reducing the risks to life and property from dam failure in the United States through reauthorization of an effective dam safety program).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. SEAN PATRICK MALONEY) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I yield myself such time as I may consume.

Since joining the Congress, I have been working across the aisle on a piece of critical legislation, the Dam Safety Act, which gives communities all across America the support they need to ensure that dams have the highest safety standards possible.

Many of these provisions were included in the bipartisan Water Resources Reform and Development Act, known as WRRDA, which overwhelmingly passed the House just a few weeks ago by a 417–3 vote margin.

I certainly want to thank Chairman SHUSTER, Ranking Member RAHALL, and subcommittee Ranking Member BISHOP for their leadership on WRRDA and for working closely with me on this important issue.

With major storms like Irene, Hurricane Sandy and Tropical Storm Lee becoming more and more frequent, I believe Congress needs to place a higher priority on strengthening our infrastructure, particularly on our oldest and often most vulnerable infrastructure—our dams. Should our dam infrastructure fail in the midst of these storms, the effects could be far more catastrophic and immediate than most other components of our States' infrastructure, endangering people's lives, their property and their livelihoods.

Our country has over 87,000 dams, and approximately 10,000 of these dams are what are known as ''high-hazard dams.'' There are dams in virtually every congressional district and community across the country. The failure of any of these high-hazard dams would cause widespread damage and loss of life and, of course, major economic disruption; and approximately 40 percent of these high-hazard dams do not have an emergency action plan. I would like to say that again: more than 40 percent of our most important dams—the high-hazard dams—the failure of which could cause the loss of life or major property damage, do not have an emergency action plan. We live in a world now in which we have these extreme weather events, and you don't want to find out the dam is going to fail when you have a superstorm.

The Hudson Valley—the communities I represent—is home to over 800 dams, and nearly 100 of those dams are known as high-hazard dams, the failure of which could pose a serious risk to the economy and well-being of these communities and families. Unfortunately, during Hurricane Irene, many folks were impacted because of a dam failure. Many of my neighbors in Tuxedo's East Village were devastated when the Echo Lake Dam released an estimated 100 million gallons of water. Some people in Tuxedo reported seeing an 8-foot wall of water rushing towards the town, causing catastrophic damage to the infrastructure and costing millions of dollars in property damage.

For folks like John and Lisa Petriello, who live in the East Village, the failure of this dam flooded their home, cracked their foundation, and ripped the deck off their home. For Gary Phelps, it meant more than $125,000 in property damage. Then for businesses such as SOS Fuels, it meant their headquarters were condemned. In mere minutes, the flood carried away cars and appliances. Folks lost their furniture, their valuables, and their homes.

From 2005 to 2009, 132 dams failed. So it is critical that every single community across the country be prepared and be protected, and they can be with this program.

This important motion will make the final version of the Dam Safety program even better by authorizing the Dam Safety program at $9.2 million per year over the next 5 years. This is $9.2 million which could, itself, be less than the cost of a single dam failure; yet we know that in just a 5-year period 132 dams failed. The National Dam Safety Program provides vital support to assist States like mine, New York, in developing emergency action plans, in implementing existing dam safety programs, in assisting with the purchase of equipment, and in conducting dam inspections.

For the first time, the Senate provision would provide public awareness and outreach funding, an essential step to ensuring that all citizens understand the need to prepare for, to mitigate for, to respond to, and to recover from dam incidents and failures. It is far past time to start paying attention to a program that can make a real difference in people's lives, especially a program that has been passed on a bipartisan basis since 1974.

Madam Speaker, I reserve the balance of my time.

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

The committee supports the National Dam Safety Program. In fact, I commend the gentleman from New York in his freshman term to be working on the Dam Act because, as a freshman several years ago—12 years ago—my first piece of legislation that I authored was the dam bill.

Again, this is a critical program. It saves lives, it protects communities, and that is why we included language in H.R. 3080—to improve the Dam Safety program. There are minor differences between the House and the Senate language. We look forward to working on reconciling those differences as the legislation moves forward; and while we expect we will continue to have some negotiations with the Senate on this issue, I am not opposed to the motion to instruct on this provision.

With that, I reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, at this time, I yield such time as he may consume to the gentleman from West Virginia (Mr. RAHALL), my friend, the distinguished ranking member of the committee.

Mr. RAHALL. I commend the gentleman from New York (Mr. MALONEY) for offering this motion to instruct and for his leadership on this most vital issue for the safety of the American people. I also want to commend the full committee chairman, Mr. SHUSTER, the ranking member of our subcommittee, Mr. BISHOP, and the subcommittee chairman, Mr. GIBBS, for their tremendous work on the underlying bill and for getting this to the point at which we are today.

Madam Speaker, I am in strong support of the motion to instruct. This motion directs the conferees to recede to the Senate provision that includes the Dam Safety Act of 2013, which reauthorizes the Dam Safety program at reasonable levels.

The Dam Safety program is about protecting lives. It is a critical program that provides much-needed education, training, and assistance to State dam safety officials. Dams protect our people, our homes, and our businesses from flooding. They provide essential drinking water, power to homes and businesses, critical irrigation for our Nation's food supply, and recreational opportunities for our citizens. West Virginians understand the importance of dams, the role they play in our daily lives, and the critical need to keep them safe.

In 1972, a dam failure occurred at Buffalo Creek, West Virginia, claiming 125 lives and injuring 1,000 more, destroying over 500 homes and causing more than $400 million in property damage. While this incident occurred more than 40 years ago, West Virginians still remember the devastation caused by the dam failure and continue to mourn that loss of life. Out of this tragedy, Congress passed and created the National Inventory of Dams, which led to the National Dam Safety Program that this motion urges us to reauthorize today.

Today, West Virginia has more than 600 dams included in the Army Corps of Engineers' National Inventory of Dams. Two-thirds of these dams are considered high-hazard dams, meaning that dam failure would result in loss of life and do serious damage to homes, businesses, public utilities, or highways. Moreover, 110 of these high-hazard dams do not have an emergency action plan, putting the lives of West Virginia citizens at greater risk. This motion to instruct will ensure that the program and investment are in place to help States and other dam owners inspect their dams and develop the emergency action plans that are necessary to ensure the continued safety of our citizens.

Across the country, almost one-third of the Nation's 87,000 dams pose a high or a significant hazard to life and property if failure occurs, and these dams consistently receive failing grades from the American Society of Civil Engineers. This year is no different. The 2013 Engineers report card gives our dams a ''D.'' Let me repeat that—a ''D.'' Madam Speaker, it is critical that Congress reauthorize the National Dam Safety Program and ensure the safety of our citizens.

I, again, commend the gentleman from New York, SEAN PATRICK MALONEY, and I urge my colleagues to join him in supporting the motion to instruct conferees on H.R. 3080.

Mr. SHUSTER. Madam Speaker, I continue to reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. At this time, Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GALLEGO), my friend.

Mr. GALLEGO. Madam Speaker, I rise in support of Mr. MALONEY's motion and to underscore the importance of the safety of dams.

I would like to talk for a moment about a small town in which I grew up in west Texas. I heard often the story of a fateful night in Sanderson, Texas, in June of 1965 after heavy rains caused a 15-foot wall of water to come rolling through Sanderson Canyon. The water came down with such force that it turned bridges and buildings into torpedoes. The two cemeteries lost burial markers, and caskets were washed out. Families lost homes. Many lost everything. There were 28 people in Sanderson, Texas, who died, and two were never recovered. Since that flood in 1965, 11 dams have been built, which in unison have acted as a flood control system for Sanderson Canyon.

We don't want any more Sanderson flood-type experiences. El Paso, Presidio, and Del Rio all have experiences with water rushing through canyons and, in coming through, causing damage. The only things that have saved life and property have been these dams that have been in existence now for some time.

As the ranking member mentioned earlier, those dams are incredibly important. They are incredibly important in saving property, and they are incredibly important in saving lives. Significantly, across the country, nearly half of these dams are more than 50 years old. It is incredibly important that they be maintained and maintained well.

In Del Rio, the Amistad Dam holds water from the Rio Grande, the Pecos River, and the Devils River. Imagine the importance of that dam. While that dam is maintained by a binational commission, there are many other dams in that region and in that area that serve not only to save water for agricultural purposes but for many other purposes as well. In fact, even in San Antonio, the world-famous River Walk is controlled by a series of small dams; and when it rains there, as it has recently, those dams have become incredibly, incredibly important.

In the Sanderson example that I gave earlier, households, up until recently, have been spending $700 a year on flood insurance annually even if there hasn't been a flood in 4½ decades. We can save a lot of people a lot of money if we just make sure that these dams are built well, that they are maintained well, and that they serve their functions not only now but in the foreseeable future.

So, with that, Madam Speaker, I again thank Mr. MALONEY for bringing this issue to the attention of the membership of the Congress, and I rise in support of his motion to instruct.

Mr. SHUSTER. Madam Speaker, I continue to reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, in my opening remarks, I also should have mentioned the chair of the subcommittee, Mr. GIBBS. I would like to thank him in addition to the chairman and my ranking member of the subcommittee, Mr. BISHOP, for the excellent work they have done on this.

With that, I yield such time as he may consume to the gentleman from Minnesota (Mr. NOLAN), my colleague.

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

Mr. NOLAN. Madam Speaker and Members of the House, I rise in support of the motion to recommit.

I would like to also commend Chairman SHUSTER, Ranking Member RAHALL and, in particular, my colleague SEAN PATRICK MALONEY for bringing this important issue to the attention of the House and, Mr. MALONEY, for your motion to instruct.

□ 1300

We clearly have 14,000 dams throughout the country that have been designated as high hazards. That is a well known fact. Another fact is that there are 20,000 dams that are over a half a century old. These facts underscore the neglect, as well as the profound need, to put forth better inspection plans and to invest more in the rebuilding of our dams and our infrastructure.

Quite frankly what the whole WRRDA bill is really all about is not just investing in our dams, but investing in our roads, our bridges, our ports, our rivers, our lakes, our health, our safety, our tourism, and our economy. In some respects, that is what has laid the foundation for the great economic success and prosperity that we enjoy here in this country. We have neglected it, and this is an important and profound motion to address the dam issue, if you will pardon the expression in that manner.

This whole bill is important for us to embrace. I commend the members of the committee for putting this together. I hope that we will all join and continue through this House in the way that we did in committee, in a bipartisan manner, to recognize the profound need that we have here and start reinvesting in America. It will create jobs. It will increase our prosperity. It will help reduce the deficit in our budgets. It will have so many profound and positive rippling effects throughout our country and throughout our economy.

It is with great pleasure that I have the opportunity to stand here and embrace this and urge my support for the motion to recommit, and perhaps even more importantly, the importance of passing the WRRDA legislation.

Mr. SHUSTER. Madam Speaker, I continue to reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I would like to forgive the gentleman from Minnesota for his vulgarity on the House floor. It is hard not to curse when mentioning the title of this motion. It is also hard not to curse when you realize that only 60 percent of the high hazard dams have an emergency action plan. That is one of the reasons why this bill is so important.

I yield as much time as he may consume to the gentleman from Tennessee (Mr. COHEN), my friend.

Mr. COHEN. Madam Speaker, I want to thank Mr. MALONEY for his work and Mr. SHUSTER for his work. We ''dam'' well better get prepared to increase our infrastructure spending, or we will have more problems in this country.

The motion to instruct conferees is well-taken and well-drafted. Our roads, rivers, railways, and runways got a D-plus on the American Society of Engineers' 2013 report card for America's infrastructure. That is inexcusable, a D-plus on our infrastructure. It used to be the pride of our country and one of the ways that we produced jobs and took goods to market. The fact that this score was awarded to a world superpower and a leader in technological innovation is completely unacceptable.

Passing WRRDA is an important step towards turning around our Nation's infrastructure investment program. I was proud to work with and support our outstanding chairman, Chairman SHUSTER, and Ranking Member RAHALL when we passed the bill in both the Transportation Committee and on the House floor.

Our committee understands—I think not totally, I can't speak for the whole committee, but in general—that earmarks aren't a bad thing and earmarks are something that greases the wheels that make the engine of government run and work effectively and bipartisanly. We need to bring those back to make this House work together, Democrats and Republicans, so we all have something invested for our districts. That is important.

People ask about dysfunction here and people not working together. It is because everybody doesn't have some part of the pie, something for their districts that they can be proud of. We need to get that back. People need to understand that article I says this Congress is supposed to appropriate the moneys. That is why our infrastructure has weakened. That is why we have so many projects along rivers where the Corps of Engineers don't have adequate funding and direction to keep our rivers moving and moving commerce forward.

WRRDA doesn't mean that just our Nation's waterways, locks, and dams will be the subjects of targeted investments, which it needs to be. It means that thousands of people will be put to work on making the improvements necessary to improve the national infrastructure.

The effect of sequestration on our Nation's infrastructure is real. It is time to get back on track toward smart investments that make our Nation more competitive in the global marketplace.

The Corps of Engineers has a backlog of authorized projects in excess of $60 billion. The Corps construction account has been reduced by $688 million since 2010. We should be doing more to build that infrastructure and create jobs, not less.

According to a study by the American Society of Civil Engineers, if we don't make new investments in our new water infrastructure, we will lose $416 billion in GDP by 2020 due to increased costs and loss of work productivity. This means real loss for real American families.

Madam Speaker, I think in Turkey they are probably improving their infrastructure. We should be doing the same thing here in America, Madam Speaker. It is important we do that.

Without investment, the average American family would have to adjust their household income to account for a $900 squeeze as a result of rising water rates and falling personal incomes. The longer we put off investment in our Nation's infrastructure, the more that investment will cost and the more people will be out of work and the more difficult it will be for our economy to get righted.

I support this motion to instruct conferees today. I thank Mr. MALONEY and Mr. SHUSTER, and hopefully we can put America's infrastructure investments back on the right back. But to do that in the long run, we need bipartisanship, which will involve earmarks and making the transportation bills like they used to be when Mr. SHUSTER's father was there and like Mr. SHUSTER would like to make them. If we can just take Mr. SHUSTER and clone him, we can work together and have a greater America and more jobs and a greater country.

Mr. SHUSTER. I would like to inquire, does the gentleman have other speakers?

Mr. SEAN PATRICK MALONEY of New York. No, Mr. Chairman. I am prepared to close.

Mr. SHUSTER. Madam Speaker, again, we expect to continue to work with the Senate on this language. It is a critical program. It saves lives and protects communities. So again, we accept the motion to instruct.

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

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I would like to thank, again, the chairman, Mr. SHUSTER.

I yield myself such time as I may consume.

In closing, as frustrating as Washington can be for many of us who are new to the Congress, we can actually get results and make a difference by conferencing the Water Resources Reform and Development Act. We have the opportunity for the Congress to set aside petty politics and partisanship to actually get something done for the American people.

WRRDA is a critical and strategic investment in our Nation's aging infrastructure and creates jobs, strengthens our local economies, and keeps families all across the country safe. We can make it even better by ensuring that every State and community has the resources to conduct safety inspections and to create emergency action plans. Again, there are 14,000 high hazard dams in this country, 60 percent of which—only 60 percent of which—have an emergency action plan.

This program makes sense. Don't take it from me. You can take it from the folks in Warwick, New York, where one of these high hazard dams exists. After experiencing nearly a foot of rain in 24 hours, many families were forced to evacuate for fear of a potential series of dam failures and catastrophic flooding. Warwick had a plan in place, though, and conducted a safe evacuation.

Dams like those in Warwick rely on the National Dam Safety Program to enhance the safety of their dams by hiring staff to conduct inspections, to purchase equipment, and to develop emergency action plans for dam safety. These plans save lives and prevent catastrophe. Investing in the National Dam Safety Program provides our communities with the resources they need to protect our families and our economy by conducting safety inspections and creating plans. Simply put, a stitch in time saves nine. Nowhere is that more true than here.

I hope we can join together in a bipartisan way to support communities all across America by passing this motion to make the final version of this bill even better.

I yield back the balance of my time.

Mr. KIND. Madam Speaker, I rise today in support of Congressman MALONEY's Motion to Instruct Conferees to recede to the Senate on the Dam Safety Provision of the Water Resources Reform and Development Act. Dams are an integral part of our nation's economy and provide water for agricultural and drinking purposes, flood control, navigation, and hydropower. Unfortunately, of the 87,000 dams listed on the 2013 National Inventory of Dams (NID), over 14,000 are deemed ''high hazard.'' This means that failure of these dams would result in the loss of life and serious damage to homes, businesses, and infrastructure. In the state of Wisconsin, there are 252 high hazard dams. Furthermore, only 60 percent of the nation's high hazard dams have Emergency Action Plans, and over 20,000 dams nationwide were constructed prior to 1960. Aging dams add not only to construction costs but also increase the risk of failure. In fact, the American Society of Civil Engineers recently gave the nation's dam infrastructure an unacceptable ''D'' grade in their annual report.

Though states are responsible for regulating about 80 percent of the nation's dams, most states are understaffed and underfunded. The Model State Dam Safety Program has determined that 10 state regulators are necessary per 25 dams in order to carry out the regulatory mandates set in most state dam safety laws. However, in 2012, the Association of State Dam Safety Officials reported that due to lack of funding, most states only have 8 dam inspectors; this means that on average, each dam inspector is responsible for overseeing the safety of about 208 existing dams, or more than seven times the amount recommended. Wisconsin's dam safety program has 6.25 employees that oversee an average of 152 state regulated dams, or more than five times the amount recommended by the Model State Dam Safety Program.

For the first time, this Senate provision would provide for public awareness outreach

funding, an essential step to ensure that all citizens understand the need to prepare for, mitigate for, respond to, and recover from dam incidents and failures. Investment in infrastructure is critical to the long-term economic health of our nation, and that is why I support Congressman MALONEY's efforts to authorize funding for the Dam Safety Provision of WRRDA.

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

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

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

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

Mr. SEAN PATRICK MALONEY of New York. Madam 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.

LAWSUIT ABUSE REDUCTION ACT OF 2013

Mr. GOODLATTE. Madam Speaker, pursuant to House Resolution 403, I call up the bill (H.R. 2655) to amend rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, 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 403, the bill is considered read.

The text of the bill is as follows:

H.R. 2655

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 ''Lawsuit Abuse Reduction Act of 2013''.

SEC. 2. ATTORNEY ACCOUNTABILITY.

(a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the Federal Rules of Civil Procedure is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall'';

(2) in paragraph (2), by striking ''Rule 5'' and all that follows through ''motion.'' and inserting ''Rule 5.''; and

(3) in paragraph (4), by striking ''situated'' and all that follows through the end of the paragraph and inserting ''situated, and to compensate the parties that were injured by such conduct. Subject to the limitations in paragraph (5), the sanction shall consist of an order to pay to the party or parties the amount of the reasonable expenses incurred as a direct result of the violation, including reasonable attorneys' fees and costs. The court may also impose additional appropriate sanctions, such as striking the pleadings, dismissing the suit, or other directives of a nonmonetary nature, or, if warranted for effective deterrence, an order directing payment of a penalty into the court.''.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2655, currently under consideration.

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

There was no objection.

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

H.R. 2655, the Lawsuit Abuse Reduction Act, would restore mandatory sanctions for frivolous lawsuits filed in Federal Court.

Many Americans may not realize it, but today, under what is called rule 11 of the Federal Rules of Civil Procedure, there is no requirement that those who file frivolous lawsuits pay for the unjustified legal costs they impose on their victims. As a result, the current rule 11 goes largely unenforced. When there is no guarantee of compensation, the victims of frivolous lawsuits have little incentive to spend even more money to pursue additional litigation to have the case declared frivolous.

H.R. 2655 would finally provide light at the end of the tunnel for the victims of frivolous lawsuits by requiring sanctions against those who file them, sanctions that include paying their victims the full cost of their reasonable expenses incurred as a direct result of the rule 11 violation, including attorneys' fees.

The bill also strikes the current provision in rule 11 that allows lawyers to avoid sanctions by making frivolous claims and demands by simply withdrawing them within 21 days. This change eliminates the ''free pass'' lawyers now have to file frivolous lawsuits in Federal Court.

To be clear, under rule 11, a lawsuit is frivolous if it is presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation if it is not warranted by existing law or if the factual contentions have no evidentiary support. In other words, a lawsuit will only be found frivolous if it has no basis in law or fact.

Yet the current lack of mandatory sanctions leads to the regular filing of lawsuits that are clearly baseless. For example, in just the last year, a small business owner was sued for violations of Federal regulations in a parking lot that he doesn't own or lease. A woman had her car repossessed and then filed a $5 million Federal lawsuit for the half tank of gas she had left in the car.

□ 1315

A high school teacher sued a school district claiming it discriminated against her because she has a phobia—a fear of young children. Her case was dismissed by the Equal Employment Opportunity Commission, but that didn't prevent her from filing a Federal lawsuit.

These real yet absurd cases have real-life consequences for their victims who have to shell out thousands of dollars just to respond to frivolous pleadings, endure sleepless nights, and spend time away from their family, work, and customers. Let's not forget that the victims of frivolous lawsuits are real victims.

Do any of my colleagues on the other side of the aisle claim that judges should have the discretion to deny damage awards to victims of legal wrongs proved in court? If not, why should judges have the discretion to deny damage awards to victims of frivolous lawsuits who prove in court that the case against them was frivolous?

It is difficult to see how a vote against the bill before us today could be interpreted as anything other than a denial that victims of frivolous lawsuits are indeed real victims. But indeed they are real victims, and they deserve to be guaranteed compensation when they prove the claims against them are frivolous in court.

Let's also remember that the victims of lawsuit abuse are not just those who are actually sued. Rather, we all suffer under a system in which innocent Americans everywhere live under the constant fear of a potentially bankrupting frivolous lawsuit.

As the former chairman of The Home Depot Company has written:

> An unpredictable legal system casts a shadow over every plan and investment. It is devastating for start-ups. The cost of even one ill-timed abusive lawsuit can bankrupt a growing company and cost hundreds of thousands of jobs.

The prevalence of frivolous lawsuits is reflected in the absurd warning labels companies must place on their products to limit their liability. A 5-inch brass fishing lure with three hooks is labeled, ''Harmful if swallowed.'' A vanishing fabric marker with disappearing ink warns it should not be used as a writing instrument for signing checks or any legal documents. A label on a Scooter says, ''Warning: This product moves when used.'' A household iron contains the warning, ''Never iron clothes while they are being worn.'' And a cardboard sun shield that keeps sun off the dashboard warns, ''Do not drive with sun shade up.''

The potential for frivolous lawsuits are behind all these absurd warning labels which, while humorous in their own way, serve as a warning to us about what the world will increasingly look like if we don't make the rules more fair.

Today, absurd lawsuits can sometimes bring sanctions against those

who filed them; but even when they do, the current rules result in far too little compensation for the victims of the frivolous lawsuit.

In his 2011 State of the Union address, President Obama said:

> I'm willing to look at other ideas to rein in frivolous lawsuits.

Well, I hope the President has time to read this one-page bill and lend his support to a proposal that would significantly reduce the burden of frivolous litigation on innocent Americans.

I thank the former chairman of the House Judiciary Committee, Congressman LAMAR SMITH, for introducing this simple, commonsense legislation that would do so much to prevent lawsuit abuse and restore Americans' confidence in the legal system.

I reserve the balance of my time.

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

I rise in opposition to H.R. 2655. I suggest that what we are doing here this afternoon will turn the clock back to a time when the Federal Rules of Civil Procedure discouraged civil rights cases, limited judicial discretion, and permitted satellite litigation to run wild. I repeat, we may turn the clock back to a time when the Federal Rules of Civil Procedure discouraged civil rights cases, limited judicial discretion, and permitted satellite litigation to run wild.

And here is how it accomplishes it, by undoing the 1993 amendments to rule 11 of the Federal Rules of Civil Procedure by: one, restricting judicial discretion; two, requiring mandatory sanctions for even unintentional violations; and three, eliminating the current rule's 21-day safe harbor provision, which has been so beneficial to our Federal court system.

And so to put it as simply as possible, H.R. 2655 will have a disastrous impact on the administration of justice.

Now, how would this bill chill legitimate civil rights litigation?

Civil rights cases often concern novel issues which made them particularly susceptible to rule 11 before the 1993 amendments. I hope all the Members of this body appreciate how significant this is and the important history that was made during that earlier period of time.

For example, a 1991 Federal Judicial Center study found that the incidence of rule 11 motions was ''higher in civil rights cases than in some other types of cases.''

Another study showed that, while civil rights cases comprised about 11 percent of Federal cases filed, more than 22 percent of the cases in which sanctions had been imposed were civil rights cases.

This legislation will also substantially increase the amount, cost, and intensity of civil litigation and create more grounds for unnecessary delay and harassment in the courtroom. Experts in civil procedure are virtually unanimous on this point.

By allowing rule 11 to be used as a tool to impose court costs on the other side, the 1983 version spawned a virtual cottage industry of rule 11 litigation. Each party had a financial incentive to tie up the other in rule 11 proceedings.

Professor Theodore Eisenberg of Cornell University has demonstrated that roughly one-third of all Federal lawsuits were burdened by satellite litigation during the period when this prior version of the rule was in effect. Attorneys had a double duty, he argued: ''one to try the case, and the other to try the opposing counsel.''

In recognition of these problems, the Judicial Conference amended the rule in 1993 to its present form. And so we should realize that we have the support and appreciate the constructive assistance of many of these organizations: the American Bar Association, the Alliance for Justice, the Consumer Federation of America, the National Consumer Law Center, the National Consumers League, Public Citizen, and the United States Public Interest Research Group, among others.

In addition, the legislation is opposed by the Judicial Conference of the United States, the principal policy-making body for the judicial branch charged with proposing amendments to the Federal Rules of Civil Procedure under the careful, deliberate process outlined in the Rules Enabling Act.

Madam Speaker, I reserve the balance of my time.

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE OF THE JUDICIAL CONFERENCE OF THE UNITED STATES,

Washington, DC, July 23, 2013.

Hon. JOHN CONYERS, JR.
Ranking Member, Committee on the Judiciary, Washington, DC.

DEAR REPRESENTATIVE CONYERS: We write to present the views of the Judicial Conference Rules Committees on H.R. 2655, the Lawsuit Abuse Reduction Act of 2013.

As the current chairs of the Judicial Conference's Committee on the Rules of Practice and Procedure (the ''Standing Rules Committee'') and the Advisory Committee on the Federal Rules of Civil Procedure (the ''Advisory Committee''), we oppose H.R. 2655, which seeks to reduce lawsuit abuse by amending Rule 11 of the Federal Rules of Civil Procedure. The bill would reinstate a mandatory sanctions provision of Rule 11 that was adopted in 1983 and eliminated in 1993. The bill would also eliminate a provision adopted in 1993 to allow a party to withdraw challenged pleadings on a voluntary basis, without the costs and delay to the challenging party of seeking and obtaining a court order. The concerns we express are the same concerns expressed by the Judicial Conference in 2004 and 2005, and by the Standing Rules Committee and Advisory Committee in 2011, when similar legislation was introduced.

We greatly appreciate, and share, the desire to improve the civil justice system in our federal courts, including by reducing frivolous filings. But legislation that would restore the 1983 version of Rule 11 by undoing the 1993 amendments would create a ''cure'' far worse than the problem it is meant to solve. Such legislation also contravenes the longstanding Judicial Conference policy opposing direct amendment of the federal rules by legislation instead of through the careful, deliberate process Congress established in the Rules Enabling Act, 28 U.S.C. §§2071–2077.

The 1993 changes followed years of examination and were made on the Judicial Conference's strong recommendation, with the Supreme Court's approval, and after congressional review. The 1983 provision for mandatory sanctions was eliminated because it did not provide meaningful relief from the litigation behavior it was meant to address, and instead generated wasteful satellite litigation that had little to do with the merits of cases and that added to the time and costs of litigation.

The 1983 version of Rule 11 required sanctions for every violation of the rule. This mandatory sanctions provision quickly became a tool of abuse in civil litigation. Seeking to use mandatory sanctions to their advantage, aggressive lawyers filed motions for Rule 11 sanctions in response to virtually every filing in a civil case. Much time and money was spent in Rule 11 battles that had everything to do with strategic gamesmanship and little to do with underlying claims. Rule 11 motions came to be met with counter-motions that sought Rule 11 sanctions for making the original Rule 11 motion.

The 1983 version of Rule 11 spawned thousands of court decisions unrelated to the merits of the cases, sowed discord in the bar, and generated widespread criticism. As letters from the Judicial Conference commenting on proposed legislation similar to H.R. 2655 pointed out, some of the serious problems caused by the 1983 amendments to Rule 11 included:

1. creating a significant incentive to file unmeritorious Rule 11 motions by providing a greater possibility of receiving money;
2. engendering potential conflicts of interest between clients and their lawyers;
3. exacerbating tensions between lawyers; and
4. providing a disincentive to abandon or withdraw a pleading or claim that lacked merit—thereby admitting error and risking sanctions—even after determining that it no longer was supportable in law or fact.

The 1993 amendments to Rule 11 were designed to remedy the major problems with the rule, strike a fair balance between competing interests, and allow parties and courts to focus on the merits of the underlying cases rather than on Rule 11 motions. Since 1993, the rule has established a safe harbor, providing a party 21 days within which to withdraw a particular claim or defense before sanctions can be imposed. If the party fails to withdraw an allegedly frivolous claim or defense within the 21 days, a court may impose sanctions, including assessing reasonable attorney fees. The 1983 version of Rule 11 authorized a court to sanction discovery-related abuse under Rule 11, Rule 26(g), or Rule 37, which created confusion. Under the 1993 amendments to Rule 11, sanctioning of discovery-related abuse is limited to Rules 26 and 37, which provide for sanctions that include awards of reasonable attorney fees.

The 1993 amendments to Rule 11 culminated a long, critical examination of the rule begun four years earlier. The Advisory Committee reviewed a significant number of empirical studies of the 1983 version of Rule 11, including three separate studies conducted by the Federal Judicial Center in 1985, 1988, and 1991, a Third Circuit Task Force report on Rule 11 in 1989, and a New York State Bar Committee report in 1987.

After reviewing the literature and empirical studies of problems caused by the 1983 amendments to Rule 11, the Advisory Committee issued in 1990 a preliminary call for general comment on the operation and effect of the rule. The response was substantial and

clearly called for a change in the rule. The Advisory Committee concluded that the cost-shifting in Rule 11 created an incentive for too many unnecessary Rule 11 motions. Amendments to Rule 11 were drafted by the Advisory Committee, approved by the Standing Rules Committee, and approved by the Judicial Conference. The Supreme Court promulgated and transmitted the amendments to Congress in May 1993 after extensive scrutiny and debate by the bench, bar, and public in accordance with the Rules Enabling Act process.

Experience with the amended rule since 1993 has demonstrated a marked decline in Rule 11 satellite litigation without any noticeable increase in frivolous filings. In June 1995, the Federal Judicial Center conducted a survey of 1,130 lawyers and 148 judges on the effects of the 1993 Rule 11 amendments. About 580 attorneys and 120 judges responded. The Center found general satisfaction with the amended rule. It also found that a majority of the judges and lawyers did not favor a provision that would require mandatory sanctions when the rule is violated.

In 2005, the Federal Judicial Center surveyed federal trial judges to get a clearer picture of how the revised Rule 11 was operating. A copy of the study is enclosed. The study showed that judges on the front lines—those who must contend with frivolous litigation and apply Rule 11—strongly believe that the current rule works well. The study's findings include the following highlights:

More than 80 percent of the 278 district judges surveyed indicated that ''Rule 11 is needed and it is just right as it now stands'';

87 percent prefer the existing Rule 11 to the 1983 version or the version proposed by legislation (e.g., H.R. 4571 (the Lawsuit Abuse Reduction Act of 2004) or H.R. 420 (the Lawsuit Abuse Reduction Act of 2005));

85 percent strongly or moderately support Rule 11's safe harbor provisions;

91 percent oppose the proposed requirement that sanctions be imposed for every Rule 11 violation;

84 percent disagree with the proposition that an award of attorney fees should be mandatory for every Rule 11 violation;

85 percent believe that the amount of groundless civil litigation has not grown since the promulgation of the 1993 rule (for judges commissioned before 1992) or since their first year as a federal district judge (for judges commissioned after January 1, 1992), with 12 percent noting that such litigation has not been a problem, 19 percent noting that such litigation decreased during their tenure on the federal bench, and 54 percent noting that such litigation has remained relatively constant; and

72 percent believe that addressing sanctions for discovery abuse in Rules 26(g) and 37 is better than in Rule 11.

The findings of the Federal Judicial Center underscore the judiciary's united opposition to legislation amending Rule 11. Lawyers share this view. In 2005, the American Bar Association issued a resolution opposing a proposed bill similar to H.R. 2655.

Minimizing frivolous filings is, of course, vital. But there is no need to reinstate the 1983 version of Rule 11 to work toward this goal. Judges have many tools available to respond to, and deter, frivolous pleadings. Those tools include 28 U.S.C. §1915(e), which requires courts to dismiss cases brought in forma pauperis that the court determines are frivolous or malicious or fail to state a claim, and 28 U.S.C. §1915A, which requires courts to dismiss prisoner complaints against governmental entities, officers, or employees that are frivolous, malicious, or fail to state a claim. Rule 12(b)(6) authorizes courts to dismiss pleadings that fail to state a claim on which relief can be granted. Section 1927 of Title 28 of the United States Code authorizes sanctions against lawyers for ''unreasonably and vexatiously'' multiplying the proceedings in any case. And the present version of Rule 11 itself provides an effective, balanced tool, without the problems and satellite litigation the 1983 version created.

In May 2010, the Advisory Committee held a major conference on civil litigation, examining the problems of costs and delay—which encompass frivolous filings—and potential ways to improve the system. The Conference encouraged, and generated, a broad spectrum of criticisms by lawyers, litigants (including businesses and governmental entities), judges, and academics of the current approaches to federal civil cases, including the rules, and proposals for change. Conspicuous in their absence were any criticism of Rule 11 or any proposal to restore the 1983 version of the rule. Three years after the Conference, the Advisory Committee and Standing Rules Committee have approved publication of rules amendments designed to respond to suggestions made at the Conference on new means of reducing cost and delay in civil litigation and enhancing practical access to the federal courts. These three years of intense work did not find any reason to consider Rule 11 amendments.

Undoing the 1993 Rule 11 amendments would frustrate the purpose and intent of the Rules Enabling Act. Congress designed the Rules Enabling Act process in 1934 and reformed it in 1988 to produce the best rules possible by ensuring broad public participation and thorough review by the bench, the bar, and the academy. The Act charges the judiciary with the task of neutral, independent, and thorough analysis of the rules and their operation. The Rules Committees are dedicated to extensive study and analysis of the rules, including empirical research, so that they can propose rules that will best serve the American justice system and will not produce unintended consequences. Experience has shown that this process works well.

In summary, experience, research, and thoughtful deliberation have shown that there is no need to reinstate the 1983 version of Rule 11 that proved contentious and costly to litigants and diverted so much time and energy of the bar and bench. Doing so would add to, not improve, the problems of costs and delay that we are working to address. We urge you on behalf of the Rules Committees to not adopt the proposed legislation amending Rule 11.

Thank you for considering the Rules Committees' views. We look forward to continuing to work together to ensure that our civil justice system is working well to fulfill its vital role. If you or your staff have any questions, please contact Benjamin Robinson, Deputy Rules Officer and Counsel, at 202–502–1820.

Sincerely,

JEFFREY S. SUTTON,
U.S. Circuit Judge, Chair, Committee on Rules of Practice and Procedure.

DAVID G. CAMPBELL,
U.S. District Judge, Chair, Advisory Committee on Civil Rules.

Mr. GOODLATTE. Madam Speaker, at this time, it is my pleasure to yield 5 minutes to the gentleman from Arizona (Mr. FRANKS), the chairman of the Subcommittee on the Constitution and Civil Justice.

Mr. FRANKS of Arizona. Madam Speaker, I thank the chairman for yielding me this time. I also want to express my appreciation to Chairman GOODLATTE and Chairman SMITH for both introducing and bringing forth this simple but important and much-needed legislation.

Madam Speaker, in order to stop lawsuit abuse, promote jobs in the economy, and restore basic fairness to our civil justice system, rule 11 of the Federal Rules of Civil Procedure must be amended.

Rule 11 provides for one of the most basic requirements for litigation in Federal court: that papers filed with a Federal district court must be based on both the facts and the law. In other words, rule 11 imposes on attorneys the very modest obligation to undertake a reasonable investigation of the facts and law underlying a claim before filing it.

This is a simple requirement, Madam Speaker, but one that both sides to a lawsuit must abide by if we are to have a properly functioning Federal court system. Unfortunately, the current version of rule 11 permits attorneys to file a lawsuit first and then try to back up their claims with law and fact later. This is because, under the current rules, failure to comply with rule 11 does not necessarily result in the imposition of sanctions.

The fact that litigants can violate rule 11 without penalty significantly reduces the deterrent effect of rule 11, which harms the integrity of the Federal courts and leads to both plaintiffs and defendants being forced to respond to frivolous claims and arguments. The Lawsuit Abuse Reduction Act corrects this flaw by requiring that Federal district court judges impose sanctions when rule 11 is violated.

Mandatory sanctions will more strongly discourage litigants from knowingly making frivolous claims in Federal court. It will also relieve litigants from the financial burden of having to respond to frivolous claims, as the legislation requires those who violate rule 11 to reimburse the opposing party for reasonable expenses incurred as a direct result of the violation.

Additionally, the legislation eliminates rule 11's 21-day safe harbor, which currently gives litigants a free pass to make frivolous claims so long as they withdraw those claims if the opposing side objects.

According to the Federal Rules of Civil Procedure, the goal of the rules is to ensure that every action and proceeding in Federal court be determined in a ''just, speedy, and inexpensive'' manner. Madam Speaker, I believe that this goal is best served through mandatory sanctions for violating this simple requirement of rule 11 that every filing be based on both the law and the facts.

So I urge my colleagues to support the Lawsuit Abuse Reduction Act to restore mandatory sanctions to rule 11.

Mr. CONYERS. Madam Speaker, I am pleased now to yield such time as he may consume to the distinguished gentleman from New York (Mr. NADLER), a

senior member of the House Judiciary Committee.

Mr. NADLER. Madam Speaker, I rise today in opposition to H.R. 2655, the so-called Lawsuit Abuse Reduction Act. Unfortunately, rather than reduce abusive litigation, this bill will have just the opposite effect.

We don't need to speculate about the disastrous effect of this legislation because we know from experience just what a fiasco it will be. The rule this legislation would restore was in effect from 1983 until 1993. It was a disaster.

After a decade with this rule, the Judicial Conference, the rulemaking body for the Federal judiciary, rightly rejected it in favor of the rule we have today. In fact, this legislation goes even beyond the text of the 1983 rule, broadening the flawed mandatory sanctions even further.

Worse still, the Judiciary Committee has not made even the pretense of considering this very radical change in civil procedure with any care. In fact, no hearings have been held on this legislation in this Congress.

The process, or lack of it, demonstrates the wisdom of the Rules Enabling Act, in which Congress gave the Judicial Conference the responsibility for reviewing court rules and proposing changes. They have done this job admirably, expending years of careful study to existing rules, how they are functioning, and the implications of any proposed changes.

While the sponsor has expressed the desire to limit unnecessary litigation, the experience with the old rule 11, which this bill would restore, was the exact opposite. Rule 11 litigation became a routine part of civil litigation, infecting one-third of all cases. Rather than serving as a disincentive, the old rule 11 actually made the system even more litigious and more costly.

□ 1330

In the decade following the 1983 amendments, which this bill would restore, there were almost 7,000 reported rule 11 cases, becoming part of approximately one-third of all Federal lawsuits. Many civil cases, one-third, became two cases: one case on the merits and the other on dueling rule 11 complaints.

Madam Speaker, it is rare in life that you get a controlled scientific experiment, but we had one here from 1983 to 1993. We saw the results, and they were disastrous, and only incautious people try to repeat disastrous scientific experiments.

The drain on the courts' and the parties' resources caused the Judicial Conference to revisit the rule and to adopt the changes that this bill would undo. In a July 23, 2013, letter to Chairman GOODLATTE and Ranking Member CONYERS, Judge Jeffrey Sutton of the United States Court of Appeals for the Sixth Circuit and chair of the Committee on Rules of Practice and Procedure and Judge David Campbell of the U.S. District Court for the District of Arizona and chair of the Advisory Committee on Civil Rules said:

> Experience, research, and thoughtful deliberation have shown that there is no need to reinstate the 1983 version of rule 11 that proved contentious and costly to litigants and diverted so much time and energy of the bar and bench. Doing so would add to, not improve, the problems of costs and delay that we are working to address. We urge you on behalf of the Rules Committee to not adopt the proposed legislation amending rule 11.

I might add that, in committee, the majority quoted a survey of judges from 1993 saying that we shouldn't change the rules then. Today, the judges very much are very glad we changed the rule because they have lived under both systems.

Madam Speaker, in addition to all these considerations of costs, the bill would hinder the evolution of the common law. One way the common law evolves is by people making claims in court, especially in civil rights cases. Civil rights cases often involve an argument for the extension, modification, or reversal of existing law or the establishment of a new law, and often they have relied upon novel legal theories that are particularly susceptible to someone claiming that they are abusive or frivolous. Had the provisions of this bill been in place at the time, they could have discouraged a number of landmark civil right cases, including *BROWN* v. *BOARD OF EDUCATION* of Topeka, and they could prevent new cases from ever being considered. Perhaps that is why all the civil rights groups, all the consumer rights groups oppose this bill.

Madam Speaker, the courts have ample authority to sanction conduct that undermines the integrity of our legal system, but this legislation is the wrong solution in search of a problem. By taking us back to a time when rule 11 actually promoted routine, costly, and unnecessary litigation, this bill is a cure worse than the disease. We know what this rule does, and the courts rightly rejected it 20 years ago. We should benefit from that experience, not repeat the scientific experiment, and reject this legislation.

Mr. GOODLATTE. Madam Speaker, it is my pleasure to yield 5 minutes to the gentleman from Texas (Mr. SMITH), the former chairman of the House Judiciary Committee and the chief sponsor of this legislation.

Mr. SMITH of Texas. Madam Speaker, I want to thank Chairman GOODLATTE for yielding me time and for also bringing the bill to the House floor today, and for all of his hard work on this legislation.

The Lawsuit Abuse Reduction Act, known as LARA, is only 1-1/2 pages long, but it would prevent the filing of hundreds of thousands of pages of privileged lawsuits in Federal court.

For example, in recent years, frivolous lawsuits have been filed against The Weather Channel for failing to accurately predict storms, against television shows people claimed were too scary, and against fast-food companies because inactive children gained weight.

Frivolous lawsuits have become too common in our society. Lawyers who bring these cases have everything to gain and nothing to lose under current rules, which permit plaintiffs' lawyers to file frivolous suits, no matter how absurd the claims, with no penalty whatsoever. Meanwhile, defendants are faced with years of litigation and substantial attorneys' fees.

These cases, and many like them, have wrongly cost innocent individuals and business owners their reputations and their hard-earned dollars. According to the research firm Towers Perrin, the annual direct cost of American tort litigation now exceeds $260 billion a year, or over $850 billion per person in America.

Before 1993, it was mandatory for judges to impose sanctions, such as orders to pay for the other side's legal expenses, when lawyers filed frivolous lawsuits. Then the Civil Rules Advisory Committee, an obscure branch of the courts, made penalties optional. This needs to be reversed by Congress.

As Chairman GOODLATTE noted, even President Obama has expressed a willingness to limit frivolous lawsuits. If the President is serious about stopping these meritless claims, he will support mandatory sanctions for frivolous lawsuits to avoid making frivolous promises.

LARA requires lawyers who file frivolous lawsuits to pay the attorneys' fees and court costs for innocent defendants. Further, LARA expressly provides that no changes ''shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws or under the Constitution of the United States.'' So civil rights law would not be affected in any way by LARA.

Opponents often argue that reinstating mandatory sanctions for frivolous lawsuits impedes judicial discretion, but this is not true. Under LARA, judges retain the discretion to determine whether or not a claim is frivolous. If a judge determines at their discretion that a claim is frivolous, they must award sanctions. This ensures that victims of frivolous lawsuits obtain compensation, but the decision to find a claim frivolous remains with the judge.

LARA applies to both plaintiffs and defendants. It applies to cases brought by individuals, as well as by businesses, including business claims filed to harass competitors and illicitly gain market share.

The American people are looking for solutions to obvious problems to lawsuit abuse. LARA restores accountability to our legal system by reinstating mandatory sanctions for attorneys who file frivolous lawsuits. Though it will not stop all lawsuit abuse, LARA encourages attorneys to

think twice before filing a frivolous lawsuit.

I thank Chairman GOODLATTE again for bringing this much-needed legislation to the House floor, and I ask my colleagues who oppose frivolous lawsuits and who want to protect hardworking Americans from false claims to support the Lawsuit Abuse Reduction Act.

Madam Speaker, I want to make one other point, and this goes to the earlier discussion we just had about judicial surveys.

751 Federal judges responded to the 1990 survey in which they overwhelmingly supported a rule 11 with mandatory sanctions. In the 2005 survey, only 278 judges responded, and over half of the judges who responded to the 2005 survey had no experience whatsoever under the stronger rule 11 because they were appointed to the bench after 1992. So the 2005 survey tells us very little about how judges comparatively view the stronger versus the weaker rule 11.

Mr. CONYERS. Madam Speaker, I am now pleased to yield as much time as she may consume to the gentlewoman from Houston, Texas (Ms. JACKSON LEE), a senior active member of the House Judiciary Committee.

Ms. JACKSON LEE. Madam Speaker, let me thank the gentleman for his outstanding leadership of this committee, and let me thank the manager as well. This is an important initiative. Using the time to be able to speak to the Members is very important, and I am glad to have been given the courtesy of being yielded as much time, and I will use it efficiently for this particular legislation.

This is another gift to large, prosperous, and threatening entities against a single plaintiff, the plaintiff who secures a lawyer, who is attempting to create the scales of justice and to balance, if you will, the needs of that individual plaintiff, those small plaintiffs, those collective plaintiffs who are seeking justice.

It is a fact that the threat of lawsuits is not a concern of small businesses, as has been represented. A 2008 study by the National Federation of Independent Business indicated that the biggest threat facing small businesses was other concerns and was not costs and frequency of lawsuits. That was No. 65. They have other issues that we should be concerned about.

It is a fact that judges support the current version of the rule, and rule 11 is just one of many tools that judges use. It is not the only tool to be able to be responsive to someone who may be abusing the system.

Remember, we are here to perpetuate justice, and justice has scales. In many instances, that scale is tipped towards the one with the most money, the deepest pockets, and the longest time to wear you out as a plaintiff.

Let me refresh my colleagues' minds and understanding of the Federal system, that tort cases are a very small percentage of that civil docket. So this is not an instance. Many of these cases are filed in State court, these personal injury cases, these cases dealing with large damages because people have been injured because of bad products and other matters.

Here we have a bill looking for a problem. In actuality, LARA will increase, not decrease, litigation, and you can see the spiking that occurred. The Lawsuit Abuse Reduction Act would return rule 11 to the 1983 version. Litigation spiked after the 1983 amendment to rule 11. From 1982 to the peak in 1991, satellite litigation increased by more than 10,000 percent. Here we go with a gift to those who are truly litigious.

Just as we have been on the floor of the House pounding the Affordable Care Act because cancelation letters have been sent—they haven't been sent by Republicans. They haven't been sent by Democrats. They haven't been sent by Health and Human Services. They haven't been sent by people who are committed to making sure every American has health insurance. They have been sent by fat-cat insurance companies who are sending cancelation letters.

Here we go again, the scale of justice imbalanced. Again, the same problem: the mother, the single parent, the family waiting to get on the Affordable Care Act. In the normal course of the process, they get a cancelation letter. What an unnecessary act. That letter could have been that they were modifying their insurance, but there go the big guys again. You haven't heard one single sound coming out of the mouths of insurance companies to answer the question of why did they send the letters, and here we are on the floor of the House making it even worse.

Under the LARA regime, with mandatory sanctions and no opportunity to correct mistakes, the parties to a lawsuit have every incentive to file rule 11 complaints and seek court costs and legal fees, and to defend against such actions to the bitter end. This is a dynamic that should not happen. We should allow a pullback. We should allow a correction. All we are doing is just throwing them over the cliff and under the bus.

The changes would create a disincentive to abandon or withdraw a pleading or claim that lacks merit and thereby admit error after determining that it no longer was supportable by law or fact. As I have indicated, we have seen this kind since 1983 spike.

I have another statistic. Rule 11 cases spiked to 7,000 during the decade following the 1983 rule. So when a lawyer wants to do right with his client, the little guys, then, of course, they are blocked from solving the problems.

They use horror stories like demand letters, where a lawyer writes a letter demanding compensation in order to get a potential defendant to settle without having to file suit. That is not covered by rule 11. As far as I know, that is not an illegal procedure to engage in discussion, to be able to resolve the matter before going to a costly lawsuit. Again, that is the little guy's tool. So you are going to beat up on the little guy—the construction worker that falls because of violations of OSHA rules, or the person that works in a chicken plant who has carpal tunnel syndrome because there were no appropriate rest times for them to get off of the line, and you are going to make the argument that this is right for justice.

Madam Speaker, this graph speaks for itself. This will add an extra burden of cost to those who are trying to find a way for Lady Justice's scales to be balanced. My belief, under the Sixth Amendment, the right to counsel, and many other aspects of the Bill of Rights, is that the Founding Fathers believed that justice should be rendered regardless of your race, color or creed, regardless of whether you were an indentured servant, regardless of whether or not you came in Pilgrims' Pride or came in some other matter.

□ 1345

Rule 11 completely disputes that concept of justice. I am appalled that we are here at this point today, and it equates to the fat-cat insurance companies who have decided to send out letters when they well knew that this was a process that would work ongoing in their modification that could be noted to those recipients that their insurance was not going away, it was only going to be made better. I would like to make the justice system better.

I thank the gentleman for his time, and I would like to make sure that the little guy has an opportunity to walk into any court of the United States of America and stand tall and feel that the judge, no matter what size his pocketbook is, will give him as much credence and respect as the big guys coming in with millions, maybe billions, to make sure he does not or she does not win justice in the court.

Today I would ask our colleagues to vote for fairness for Lady Justice and to vote against this initiative and this legislation.

Mr. Speaker, I rise in opposition to H.R. 2655, The Lawsuit Abuse Reduction Act—a flawed piece of legislation and a step backwards.

It amazes me that we did not learn the lesson from the ten years we had under the 1983 mandatory version of Rule 11. H.R. 2655 and its Senate companion S. 1288, the Lawsuit Abuse Reduction Act, known as LARA, would amend Rule 11 of the Federal Rule of Civil Procedure by replacing the current version of the Rule, which has been in effect since 1993, with the 1983 version of Rule 11. Based on what we have seen it is quite likely that the effect of this bill if enacted would be to increase litigation costs due to the filing of sanction motions—leading to more delay.

The bill should be called "The Lacking All Rational Analysis Act of 2013," because any impartial look would inform that this bill is unnecessary and a waste of time.

Congress should reject this measure, which would force the federal judiciary to enforce a

rule that legal scholars, judges, and lawyers agree was a complete failure. LARA would increase litigation, unnecessarily meddle with the authority of the federal judiciary, and disproportionately affect plaintiffs, especially plaintiffs in civil rights cases.

Encourages satellite litigation. For the 10 years that mandatory sanctions were in effect, litigation surrounding Rule 11 significantly increased. Any time a party filed a Rule 11 motion—because judges had no discretion and were forced to issue a sanction for even the smallest violation of the Rule—a countermotion would be immediately filed and a whole side or ''satellite'' litigation business erupted. Congress does not need to be in the business of promoting more paper wars amongst attorneys.

Threatens an independent judiciary. Since 1993, Rule 11 has been discretionary rather than mandatory.

Under current Rule 11, judges are able to use their discretion to assess the complex nature of a case, and evaluate potential violations of the rule and issue sanctions accordingly. This appropriately leaves the determination of whether or not sanctions should be imposed for a violation of Rule 11 to the judges who hear the cases, and not Congress. Perhaps it is time that we allow judges to do their jobs and then we can move on to comprehensive immigration reform, tax reform, and other prudent legislative initiatives that the American people would like us to do.

Jeopardizes civil rights cases. Sanctions were more often imposed against plaintiffs than defendants and more often imposed against plaintiffs in certain kinds of cases, primarily in civil rights and certain kinds of discrimination cases. A leading study on this issue showed that although civil rights cases made up 11.4% of federal cases filed, 22.7% of the cases in which sanctions had been imposed were civil rights cases. Unfortunately Mr. Speaker, we are not at a time in our nation's great history where we can upend the law and make the filing of civil rights cases prohibitive. As we have seen recently with such appalling examples such as the Trayvon Martin case—we have a long way to go—and the civil rights bar should not cringe in fear at the thought of filing a case to do justice.

I urge my colleagues to reject this legislation.

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

Madam Speaker, I did not think that, when I came down here today to debate this 1-page bill for Lawsuit Abuse Reduction Act, it would somehow get linked with the more than 2,000-page monstrosity popularly known, or unpopularly known, as ObamaCare, and told that somehow the promise that was made over and over and over again, that if you like the health insurance you have, you can keep it, was not the fault of the legislation itself, and the people making that promise, but was, rather, the fault of the insurance companies who have to deal with this more than 2,000-page monstrosity, and the more than 20,000 pages of regulations that have been written, and have to rewrite virtually every insurance policy for health care in America because of the mandates and the regulations that are in that legislation; and somehow, the more than 4 million Americans, almost all of whom are the little guys, as I have just heard referenced, that somehow this is the fault of the insurance companies who are doing what they have been required to do under the law, and that is to make changes in the law that necessitates changing all of their policies, that necessitates making sure that things that are mandated by the law are included in their coverage, whether the people who had the policies that they liked could afford these new changes or not.

So many, many Americans are forced, by this legislation, to seek new health insurance, in some cases, far more expensive, and they can't afford it. But somehow that is made out to be the fault of the insurance companies, not the people who wrote the law, voted for the law, and then are implementing the law in spite of promises that were made that cannot be kept, not by insurance companies who are abiding by the law, but by others.

Now, to compare that to this legislation, which is a 1-page modest bill, to ensure that people who are the victims of frivolous lawsuits and fraudulent lawsuits cannot have justice in our Federal judicial system, I think, is just plain wrong.

And the chart that has just been displayed regarding rule 11 filings during the 1983–1993 period, when there was an increase in the number of hearings related to rule 11, that is a spike for justice. That is a spike for the increased opportunity for people who have been subjected to some of the most outrageous lawsuits that were described by the gentleman from Texas, that were described in my opening remarks, and that is their opportunity to seek real justice.

That is what this bill is all about, reinstating a spike for justice for the little guy, for the small business person, the individual who finds himself subject to a lawsuit under some of the most ridiculous circumstances you can imagine and saying, you know what, my life has been turned upside down by this lawsuit. I am not getting sleep at night. I am having to spend thousands or tens of thousands or even hundreds of thousands of dollars on attorneys. I am having to do things to change the way I live my life, and it is all because of something that was frivolous and fraudulent, and now I am seeking to have some redress, some redress for that wrong that was done.

That is the very basic principle of the American jurisprudence system, that people, when they are harmed, have the right to go to court and seek redress of their grievances. And that is exactly what this provision in this law does under rule 11. It says that if the court finds that the lawsuit is frivolous, then there is a mandatory requirement that the individual who is the victim of that frivolous lawsuit should recover losses.

That is, indeed, what this legislation is all about, and I am proud to support it.

Ms. JACKSON LEE. Will the gentleman yield?

Mr. GOODLATTE. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE. The gentleman is very kind to yield.

Very briefly, let me say it is about policy and process. The gentleman knows that most of America is very happy about the changes in the Affordable Care Act to get them out of the junk insurance policies that they have had.

Mr. GOODLATTE. Reclaiming my time, if that were the case, then I don't think the President would have unilaterally delayed for 1 year the employer mandate where the vast majority of Americans are.

Imagine if this bill had taken effect as originally planned, and all of the employers in America, looking at their insurance policies for their employees, were also having to tell their employees that they could no longer afford to provide insurance or they are going to provide a different plan, or the employee had to pay more money, or the employee was being put into the exchanges, all of those things would be significant, serious problems.

But we digress from the importance of this legislation right here, which is something that we can join together, in a bipartisan way, to see that we have justice in our judicial system when people are unfairly sued, unfairly subject to frivolous or fraudulent lawsuits.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield an additional 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman very much.

Madam Speaker, let me be very clear. I want to say to the gentleman from Virginia that I would venture to say that those attacks on frivolous lawsuits are the big guys against the little guys, who had very legitimate and good intentions. It may be their resources were limited, and so they have to be subjected to a rule 11 on a perfectly legitimate litigation to be called frivolous.

The other point that I was making is that there is something between process and policy. I will stand again to say that the policy of making better health plans and better and healthier Americans is supported by all.

The process that I challenge is that the big insurance companies decided to use the process of cancelation letters, not letters that said modify. They decided to use their big authority to be able to undermine a policy of lifting the boats of all Americans for good health.

That is what I see rule 11 as. I see that as undermining the basic scales of justice. It says to get back money for frivolous lawsuits. Well, the frivolous lawsuits may be on one individual or a group of small individuals who feel

that they have been harmed. They may have lost. They may be in the midst of pleadings, but they don't have the resources to file a rule 11. So what happens is those who want to be punitive will use a rule 11.

I think a judge can make determinations under the present system, and so the spiking that we are talking about is a spiking of rule 11 filings. That is more litigation. That is more litigation. That is what we are suggesting that we don't want.

And this response and respect that the President and others are giving, all of us want to give respect to the mishap that has been created by the insurance companies. And so, fine. The President is giving respect to the constituents because his bottom line is to make sure all uninsured Americans, like the 6 million in the State of Texas, get the opportunity to be insured.

Let me thank the gentleman for the time. I believe that we are going down the wrong path for rule 11.

I thank the gentleman for yielding.

Mr. GOODLATTE. Madam Speaker, I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, it is my pleasure now to yield 4 minutes to the distinguished gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. I thank the gentleman from Michigan.

Madam Speaker, I come here as a freshman in this Congress. I come from northeastern Pennsylvania, my first time involved in the political theater. And I tell you, Madam Speaker, that I have plied my entire adult life in the civil courts. I have handled all manner of civil cases on behalf of defendants, on behalf of plaintiffs, on behalf of people, on behalf of companies. I have seen the whole spectrum of civil litigation; and I have been doing that, both before and after the repeal of the mandatory LARA provision in 1993, so I am as qualified as anybody in this Chamber to speak to the merits of this so-called lawsuit abuse reduction bill.

It is a bill that should fail; and I say this, not just because it tends to shut the door further on consumers seeking justice in the court system of the United States, but because it also reinstates a rule that has already been seen to be misapplied, to be misplaced, to be a bad rule.

In 1993, we abandoned this rule for a reason. It wasn't because we pulled it out of thin air, the idea to abandon this mandatory sanctions under rule 11 rule. It is because of the experience.

The gentlelady from Texas held up the chart. You saw the spiking in rule 11 filings. That wasn't because people were out diligently cleaning up the mess in civil courts. It is because they were encouraged to make those filings because of the mandatory nature of the rule. They felt like their clients expected them to file for rule 11 if they won a motion or if they won a case, and it led to enormous increases in unnecessary, what we call satellite litigation.

It was the Federal judges who complained to the Judicial Conference. They went to the Supreme Court, and Congress ultimately decided, in its wisdom, to abrogate that rule and abandoned it because of all of this wasteful litigation that was going on.

We had a Federal judge outside of Philadelphia, United States District Judge Robert Gawthrop, who saw so much of it he added a nickname to this rule 11 litigation that people felt compelled to file. He called it ''zombie litigation.'' He called it zombie litigation, and he was enormously relieved when, in 1993, this Congress did away with it.

Current law allows judges to punish frivolous filings; and, on occasion, frivolous things happen in court, and the judges don't like them and they have the power to punish them. And it is within their discretion that they do that.

We like discretion to be vested in Federal judges. We are careful about selecting Federal judges. We vet Federal judges. We interview Federal judges. We actually confirm them here on Capitol Hill to make sure that they have sound discretion and good sense; and it is best left to the sound discretion and good sense of Federal judges to handle the situation when someone goes overboard with a filing.

This is us here now trying to fix a problem that doesn't exist. The National Center for State Courts—make no mistake, tort cases constitute 5 percent of filings in civil court. It is debt collection, it is breach of contracts cases that take up 70 percent.

From 1999–2008, tort case filings in State courts in the United States dropped 25 percent. Dropped to 2008. And this is all after the abrogation of the mandatory rule 11 rule.

□ 1400

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

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

Mr. CARTWRIGHT. What this bill is really after is simply to make people afraid to go to court to assert their rights, to assert their voting rights, to assert their workplace safety rights, to assert the rights guaranteed them under the United States Constitution. This bill makes them afraid to go to court to assert their rights, and that is why I urge my fellow Members, Madam Speaker, to vote against this bill.

Mr. GOODLATTE. Will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Virginia.

Mr. GOODLATTE. I would ask the gentleman from Pennsylvania, what other sorts of legal claims should a victim be able to prove in court but be denied damages by the judge?

Mr. CARTWRIGHT. I am not sure what the gentleman is referring to.

Mr. GOODLATTE. Well, you are in court. You have got a frivolous lawsuit. The court finds it is a frivolous lawsuit. You prove that you are the victim of that legal claim and you prove it in court, yet you can be denied damages by the judge.

What other legal remedy, what other legal claim would the gentleman cite other than frivolous lawsuits where that would be the case? Are there any others?

The SPEAKER pro tempore (Mr. GARDNER). The time of the gentleman has again expired.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute, and I would be happy to yield to the gentleman to respond.

Mr. CARTWRIGHT. I thank the gentleman.

The answer is this: we don't have idiots as Federal judges in this country. If a Federal judge sees a situation where somebody is really acting egregiously, really abusing the system, really filing a frivolous case, then that Federal judge just about uniformly will sanction the guilty party. We see that over and over and over. What we are doing here is imposing a cookie-cutter, one-size-fits-all remedy that the judges don't like. It adds to increased litigation, and it is unnecessary and expensive litigation.

Mr. GOODLATTE. Well, I thank the gentleman for his comment.

And I would just point out that I practiced law during the time that the mandatory sanctions were in place in Federal court and found that it was a very good environment to do so. I was then elected to Congress and got here and found that, lo and behold, a small panel of judges changed that rule without looking at the evidence of a survey of Federal judges where 751 Federal judges found that an overwhelming majority believed—

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

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

Federal judges found that an overwhelming majority of Federal judges believed, based on their experience under both a weaker and stronger rule 11, that a stronger rule 11 did not impede development of the law, 95 percent; the benefits of the rule outweighed any additional requirement of judicial time, 71.9 percent; the stronger version of rule 11 had a positive effect on litigation in the Federal courts, 81 percent; and the rule should be retained in its then current form. What we are attempting to reinstate into the law, 80.4 percent supported retaining the then-current mandatory sanctions under the law.

Mr. Speaker, this is about seeking real justice, and the fact of the matter is that, just like a judge could not deny well-founded damages in a lawsuit brought by an individual under a valid legal claim of any other kind, they should not be able to have the discretion to deny any damages when a frivolous lawsuit is proven and the expenses of having to undertake the defense of that frivolous lawsuit are made. And

yet time after time after time today, people do not even bother to do it anymore because of the low, low, low record of granting damages in findings of frivolous lawsuits since it was made discretionary, and the mandatory provision should be reinstated in the law.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 2 minutes to the gentleman from Florida, TED DEUTCH, a very effective member of the House Judiciary Committee.

Mr. DEUTCH. I thank my good friend from Michigan (Mr. CONYERS).

Mr. Speaker, make no mistake, the Lawsuit Abuse Reduction Act is little more than a GOP effort to turn back the clock on civil rights, on consumer protections, and on justice in America. I urge my colleagues to vote against it.

To most people, what this bill is sounds harmless. It reinstates the 1983 version of rule 11 in our Federal Rules of Civil Procedure. Indeed, this legislation is full of legal jargon and obscure technical language. But the American people still need to know why it is that the majority wants to go back to 1983 so badly. They want to reinstate the 1983 rule for the very reason it was taken away in the first place: it unfairly disadvantaged consumers, employees, and other ordinary Americans that tried to take on big corporations in our court system.

The Lawsuit Abuse Reduction Act doesn't stop frivolous lawsuits; it only makes it easier for corporations to file frivolous lawsuits for the sole purpose of delaying the legal process and driving up the cost of litigation. These tactics aim to make the price of justice too expensive for ordinary Americans, especially in cases involving consumer and civil rights.

You don't have to take my word for it. Studies have shown that civil rights and discrimination cases made up just 11.4 percent of the Federal court docket but 22 percent of the cases derailed by this rule. History has shown us that the 1983 version of rule 11 will further disadvantage everyday people with legitimate claims against corporations with deep pockets.

Mr. Speaker, the current rule was developed by a judicial panel and embraced by judges across the country. They are the ones who hear the cases. They are the ones who receive and consider the unique facts of each case. They are the ones who are in the position to make the decision whether the landmark civil rights and consumer rights cases of our time should go forward in our legal process, not the United States House of Representatives.

I ask my colleagues to stand up for everyday Americans' access to justice. Vote ''no'' on this bad bill.

Mr. GOODLATTE. Mr. Speaker, I will continue to reserve the balance of my time.

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

Ladies and gentlemen, as we see now, the Lawsuit Abuse Reduction Act will turn back the clock to a time when the Federal Rules of Civil Procedure discouraged civil rights cases and permitted satellite litigation to run wild.

I want to point out, in closing, that this is now the second day this week that the House is considering legislation aimed at solving a nonexistent problem that has little or no chance of seeing the light of day in the other body and is solely aimed at limiting access to justice for victims of egregious harms.

Just as I asked yesterday, who actually supports this legislation? Why are we putting their interests ahead of victims'? And why are we engaged in this charade when there are real problems facing our Nation that our constituents are still waiting for us to address?

With just 13 legislative days left this year, we still haven't considered immigration reform. We haven't passed a budget. We haven't considered a single piece of legislation that will create jobs and put America back to work. So really, whose interest is this House concerned with today? I urge my colleagues, oppose this legislation.

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

Mr. GOODLATTE. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I am pleased that my friend and colleague from Michigan (Mr. CONYERS), the ranking member of the Judiciary Committee, raised the important issue of civil rights. It is absolutely important. And I share his concern that individuals who believe that their civil rights have been infringed in any way have the opportunity to bring actions in Federal court as long as those actions are not frivolous or based upon fraud. In fact, looking back during the time when we had mandatory sanctions from 1983 to 1993, the Federal Judicial Center, in its study, found that the imposition rate of sanctions in civil rights cases was not out of line with that in any other type of case.

Now, we have not rested there. When the committee marked up this legislation, the gentleman from Virginia (Mr. SCOTT) offered a bipartisan amendment which was added to the bill at the very end. I said it was a one-page bill. I am actually slightly mistaken. It is a one-and-a-third-page bill. And the one-third page that was added reads this way:

> Rule of Construction—Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.

So this measure is carefully crafted to make sure that we are not harming people's rights to seek legitimate redress of grievances in our courts. What it is designed to do is to eliminate frivolous and fraudulent lawsuits. And from the evidence of the survey of Federal judges who worked for 10 years under the rule that we would instate again with the passage of this legislation, the overwhelming majority of them said they would not change the rule, and it is unfortunate that a small committee chose to move forward to make that change notwithstanding.

I would add, too, that those who claim that this is not about the little guy are overlooking the fact that small businesses are affected by frivolous lawsuits all the time. And the National Federation of Independent Business, which bills itself as ''the voice of small business'' and which represents hundreds of thousands of small businesses all across America, endorses this legislation. In fact, they wrote to us and said that 84 percent of National Federation of Independent Business members agree that attorneys should face mandatory sanctions if they bring forth a frivolous lawsuit. The NFIB urges you to support final passage of H.R. 2655 and will consider it an NFIB key vote in the 113th Congress.

So in terms of the little guy—both the small business person and the individual—this legislation is designed to protect individuals against frivolous or fraudulent lawsuits. And, as I pointed out in my dialogue with another Member a little while ago, I don't believe anybody can come forward and give me any other example where a legal claim is validly brought in court and the victim is able to prove that wrong was perpetrated and prove that there are damages resulting from that wrong and yet be denied those damages by the judge. I challenge anybody to come forward and show me that.

So why, if you have a process that says under rule 11—which it did say at one time and would say again with the passage of this legislation—that you have a right to a process to show and establish that a lawsuit is frivolous, why after you have done that wouldn't it be mandatory that the process take one step further and assess the appropriate amount of damages that would be due and owing that victim of that abusive lawsuit that suffers in all the same ways that other people suffer when they are the victim of abusive actions of other kinds that result in actions being brought in court?

So I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong opposition to H.R. 2655, the Lawsuit Abuse Reduction Act (LARA). This deceptively-named bill would roll back Rule 11 of the Federal Rules of Civil Procedure by removing a judge's discretion to impose sanctions against any party that files a frivolous lawsuit.

The language in H.R. 2655 is based upon long-discredited procedural requirements, previously rejected by the American Bar Association and the Judicial Conference of the United States. An overwhelming majority of the legal community reject the underlying principles behind the 1983 version of Rule 11. In fact, according to a survey conducted by the Federal Judicial Center, 87 percent of federal district judges prefer the current version of Rule 11 over the old version. Further, 91 percent of

these judges oppose the requirements specifically found in H.R. 2655.

Mr. Speaker, I have grave concerns about H.R. 2655 and the impact it would have on civil rights cases all across the country. History has shown us that mandatory sanctions can be used as a tool against legitimate plaintiffs in civil rights cases. Passage of H.R. 2655 would revive this abuse, and actually prolong litigation—not reduce it. I urge all of my colleagues to oppose this legislation so that we can get back to working on issues that the American people truly care about.

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

Pursuant to House Resolution 403, the previous question is ordered on the bill.

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

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

MOTION TO RECOMMIT

Mr. LEWIS of Georgia. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. LEWIS of Georgia. I am opposed to H.R. 2655.

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

The Clerk read as follows:

Mr. Lewis moves to recommit the bill H.R. 2655 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Add, at the end of the bill, the following:

SEC. 3. PROTECTING CIVIL RIGHTS AND PREVENTING DISCRIMINATION.

This Act, and the amendments made by this Act, shall not apply in the case of any action brought under—

(1) civil rights laws, including any case alleging discrimination based on sex, race, age, or other forms of discrimination; or

(2) the Constitution.

□ 1415

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia is recognized for 5 minutes in support of his motion.

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

My motion is similar to an amendment offered by my good friend, Ranking Member CONYERS, during the committee markup. It simply excludes civil rights cases from this act.

My amendment makes it crystal clear that discrimination based on sex, race, age, or other forms of discrimination will not be subjected to lengthy, expensive sanctions. People should have a right to seek redress to petition the courts to act. For an individual to be able to take legal action based on discrimination because of age, race, color, gender, or sexual orientation is not senseless. It is not frivolous or silly. They are exercising their sacred right to work to make our union stronger and better for generations to come.

Mr. Speaker, I am not sure that my friends and colleagues in this body fully understand the importance of my amendment.

Civil rights lawsuits are unique because they push the judiciary to review, question, consider, and update our Nation's commitment—our constitutional duty—to respect the dignity and the worth of every human being. These cases inspire our judicial system to explore and develop new legal theories and standards.

There is no doubt that legislation like H.R. 2655 would have slowed down many historic legal successes of the 20th century. Civil rights landmarks like *BROWN* v. *BOARD OF EDUCATION* would have taken another 10 years. Rights to marital privacy could have been debated for who knows how long. Blacks and Whites would not have been free to marry. Same-sex couples would not have been able to love each other. Decisions guaranteeing freedom of the press and First Amendment protections could be ongoing.

Civil rights legal progress would have been even slower if this act was the law of the land 60, 50, or even 20 years ago. Our judicial system of thoughtful, deliberative, constant review makes our history—our progress, our commitment to justice—a model for nations around the world.

This effort has been tried already. It does not work. My amendment corrects the greatest injustice of this bill.

I urge all of my colleagues to support my commonsense change to this seriously flawed legislation. This amendment is the right thing to do, the fair thing to do. It is the just thing to do.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to this motion because the base bill makes sanctions for filing frivolous lawsuits in Federal court mandatory.

Under rule 11, a lawsuit is frivolous if it is presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation, if it is not warranted by existing law, or if the factual contentions have no evidentiary support. In other words, a lawsuit will only be found frivolous if it has no basis in law or fact. As soon as the judge finds that any claim of any kind is founded in law or fact, then no claim for damages because of a frivolous lawsuit would lie.

Who here thinks that lawyers should be able to avoid any penalty when the lawsuit they file is found by a Federal judge to have been simply filed to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation? Or, when the Federal judge finds that the lawsuit is not warranted by existing law or to have no evidentiary support?

If you think lawyers should be able to get off scot-free when they file those sorts of frivolous lawsuits, vote for this motion to recommit. If you agree with me that the victims of frivolous lawsuits are real victims and that they have to shell out thousands of dollars, endure sleepless nights, and spend time away from their family, work, and customers just to respond to frivolous pleadings, then you must oppose this motion to recommit.

When Business Week wrote an extensive article on what the most effective legal reforms would be, it stated what is needed are ''penalties that sting.'' As Business Week recommended:

Give judges stronger tools to punish renegade lawyers. Before 1993, it was mandatory for judges to impose sanctions such as public censures, fines, or orders to pay for the other side's legal expenses on lawyers who filed frivolous lawsuits. Then the Civil Rules Advisory Committee, an obscure branch of the courts, made penalties optional. This needs to be reversed . . . by Congress.

H.R. 2655, the Lawsuit Abuse Reduction Act, would do just that.

The specific language of the motion to recommit means that it literally immunizes from sanctions frivolous civil rights claims. That doesn't further civil rights; that sets them back, because the only claims that sanctions could be issued on would be claims for which there is no basis in law or fact.

That does not advance the cause.

I would add that the language in the motion to recommit adds, ''shall not apply in the case of any action brought under, one, civil rights laws, and two, the Constitution.'' That second provision, the Constitution, means that the motion to recommit covers every single lawsuit brought in any United States court in the land and any Federal court, and so it goes well beyond what is the stated intent of the motion to recommit.

A better way to look at this is to look at what the Federal Judicial Center found in its study when it looked at the imposition of the mandatory sanctions under rule 11 that existed from 1983 to 1993. It found that the imposition rate of sanctions in civil rights cases was not out of line with that in any other type of cases.

Furthermore, when this bill was drafted for this Congress—a very narrowly drafted bill, just 1⅓ pages long—we added a rule of construction for specific protection for valid, legitimate civil rights lawsuits that are based in law or fact.

It says in the rule of construction, as I said earlier:

Nothing in this act or an amendment made by this act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws or under the Constitution of the United States.

That is the proper way to protect civil rights litigation. Meritorious civil

litigation founded in law or in fact. That indeed is what the legislation does, and that is why the House should reject the motion to recommit and pass the Lawsuit Abuse Reduction 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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and adoption of the motion to instruct on H.R. 3080.

The vote was taken by electronic device, and there were—yeas 197, nays 225, not voting 8, as follows:

[Roll No. 580]

YEAS—197

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
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
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—225

Aderholt
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
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—8

Campbell
Grijalva
Herrera Beutler
Jones
Kaptur
McCarthy (NY)
Perry
Rush

□ 1452

Messrs. THOMPSON of Pennsylvania and CALVERT changed their vote from ''yea'' to ''nay.''

Ms. SPEIER and Mr. TIERNEY changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. PERRY. Mr. Speaker, on rollcall No. 2655—Motion to Recommit; I was off-site and my staff was unable to contact me regarding the vote due to a inoperative telephone. Had I been present, I would have voted "no."

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 noes appeared to have it.

Mr. SCOTT of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 228, nays 195, not voting 7, as follows:

[Roll No. 581]

AYES—228

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
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
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner

Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—195

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
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
Griffith (VA)
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.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Campbell
Herrera Beutler
Jones
Kaptur
McCarthy (NY)
Nolan
Rush

□ 1502

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. NOLAN. Mr. Speaker, on rollcall No. 581, I was inadvertantly detained and missed the vote. Had I been present, I would have voted "no."

MOTION TO INSTRUCT CONFEREES ON H.R. 3080, WATER RESOURCES REFORM AND DEVELOPMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on 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, offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 76, answered ''present'' 1, not voting 6, as follows:

[Roll No. 582]

YEAS—347

Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Hultgren
Hunter
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nunes
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pitts
Pocan
Polis
Posey
Price (NC)
Quigley
Radel
Rahall
Rangel
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wolf
Womack
Yarmuth
Yoder
Young (IN)

NAYS—76

Aderholt
Amash
Barton
Bentivolio
Boustany
Bridenstine
Brooks (AL)
Broun (GA)
Burgess
Carter
Chabot
Collins (GA)
Conaway
Cotton
DeSantis
Duncan (SC)
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffith (VA)
Harper
Harris
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt
Jenkins
Johnson, Sam
Jordan
Kingston
Labrador
Lamborn
Long
Lummis
Massie
Messer
Miller (FL)
Mulvaney
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Pearce
Pittenger
Poe (TX)
Pompeo
Price (GA)
Reed
Roby
Rogers (AL)
Rooney
Ross
Salmon
Schweikert
Smith (MO)
Stockman
Stutzman
Thornberry
Wagner
Weber (TX)
Webster (FL)
Westmoreland
Wittman
Woodall
Yoho
Young (AK)

ANSWERED ''PRESENT''—1

Ribble

NOT VOTING—6

Campbell
Herrera Beutler
Jones
Kaptur
McCarthy (NY)
Rush

□ 1510

Mrs. BLACK changed her vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

APPOINTMENT OF CONFEREES ON H.R. 3080, WATER RESOURCES REFORM AND DEVELOPMENT ACT

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 3080:

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. SHUSTER, DUNCAN of Tennessee, LOBIONDO, GRAVES of Georgia, Mrs. CAPITO, Mrs. MILLER of Michigan, Messrs. HUNTER, BUCSHON, GIBBS, HANNA, WEBSTER of Florida, RICE of South Carolina, MULLIN, RODNEY DAVIS of Illinois, RAHALL, DEFAZIO, Mses. BROWN of Florida, EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of New York, Ms. EDWARDS, Mr. GARAMENDI, Ms. HAHN, Mr. NOLAN, Ms. FRANKEL of Florida, and Mrs. BUSTOS.

From the Committee on Natural Resources, for consideration of secs. 103, 115, 144, 146, and 220 of the House bill, and secs. 2017, 2027, 2028, 2033, 2051, 3005, 5002, 5003, 5005, 5007, 5012, 5018, 5020, title XII, and sec. 13002 of the Senate amendment, and modifications committed to conference:

Messrs. HASTINGS of Washington, BISHOP of Utah, and Mrs. NAPOLITANO.

There was no objection.

□ 1515

SMALL AIRPLANE REVITALIZATION ACT OF 2013

Mr. POMPEO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1848) 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, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Airplane Revitalization Act of 2013''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) A healthy small aircraft industry is integral to economic growth and to maintaining an effective transportation infrastructure for communities and countries around the world.

(2) Small airplanes comprise nearly 90 percent of general aviation aircraft certified by the Federal Aviation Administration.

(3) General aviation provides for the cultivation of a workforce of engineers, manufacturing and maintenance professionals, and pilots who secure the economic success and defense of the United States.

(4) General aviation contributes to well-paying jobs in the manufacturing and technology sectors in the United States and products produced by those sectors are exported in great numbers.

(5) Technology developed and proven in general aviation aids in the success and safety of all sectors of aviation and scientific competence.

(6) The average small airplane in the United States is now 40 years old and the regulatory barriers to bringing new designs to the market are resulting in a lack of innovation and investment in small airplane design.

(7) Since 2003, the United States lost 10,000 active private pilots per year on average, partially due to a lack of cost-effective, new small airplanes.

(8) General aviation safety can be improved by modernizing and revamping the regulations relating to small airplanes to clear the path for technology adoption and cost-effective means to retrofit the existing fleet with new safety technologies.

SEC. 3. SAFETY AND REGULATORY IMPROVEMENTS FOR GENERAL AVIATION.

(a) IN GENERAL.—Not later than December 15, 2015, the Administrator of the Federal Aviation Administration shall issue a final rule—

(1) to advance the safety and continued development of small airplanes by reorganizing the certification requirements for such airplanes under part 23 to streamline the approval of safety advancements; and

(2) that meets the objectives described in subsection (b).

(b) OBJECTIVES DESCRIBED.—The objectives described in this subsection are based on the recommendations of the Part 23 Reorganization Aviation Rulemaking Committee:

(1) The establishment of a regulatory regime for small airplanes that will improve safety and reduce the regulatory cost burden for the Federal Aviation Administration and the aviation industry.

(2) The establishment of broad, outcome-driven safety objectives that will spur innovation and technology adoption.

(3) The replacement of current, prescriptive requirements under part 23 with performance-based regulations.

(4) The use of consensus standards accepted by the Federal Aviation Administration to clarify how the safety objectives of part 23 may be met using specific designs and technologies.

(c) CONSENSUS-BASED STANDARDS.—In prescribing regulations under this section, the Administrator shall use consensus standards, as described in section 12(d) of the National Technology Transfer and Advancement Act of 1996 (15 U.S.C. 272 note), to the extent practicable while continuing traditional methods for meeting part 23.

(d) SAFETY COOPERATION.—The Administrator shall lead the effort to improve general aviation safety by working with leading aviation regulators to assist them in adopting a complementary regulatory approach for small airplanes.

(e) DEFINITIONS.—In this section:

(1) CONSENSUS STANDARDS.—

(A) IN GENERAL.—The term ''consensus standards'' means standards developed by an organization described in subparagraph (B) that may include provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a nondiscriminatory, royalty-free, or reasonable royalty basis to all interested persons.

(B) ORGANIZATIONS DESCRIBED.—An organization described in this subparagraph is a domestic or international organization that—

(i) plans, develops, establishes, or coordinates, through a process based on consensus and using agreed-upon procedures, voluntary standards; and

(ii) operates in a transparent manner, considers a balanced set of interests with respect to such standards, and provides for due process and an appeals process with respect to such standards.

(2) PART 23.—The term ''part 23'' means part 23 of title 14, Code of Federal Regulations.

(3) PART 23 REORGANIZATION AVIATION RULEMAKING COMMITTEE.—The term ''Part 23 Reorganization Aviation Rulemaking Committee'' means the aviation rulemaking committee established by the Federal Aviation Administration in August 2011 to consider the reorganization of the regulations under part 23.

(4) SMALL AIRPLANE.—The term ''small airplane'' means an airplane which is certified to part 23 standards.

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

There was no objection.

A motion to reconsider was laid on the table.

OBAMACARE

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

Mr. CANTOR. Mr. Speaker, millions of Americans are coming home and opening their mailboxes to find shocking news; their health care plans are being taken away from them.

The President broke a promise we knew he couldn't keep, and now millions of Americans feel betrayed, wondering why their health care plans are being canceled.

Mr. Speaker, this letter was sent to me by a constituent. His name is Bruno Gora, and he is a constituent of mine in Richmond, Virginia. He is a self-employed individual who purchases health insurance through Anthem BlueCross/BlueShield. A few weeks ago, he was stunned to receive this letter in the mail, and it clearly reads: ''To meet the requirements of the new law, your current plan can no longer be offered.''

Any new plan could cost Mr. Gora thousands of dollars more. Why should he or anyone else be forced to buy a different insurance policy if they are happy with the one they have?

With every new day that passes, we continue to learn more and more about people in the same situation. Mr. Gora and this cancelation letter represent millions of ObamaCare victims across the country who are having their health insurance ripped away from them.

As a result, we House Republicans will put the Keep Your Plan Act on the floor for a vote tomorrow. The only way to stop every cancelation letter is by full repeal of this law. However, this bill will hopefully begin to ease some of the pain that working families are feeling because of President Obama's health care law.

Tomorrow, we will see who will put their constituents before policies and vote for a bill that could allow Americans to keep their plans.

I sincerely hope that my colleagues will act as a united voice and take the first of many steps to provide relief to the American people from the many burdens brought about by ObamaCare.

INDEPENDENT LIVING ENHANCEMENT ACT

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, on Veterans Day, I had the honor of speaking at a veterans ceremony in Albuquerque, where I was reminded of our solemn responsibility that we have as lawmakers to do everything we can do to stand up for those who stand up for us.

That is why last month I introduced the Veterans' Independent Living Enhancement Act, bipartisan legislation that will help disabled veterans live independently and participate in family and community life.

Currently, only 2,700 veterans in the entire country can enroll in the VA's highly successful Independent Living Program each year. When you compare that to the 2.6 million veterans of the Iraq and Afghanistan wars alone, it is clear that this number is far too low, preventing veterans from getting the services and support they need.

My bill, which has both Democratic and Republican cosponsors, along with the support of a dozen different veterans and health organizations, would remove this arbitrary cap so that every veteran who can participate in it would benefit from the Independent Living Program.

Mr. Speaker, I urge the House to fulfill its responsibility to our Nation's veterans and their families and take up this commonsense, bipartisan legislation.

OBAMACARE

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

Mr. McCARTHY of California. Mr. Speaker, the President's announcement today does little to change the need for Congress to act.

The President's promise of ''if you like your plan, you can keep it,'' is an empty promise. Sadly, 1 million Californians are now finding out firsthand in the form of a letter that their current plan has been canceled.

One of those 1 million Californians happens to be a constituent of mine from Bakersfield, California. He wrote me recently to tell me how ObamaCare has failed him. He writes:

> Our youngest son was born with a rare genetic condition that results in severe mental retardation, an inability to walk or talk, and a need to be tube-fed directly into a surgically implanted port in his stomach.
>
> Our longtime insurance carrier, Kaiser Permanente, has been great about caring for our son, who requires 24-hour care and special medication and formulas, all of which are very expensive.
>
> Well, we just learned today that our previous coverage, not cheap by any means, with a premium of nearly $1,000 a month, is no longer available, and that a far inferior replacement plan with less coverage and more out-of-pocket exposure will cost $626 a month more, bringing our total to over $1,600 a month.
>
> With the added out-of-pocket expenses, we anticipate for his care in the coming year we expect to pay about $24,000 more for care next year than this year, all thanks to ACA.

That is why we must take up and pass Keep Your Health Plan Act, and we ask the Democrats to join with us, to keep a pledge, to keep a promise, and stop increasing the cost for the constituents.

OBAMACARE

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

Mrs. CAPPS. Mr. Speaker, I rise to tell the story of one of my constituents' experiences with the Affordable Care Act, Allan, from Santa Barbara County.

Prior to the Affordable Care Act, his wife was paying $20,000 a year in insurance premiums. She has a preexisting condition. Even though it costs so much, she was thankful to have any coverage at all.

When Covered California, our online marketplace, opened, she made a call, looked at her options, and found a plan that works for her. This plan saved them $8,000 a year, and it was a much better plan.

We know that the rollout nationally has been sloppy, that the law is not perfect, and that there are real issues we must fix. We must fix those problems without diminishing the true benefits the law is giving to families in my district and across the country. So now is the time to work together to ensure all Americans have access to quality, affordable health care.

OBAMACARE

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

Mr. UPTON. Mr. Speaker, for the last 3 years, the President personally promised that if they liked their current health care plan, that they could keep it ''no matter what,'' period.

But cancelation notices are now arriving in millions of mailboxes across the country. In the great State of Michigan, some 225,000 folks will see their plans terminated because of this law. That is twice the number of people who have even tried to select a plan nationwide.

I have heard from countless families back home who took the President at his word. They are upset—yes, they are—and worried about how they are going to make ends meet.

A self-employed family of three in Bangor, Michigan, had purchased their own insurance for more than 30 years. Their BlueCross/BlueShield plan was working well, had no deductible, a $750 monthly premium. To replace it, the premium is going to nearly double to $1,393 and their deductible will jump to $2,800. In their own words, they told us, they had been thrown under the bus. Sadly, they are not alone.

Tomorrow, we will vote on the Keep Your Health Plan Act, a straightforward, 1-page bill that says if you like your coverage, you ought to be able to keep it.

Let's keep that promise.

OBAMACARE

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

Mr. CARTWRIGHT. Mr. Speaker, I rise to share with you the story of a couple from Catasauqua, Pennsylvania, the Zakoses.

In a one-on-one session last Monday, that is, a week ago Monday, Beverly and Bob Zakos of Catasauqua sat as the navigator, Mr. Hartman, worked online through their application with them. This time, although they had had a prior bad experience, the online connection worked ''like a charm,'' Hartman said. Once it is finished, the Zakoses will get a plan that will be more than $500 a month less expensive than the COBRA coverage they had been purchasing for $1,200, even without subsidies.

At 62 years old, Mr. Zakos is hoping that with some adjustments to his income and his wife's Medicare, he can qualify for hundreds more a month in subsidies. I take that from the Allentown Morning Call.

OBAMACARE

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

Mrs. WALORSKI. Mr. Speaker, I am pleased to cosponsor the Keep Your Health Plan Act to make sure individuals can keep the health care plans they like and need.

I have asked Hoosiers in the State of Indiana to share their stories with me about their experiences with ObamaCare. The stories are shocking.

Kathryn from South Bend got this letter from her insurance company stating that her plan will be canceled. Her monthly payments will increase from $186 per month to $329 per month—nearly double.

Kathy from Elkhart is a cancer patient undergoing chemotherapy. Under ObamaCare, she now has to pay over $1,200 a month just for her own coverage.

Barton, a small business owner, said his group premiums will increase up to 80 percent this year.

These are serious problems causing incredible hardships for the very people we represent.

It is time to work on commonsense reforms that will lower health care costs and improve the quality of care for our constituents.

If we work together, we can get it done.

JUST KEEP TRYING

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, Kathy Kanak can be persistent. Late last Wednesday, the 57-year-old of Libertyville became one of the first known enrollees of health insurance at the glitch-stricken online marketplace operated by the Federal Government for 36 States, including Illinois. ''I just kept trying,'' she said. ''Tell people to just keep trying, and they will get in eventually.''

With Federal tax credits, the Kanaks will pay about $260 a month in premiums less than what they paid before. They will be able to retain their family doctor and their dentist, and their annual deductible will drop to $1,500 from $5,000.

Just keep trying.

□ 1530

OBAMACARE

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

Mr. POE of Texas. Mr. Speaker, the House of Representatives has voted numerous times to repeal ObamaCare, but the President finally admitted today that ObamaCare is just not working. And so to save his flawed legislation, he has decided to selectively enforce the law, the individual mandate, the idea that you can keep your own insurance. He says he won't enforce the fine for noncompliance for 1 year.

His method is unconstitutional. The Constitution requires Congress to write, rewrite, and amend laws. No President can just use administrative discretion to not enforce laws or change the law. Administrative discretion is just not mentioned in the Constitution. Selective enforcement violates the 14th Amendment.

No President can just administratively change any law. What's next? Is he going to raise taxes by administrative order?

Congress must write the law. The President must enforce the law.

The House will address this very issue legally tomorrow by bringing up legislation that now the President seems to support. I assume the former constitutional law professor will sign on this excellent legislation that you can keep your insurance if you like it.

And that's just the way it is.

OBAMACARE

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

Mr. ROTHFUS. Mr. Speaker, over 200,000 Pennsylvanians have been notified that they will lose their plans because of President Obama's health care law. What these numbers don't tell you are the stories of hardworking western Pennsylvanians like Don and Karen from Johnstown.

Don is a Marine Corps veteran and former coal miner. He and Karen run a ministry that helps people in developing countries. Don recently let me know that he will lose his plan. He said:

> I specifically bought a health plan that met my needs. I liked my plan very much and it was something I could afford.

When Don and Karen were able to get onto the Web site, the plan he was offered had a deductible of more than $6,000. In Don's words, this is ''ridiculous and unaffordable.''

Unfortunately, their story is not unique. We need health care reform that works for Don and Karen and the rest of the American people. The Empowering Patients First Act and the American Health Care Reform Act provide a good place to start and a better way on health care reform.

OBAMACARE

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

Mr. MULLIN. Mr. Speaker, I rise today to say enough is enough. Enough of the rhetoric. Enough of the dishonesty.

Promises have been broken. We face critical situations that need to be made right. Countless Americans, and many within the Second District of Oklahoma, are going to their mailboxes only to learn that the health insurance plan they liked is being canceled.

In the House, we have chosen to listen to the American people through the Keep Your Health Plan Act. Individuals can actually keep the plan they like, and we can clean up the damage done by this administration's failures.

Aside from the consequences on individuals, business owners like me also face mounting regulations and penalties as a result of ObamaCare. Small businesses provide stability to our economy and employ millions of Americans. That stability has been jeopardized by the result of ObamaCare.

I will not sit back and watch Americans be subject to empty promises with no solution in sight. I encourage my colleagues to join me in saying enough is enough and vote in support of the Keep Your Health Plan Act.

OBAMACARE

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

Mr. GARDNER. Mr. Speaker, as my colleagues today have already pointed out, the President made this promise to the American people:

> If you like your health care plan, you will be able to keep your health care plan. Period.

I have in my hand a letter sent to my office from Noel, from Akron, Colorado, in my district. This is, in part, what it says:

> I am a 37-year-old automotive mechanic in the family business, volunteer firefighter, devout Catholic. My wife, Heather, is a 33-year-old third grade teacher. Our daughter is 2 years old, our son is 1 year old, and our third child is due in March. I recently received a letter from Rocky Mountain Health Plan stating that my existing policy is canceled as of January 1, 2014, due to mandated government policies.

250,000 Coloradans have lost their insurance. That is more people than have now signed up across this country, nationwide, for ObamaCare.

Noel, you are not alone. I join you because I too lost my health insurance when I chose to opt out of the congressional coverage, one of the 250,000 people that lost our coverage. And it is time for this President to uphold his promise to the American people.

OBAMACARE

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

Mr. BUCSHON. Mr. Speaker, as a physician, my goal is to make certain that every American has access to quality, affordable health care.

The President and congressional Democrats promised that you can keep your health insurance if you like it. Well, we learned yesterday that in my home State of Indiana, only 701 Hoosiers have signed up successfully for the Affordable Care Act, while over 108,000 Hoosiers have had their current plans canceled. I think the people of Indiana know this promise has not been kept.

Mary, from Evansville, Indiana, wrote to me about this very thing. She said:

> Our insurance is excellent. I had a heart attack a year ago. We met our deductible this year, but insurance has paid for everything recommended, 2 months of cardiac rehab, prescriptions, and even more surgery. My insurance and my doctors saved my life, and now I am at risk of losing both.

On Facebook, Andrea wrote that she was able to extend her plan for her and her son till next December, then it

would be canceled. She went on to say, ''What happened to if you want to keep your health care, you can?''

And, finally, Allen summed up his frustration in one sentence:

I will not have insurance beginning January 1. End of story.

Mr. Speaker, these are real stories that affect real people, hardworking families just trying to get by.

Mr. Speaker, we need to hold the President and congressional Democrats to their promise.

OBAMACARE

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

Ms. JENKINS. Mr. Speaker, across Kansas, folks are struggling from the effects of ObamaCare. This cancelation letter is from Greg and Linda in Osage City, who wrote to tell me their son was losing his health care plan.

Linda spent hours each night for weeks trying to sign up for a new plan on the Web site. She tried the online chat. She tried calling the number, and no one could answer her questions.

They were forced to add their son to Greg's more expensive employer plan, and now their son's health insurance bill is going up 50 percent each month.

After years of knowing about these problems, today the President tried to make good on his promise: if you like your plan, you can keep it. But for Greg and Linda, it is likely too late. The deadline to switch to Greg's employer plan just passed. They had no good options.

We must continue to work for hardworking American families who are paying the price for this unworkable law.

OBAMACARE

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

Mr. HECK of Nevada. Mr. Speaker, ''If you like your health care plan, you can keep it. Period. If you like your doctor, you can keep him. Period.''

We all remember when we heard those words. Here is an article from today's Las Vegas Review Journal. Nearly 25,000 Nevadans lose insurance plans under ObamaCare. That is roughly 27 percent of the individual market in that State.

One of those individuals is Janet. Janet is 55 years old and battling recurrent cancer. She has had the same insurance policy for 11 years. For 11 years that policy and those doctors have taken care of her and have kept her alive.

She is currently battling a recurrence, undergoing chemotherapy, and she received this letter from her insurer on September 25:

We would like to take this opportunity to thank you for allowing us to be your health insurance carrier. We are writing to advise you that, due to the passage of the Federal Patient Protection and Affordable Care Act, effective December 31, 2013, your standard or basic individual health plan will be discontinued and terminated. You will no longer be able to continue coverage under this benefit plan as of this date.

As Janet valiantly battles her disease, the last thing she needs is the added stress of wondering about her insurance coverage.

Mr. President, it is time that Americans are allowed to keep their health care plan. Period.

OBAMACARE

(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, Peter Ertling is a 24-year-old from Midland, Texas, who has done everything he is supposed to do. When he was 18 he began working in the oil fields as a roustabout; and through hard work and perseverance, he eventually worked his way up to field operations manager.

Four years ago, he married a beautiful young lady and they started a family. He now has three small boys, and there is a fourth one on the way.

But, Mr. Speaker, he is now in a bad position because of bad calls made by those lawmakers who voted for the Affordable Care Act and the President who signed it into law. Thanks to ObamaCare, his company, in the force of a 40 percent increase in rates, has switched their health insurance plan.

The kicker is that Peter's wife is halfway through the pregnancy with their fourth child. His wife's doctor is not a part of the new insurance plan, and they are going to have to spend an extra $18,000 out of pocket to stay with the doctor they like and the doctor they were promised they could keep. This is a broken promise that has turned what should be a joyful and momentous occasion into a nightmare.

As he said to one of my staff:

I am 24 years old. At my age and at this point in my career, this is not something that I should have to worry about.

Mr. Speaker, this is not an intellectual exercise we engage in. ObamaCare is causing major problems for hardworking people like Peter and his wife in the 11th District of Texas. His wife is in tears over this issue.

The American Dream that he was working so hard to provide for his family has turned into a nightmare because of a bad law. This is unacceptable, and it is inexcusable.

OBAMACARE

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

Mr. STIVERS. Mr. Speaker, 3.5 million Americans have seen their health care plans canceled under the Affordable Care Act. I've personally heard from many constituents in my district who are seeing their health care plans canceled.

For example, Anthony, who is a small business owner in my district, got these letters from his insurance plan saying that his plan would be canceled. As a result of that, there is a new plan that is available to him, but his monthly cost goes up by a little over 80 percent, and that is low compared to some.

He is in the process of building a business, and he just hired his first employee. He told me he is scared to death to hire another employee because he just got his health insurance canceled and the cost doubled. It is just another story of how this law is hurting people and stifling job creation.

I would like to ask all my colleagues to join me in supporting Chairman UPTON's bill, the Keep Your Health Plan Act. I urge all of you to support it.

OBAMACARE

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

Mr. BARR. Mr. Speaker, for the last 4 years, President Obama repeatedly promised the American people that if you like your health care plan, you can keep it. But for Melody in Lexington, Kentucky, that is simply not true.

Melody received a notice that her health care plan was no longer good enough under ObamaCare. And when Melody looked into options for new insurance, like so many other Americans, she found out that her family's insurance costs would go up by 250 percent, and their deductible would increase by $2,000.

Melody, in this email, told me:

We do not qualify for any premium assistance, even though we are a family of three living on a single income. We are more likely to go without health care coverage because our premiums are going to cost more per year than we would wind up spending on medical expenses without insurance.

Mr. Speaker, this is not about politics. This is about real people in our districts that are being harmed by ObamaCare. The American people don't need apologies. They don't need temporary administrative waivers. They need permanent solutions that will protect hardworking Americans from the coverage cancelations, loss of access to doctors, and premium spikes.

It is time for the President to keep his promise and allow Americans who like their health care plans to keep them.

OBAMACARE

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

Mr. DAINES. Mr. Speaker, President Obama promised if you like your

health care plan, you can keep your health care plan; but for tens of thousands of Montanans, his words are nothing more than a broken promise that has resulted in canceled insurance plans and rising health care costs.

I have already heard from hundreds of Montanans who are looking for relief from ObamaCare; and, unfortunately, the President's recent announcement isn't a long-term fix; nor does it address the core problems with this failed law.

Mr. Speaker, this is called the people's House, and I want to share the story of the people of Montana tonight in this body.

Dean and Summer, from Flathead County, who have an autistic son and a daughter with muscular dystrophy, were just notified, as I spoke with the mom last week on the phone, that their rates are going up $4,500 a year because of ObamaCare.

Or take, for example, Jim, a business owner in Troy, Montana, who will need to cut employee hours to avoid paying the ObamaCare fine and keep his business afloat.

Or Anne Marie in Miles City, Montana, whose family is facing an additional $3,000 per year in health care costs due to increased premiums and deductibles.

Or Paula, a health care provider in Kalispell, who is questioning the viability of her private practice and her ability to continue providing care to many of her patients.

Montanans deserve a permanent solution, not a short-term, politically driven patch. I will continue fighting to fully repeal ObamaCare and working toward real solutions that protect Montanans' access to their doctors and the health care plans they want.

□ 1545

LET THE AMERICAN PEOPLE KEEP THEIR HEALTH CARE PLAN

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, President Obama misled the American people about ObamaCare, and now he has admitted it.

And here is a letter to me from a small business owner in my district:

> My husband and I have a small medical education business, and ever since ObamaCare passed, our business has been cut in half. Doctors are not spending money on education, so for the last 4 years, our business has really suffered.
>
> Then we were told we could keep our insurance. We had good insurance, not junk. We currently paid $514 a month with a $2,000 deductible. We were canceled as of 12/31/13. To get anything near what we had, we will have to pay $1,900 a month, which we cannot afford. So much for affordable health care.
>
> This is the first time in 30 years that we might not be able to have health insurance. We have always run our life not depending on the government for handouts, and now we are losing our insurance. I ask you, what are we to do? Americans are suffering. This is just wrong. Yes, I believe that something needed to be done, but not this.

Mr. Speaker, it is time to keep the promise to the American people.

The SPEAKER pro tempore (Mr. COLLINS of New York). Members are reminded to refrain from engaging in personalities toward the President, such as alleging that he misled the public.

OBAMACARE'S IMPACT IN ARKANSAS

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

Mr. WOMACK. Mr. Speaker, I rise today to share the realities of ObamaCare in my district, the Third District of Arkansas. Health insurance enrollment through www.healthcare.gov can be described as dismal, at best. Only an embarrassing 250 Arkansans have managed to enroll.

Shawn Kispert, one of my constituents from Fort Smith, and her husband are self-employed and have spent over 64 hours on www.healthcare.gov attempting to sign up for the insurance ObamaCare requires them to purchase. She then tried to sign up via telephone. That was also fruitless.

The very few Arkansans that have successfully logged on have found, in over 60 percent of the State, only one or two provider options offering plans that increase their premiums by as much as 600 percent.

Rod Rogers of Sulphur Springs will see his family's insurance premiums go from $248 to $876 a month. Jeff Asher of Russellville is facing budget-busting monthly premiums of over $900.

In October, my fellow Arkansas Republicans and I wrote to Secretary Sebelius to ask for more information on ObamaCare's effect on Arkansans. Much like the pleas from hardworking taxpayers asking for relief from the law's suffocating regulations and overbearing mandates, our request was ignored.

But we don't need a response from the administration to tell us what I am hearing from my constituents: ObamaCare is raising the cost of health care, creating uncertainty in Arkansas, and hurting Americans. We need to replace it with real reforms and focus on the patient, not the government.

OBAMACARE POLICY CANCELATIONS

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

Mr. CRAWFORD. Mr. Speaker, the Mershon family of Gassville, Arkansas, is yet another tragic example of the terrible toll the ObamaCare law is taking on the American people. Small business owners and young parents, this couple has never asked their government for anything more than just to let them make a good life for their kids. Here are their words:

> We regret to inform you that we have lost our health care coverage. It was not ObamaCare compliant. Granted, it wasn't Cadillac-style insurance, but it was all we needed. So we go to the Web site. ''Sticker shock'' does not begin to cover how we felt. This is an absolute outrage. We counted on what was assured to us, promised to us—that our insurance would stay intact, period. Our shoestring budget has now turned to floss. Seriously, it is beans and cornbread time.

Mr. Speaker, a politically motivated administrative fix does nothing to solve the underlying issues with this disastrous law. Sadly, it looks like it may be beans and cornbread time for millions of families across our country. Is this really the affordable care we were promised?

OBAMACARE

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

Mr. FLEISCHMANN. Mr. Speaker, I rise in support of the 3.5 million people who have, to date, lost their health care coverage thanks to ObamaCare and in support of the reported 10 million Americans who could lose their coverage between now and the end of the year.

Mr. Speaker, President Obama promised again and again that Americans who liked their health care plans would be able to keep them. Well, we know now that is simply not the case.

In my hometown of Ooltewah, Tennessee, Lynn Davis, who moved to Tennessee to care for her elderly parents, had health care coverage she liked and could afford. Now her plan is going away, and she is likely to be paying as much as $300 more per month. That is an additional $3,600 per year for something she doesn't want and doesn't need.

Mr. Speaker, this isn't right. Our economy is struggling enough as it is. The last thing the American people need is an additional financial burden thrust on them by the Federal Government. ObamaCare needs to go. But at the very least, the President needs to accept the Keep Your Health Plan Act and uphold his promise to the American people.

OBAMACARE

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

Mr. PITTENGER. Mr. Speaker, I rise today on behalf of Martha Staley, a constituent from Cornelius, North Carolina. Ms. Staley is a retired registered nurse and a retired insurance agent. She understands health insurance better than most.

Recently, she received this letter, explaining that her current insurance was canceled due to ObamaCare and

that her new plan would be twice as expensive. Quoting Ms. Staley:

> There was nothing in the world wrong with my plan. What they are giving me is worse. I was told by the President that, if I liked my health care plan—which I do—I could keep it. I was told by the President that the ACA would help lower my costs.

President Obama made a simple direct promise to Ms. Staley. Tomorrow, I urge you to join me in voting for H.R. 3350, the Keep Your Health Plan Act. The American people don't need more apologies from the President. They need results.

OBAMACARE

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

Mr. MEADOWS. Mr. Speaker, I rise today in support of H.R. 3350, the Keep Your Health Plan Act. President Obama's promise, if you like your health care plan, you will be able to keep your health care plan, is ringing hollow with some 473,000 North Carolinians whose policies have been canceled.

One of those families is Leon and Liz Russell, small business owners in Waynesville, North Carolina. The Russells were notified that their $653-a-month insurance premium was going to go to $1,322 in 2014. This is a yearly increase of over $8,000. They said to me:

> We cannot afford to pay that. Period. What are we expected to do?

For families like the Russells, the House will vote tomorrow on the Keep Your Health Plan Act which will allow millions of Americans to keep their policies without penalty.

Today President Obama announced his intentions to allow insurers to keep offering canceled plans, but a 1-year delay does not make good on his promise. The President needs to be working with Congress to fix his flawed law. Mr. Speaker, we still have a broken Web site, and we still have broken promises.

OBAMACARE IMPACT

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

Mr. SOUTHERLAND. Mr. Speaker, the problems with this health care law won't be cured with political fixes because this isn't about politics. This is about real people. People like Paul and Victoria Morson of Panama City, Florida, my hometown.

The Morsons are health care providers themselves. By day, they provide care to infants and toddlers struggling with catastrophic injuries, blindness, autism, and other developmental delays. At night, they run a medical courier service, delivering cancer treatments and medications.

Paul and Victoria each received this letter from Florida Blue, informing them that their coverage was being canceled at the end of this year. Their plans failed to meet the law's requirements for maternity and newborn care and pediatric dental care, despite the fact that the Morsons are in their sixties and have no children.

They were informed their new plans would increase their combined premiums from $520 to $1,260 per month. Now Paul and Victoria are trying to figure out how to keep alive a medical practice that has already been reduced from a 10-county area to just one.

That is a real-world impact and a real-world example on this misguided law, and that is why, if you like your plan and you were promised that you could keep your plan, you should be able to keep your plan.

BROKEN PROMISES

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Mr. Speaker, when President Obama sold the Affordable Care Act to the American people, he told them they could keep their health insurance if they liked it. Sadly, this promise has not been kept.

Jerry, an independent contractor from Westfield, Indiana, recently informed me that his policy will be terminated because of ObamaCare. Jerry has never written a Member of Congress before, but losing his coverage and seeing his premium double has caused him to speak up. For Jerry, ObamaCare is a broken promise.

Victoria, a part-time teacher from the Indianapolis area, reached out on Facebook, explaining that a policy she purchased less than 1 year ago was being canceled. She has tried to get on www.healthcare.gov to see what alternatives are available to her, but the site couldn't even confirm her identity. For Victoria, ObamaCare is a broken promise.

Dwight, a business owner from Indianapolis, received a cancelation notice from his insurer—the one that I am holding here in my hands. Dwight's insurer is one of several insurers that have left the State of Indiana. For Dwight, ObamaCare is a broken promise.

Mr. Speaker, Americans deserve better. They deserve to keep their current insurance. ObamaCare is nothing more than a broken promise.

KEEP YOUR OWN HEALTH CARE

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

Mr. PAULSEN. Mr. Speaker, millions of Americans are losing their health care plans, their doctors, and their confidence in the President's new health care law. The simple truth is the facts show the law is hurting more people than it is helping. Although the President committed many times that no one would lose their original health care coverage, millions have.

One of my constituents, Ron from Champlin, has had his health care plan for 21 years. He likes his health plan. It works for him. But Ron, like thousands of other Minnesotans, received a cancelation notice. Another constituent emailed me this morning, saying that his family health care plan was renewed, but the costs were going up $5,400 this year. And unfortunately, I have heard stories like these from many others in my community.

Mr. Speaker, if you like your health insurance plan, you ought to be able to keep it, and no one should be forced to buy health insurance that isn't right for them or for their families' needs. I will continue to work with all of those that are willing to sit down at the table to have a responsible solution and a real solution to our health care challenges.

OBAMACARE

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

Mr. ROONEY. Mr. Speaker, I asked my constituents in Florida's 17th District how ObamaCare is affecting them. One said they were upset that their coverage was going to go up by more than $300. Another said that their insurance plan went from $204 per month to $720 per month and that they couldn't afford that. Others reported increases of 100, 200, even 400 percent.

Most devastating were those that are on Medicare Advantage who are set to lose their doctors. One woman lost her primary care doctor of over 20 years. Another whose husband lost five doctors, including a cardiologist that has cared for him since his heart transplant, said that they are not able to keep their doctors or their insurance plans.

Worst of all is the impact on Florida families. One gentleman in my district said:

> I have looked at quotes for my family of three. It looks like it will cost us about $5,000 more a year. I may have to get a divorce so my wife and son can afford the insurance. If I do, they will qualify for discounts we don't get if we are married.

Mr. Speaker, there are stories like this all across Florida and the country. So much for, if you like your plan, you can keep it. Now all of our constituents are suffering.

OBAMACARE

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

Mr. POSEY. Mr. Speaker, the President promised Mr. GRIFFIN in my district and millions of other Americans that, if they wanted to, they could keep their own doctor. Unfortunately, he found out already that is not true.

Americans were told that they could keep their own insurance company if

they liked it. Unfortunately, that is not true either. They were told it would cost less. Unfortunately, that is not true either. They were told it would not create a new tax. Unfortunately, that is not true either. They were told there would not be any rationing. Unfortunately, that is not true either.

It is not right; it is not fair; and it is not good for the United States of America.

□ 1600

OBAMACARE

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

Mr. LATTA. Mr. Speaker, I rise to express my strong support for the Keep Your Health Plan Act. I have heard from many folks across my district that they are losing the health care they have and like because of ObamaCare.

Jeff from Columbus Grove wrote to alert me of the cancelation notice he received indicating his insurance policy is being dropped as of December 1 of this year. He has less than 1 month to find a new plan, which will cost more, have fewer benefits, and have higher deductibles. In addition, his choices for new health care insurance limit his options for the hospital and local doctor he can choose.

Dwight from Arlington wrote that he and his wife received a notice that due to the ACA, his wife's insurance policy would no longer be available. Coverage would double from $189 per month to $394, with increased deductibles.

Finally, I have heard from a local township trustee that the township has received notice that their health insurance plan has been canceled because of the ACA.

These are just several examples of the hundreds of stories we are hearing from across my district and the State of Ohio. I remain committed to enacting quality and affordable health care legislation and continuing to work toward ObamaCare's full repeal.

SUPPORTING THE KEEP YOUR HEALTH CARE PLAN ACT OF 2013

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

Mr. MARCHANT. Mr. Speaker, despite the President's promise that Americans could keep their health care plans, thousands of my constituents have learned that their health care plans will soon be terminated.

I recently received a letter from David Hager, the CFO of a technology company headquartered in my district. He was informed that the health care plan offered by his company is being canceled. This is a well-liked plan that pays 100 percent of employees' monthly health care premiums, but that is not good enough for ObamaCare. This company will now be forced to pay 19 percent more for its health care next year, and its employees will have to shell out more money for a new plan that they don't like. This is in addition to the newly created ''reinsurance fee'' of $510 a month for the company to pay that has no value at all to the workers. Mr. Hager wants to know why his employees are having their excellent health care plans canceled by ObamaCare.

We must allow Americans to keep the health care plans they like, not just for 1 year—as has been proposed by the President—but permanently.

OBAMACARE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it was a gamble for the President to promise the country ''if you like your plan, you can keep it,'' given that his health care proposal amounted to a complete restructuring of our health care system and 16 percent of the American economy.

By now, every Member of this Chamber has received countless letters, phone calls, and emails from millions of Americans who have had their health insurance either canceled or turned unaffordable due to the Affordable Care Act.

This is the devastating reality for this family. Lisa and her husband, Bob, from Punxsutawney, Pennsylvania, are just one of many families in the Fifth District hurt by this law.

Lisa and Bob are self-employed. They are small business owners with five children and bills to pay. After receiving notice their affordable health plan is being canceled, they are now facing cost increases of more than $20,000 a year for a plan that actually covers less.

Mr. Speaker, the only solution is a transition to health reforms that actually contain cost and expand access. The President's promise alone is certainly not enough.

The American people deserve better.

OBAMACARE

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today because the American public was sold a false bill of goods.

Rachel, my constituent from Decatur, Illinois, recently contacted my office to let me know that the health care plan she had for her and her daughter is being canceled due to ObamaCare. She was provided with a list of options to replace that plan, but the cheapest would double her monthly premium and increase her deductible to $6,000 per person.

Mr. Speaker, Rachel and her daughter had a plan, and they liked it. Now, she cannot afford any of the alternatives given to her.

In her note to me, Rachel summed it up best:

> We were told we could keep our plan if we liked our plan . . . we are at a loss for how we will continue our health care coverage.

Mr. Speaker, the last 45 days proved what many of us have been saying all along: this law is simply unacceptable, unworkable, and unaffordable. Period.

OBAMACARE

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

Mr. LANKFORD. Mr. Speaker, the President seems to flippantly just talk about 5 percent of Americans have received a cancelation notice, as if they are just individuals that didn't have a policy that really met his standard for what he was looking for or what the administration is looking for.

That 5 percent equals about 5 million people across the country. They are not just a random statistic. They are families and individuals like the Evans family, and it is not just this one family, but everyone that works in their business received this same letter. Why is that? Because as the President continues to speak about these are just individuals or individual policies, that is not actually true either.

Here is a letter from Aetna that came to the Evans family and every employee in their business. It says:

> As you have heard, the Affordable Care Act is bringing many changes to health insurance. One of these changes is that the association groups, which are comprised of small employers, cannot provide coverage as a large group entity. Consequently, Aetna is discontinuing the current plans and has notified your employer.

The plans they have and they have been able to find are a 25 percent increase over last year. Their firm cannot hire additional people next year because of the additional cost.

This is the United States of America. What are we doing telling people what health insurance they can purchase?

KEEP YOUR HEALTH PLAN ACT

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

Mr. CARTER. Mr. Speaker, I am a cosponsor of the Keep Your Health Plan Act.

We had promises to folks that they could keep their health plan and keep their doctors. Obviously, those promises are not being kept. A lot of Americans are finding out this hard news. One of them is Elizabeth Hoffman, this pretty young lady, and her son, from Hutto, Texas, a small town in my district.

Elizabeth is a single mother with a young son. She does not get insurance

through her employer. She got her insurance through Humana at $167 a month, with a $2,000 deductible. It was the plan she liked.

She has now lost her plan. Humana has canceled that plan. The plan most similar to the one she has now costs $404 a month, with a $2,500 deductible. Needless to say, she is not happy. She is not happy with the Obama plan, and she is not happy with the exchange and is worried about the pharmacy she is going to go to. She is not likely to have insurance next year.

KEEP YOUR HEALTH PLAN ACT

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

Mrs. ELLMERS. Mr. Speaker, I rise today to speak on behalf of North Carolinians.

I would like to share the story of Marian and Donald from Asheboro, North Carolina. They are among the 160,000 North Carolinians whose policies have been canceled and whose premiums are going up.

She says:

> Donald and I both had a $5,000 deductible individual HSA policy—and both were canceled. Our premiums are more than doubling under the replacement policies. I contacted BlueCross/BlueShield and learned they are required by law to roll us into the ''suggested'' policy if we do not sign up for something else. They also told me they need no additional authority to remove this premium from our bank account in January.
>
> Because the premium increase will consume our gas and grocery money for the month, I cannot let this happen. My plan is to cancel our health insurance altogether so that there is no policy to ''roll over'' and face paying the penalty. As of the end of this month, we will be both be uninsured.

Mr. Speaker, there are Marians and Donalds across this country facing the same fate. That is why we will continue to fight for this issue.

OBAMACARE CONSTITUENT STORIES

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

Mr. WILLIAMS. Mr. Speaker, last week, President Obama apologized for not being ''clear enough'' when he promised to the public that if you like your current health care plan, you can keep it. Now, 3.5 million Americans have already received letters from their insurance companies informing them their current plan will no longer be offered. That number is expected to reach 10 million.

Let me share with you just two stories from the 25th District of Texas.

Robert from Austin, Texas, started a new business this year and has private insurance for his family that costs $450 a month. His insurer called him this week to let him know his premiums will now be $1,200 a month—more than his mortgage. What is affordable about that?

Dianne from Driftwood, Texas, is a cancer survivor with an adopted special needs child and believed the President when he said she could keep her and her child's doctors, but her doctors will no longer accept her insurance.

Mr. Speaker, I have a growing pile of similar letters and emails on my desk, and what I see is a tragedy in America.

Let's let those who like their health care keep their health care, let's make positive reforms for those currently uninsured, and let's restore the financial stability and relief that ObamaCare has robbed from many of us. Americans are hurting.

In God we trust.

KEEP YOUR HEALTH PLAN

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

Mr. OLSEN. Mr. Speaker, I would like to introduce the American people to Scott and Daniza Wiseman from Missouri City, Texas. These Texans are pictured at the Alamo. They are about to receive God's greatest gift—their first child, a daughter, with the beautiful name of Mia Isabella.

Daniza is due on December 31, 2013, but instead of being filled only with joy, Scott and Daniza are now full of worry because they have been told they will lose their family health care on January 1, 2014, thanks to ObamaCare.

Neither Scott and Daniza, nor any American, should have to face this ordeal. If my colleagues vote for the Upton bill tomorrow, families like the Wisemans can love the new gift, Mia Isabella, without worry.

I urge my colleagues to support H.R. 3350. Let's reassure all Americans that if they like their health plan, they can truly keep it.

MR. PRESIDENT, KEEP YOUR PROMISE

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

Mr. WALBERG. Mr. Speaker, ''If you like your health plan, you can keep it'' was President Obama's promise to the people since 2009, but just last week, he attempted to apologize to those losing health insurance because of the law. While I am glad the President is starting to see the truth, the people need more than just apologies for broken promises.

In my Michigan district, a 29-year-old woman named Rosann has been battling sarcoma cancer for over a year. Because of her disease and treatments, she can't work full time, but through part-time work she has managed to pay all her own bills—that is, until she received a notice that she will lose her current health care coverage because of ObamaCare and have to pay $225 more a month for a government-approved plan.

Rosann doesn't need an apology. She just wants to keep her insurance, along with nearly 5 million other Americans who have lost their coverage in the last 6 weeks alone.

House Republicans remain committed to fighting for Americans and providing fairness for all. The President needs to join our efforts, Mr. Speaker, and keep his promise to the American people.

□ 1615

OBAMACARE

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

Mr. LUETKEMEYER. Mr. Speaker, last month in Missouri, only 751 individuals signed up for the Federal exchanges as thousands of other individuals lost their health care. These numbers and the need to institute a fix that allows Americans to keep their current coverage further highlight that the President's health care law is a failure.

One of my many constituents who has been affected by the law is Stephanie Botkin of Barnhart, Missouri. Stephanie, her husband, and her two teenage youngsters are hardworking, healthy, and they do not use a great deal of health services. She told me that they have been extremely pleased with their current plan because it works for them in terms of cost and coverage. Now, thanks to the President's health care law, Stephanie has been told that her family cannot keep its current plan, and will be forced to buy a different plan with a premium that costs 66 percent more per month and that has a higher deductible and an exorbitant co-pay, in other words, a plan that costs more and covers less.

Today, the President announced yet another fix to the law, which he technically does not have the authority to do. The fix is for him to sign legislation the House will pass tomorrow that will protect Americans from this damaging law. For Stephanie and her family's sake and for the good of the American public, it is time the President does the right thing and works with Congress.

OBAMACARE

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

Mr. RENACCI. Mr. Speaker, I rise today in strong support of H.R. 3350, the Keep Your Health Plan Act.

While a full repeal of the President's health care law is in the best interest of the American people, tomorrow's vote is yet another effort to restore fairness at a time when the administration refuses to acknowledge its broken promises.

The President promised the American people that, if you like your health insurance plan, you can keep it. He promised that, if you like your doctor, you can keep your doctor. Unfortunately, that hasn't worked out.

Five million Americans, including many of my constituents, have already received cancelation notices. One constituent, Diane from Wooster, has a policy that she likes, but received notice that it would be canceled, and she is now unable to keep her doctor, whom she likes and trusts.

My vote tomorrow is for Diane and for the millions of others like her who want to keep their health care plans that the President had promised they could keep. I ask my colleagues to join me in supporting this legislation.

OBAMACARE

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, for more than 3½ years, President Obama repeatedly promised Tom, who is in this picture, that if he liked his health care plan, he could keep it. Period. In spite of the President's assurances, Tom, along with 3.5 million other Americans, has recently received a cancelation letter from his insurance provider.

You see, Tom, who is a constituent from Allen, Texas, has dwarfism, which makes access to the doctors he likes, trusts, and knows critical to his well-being. Not only has ObamaCare affected his health care, but Tom has said it has taken time, energy and focus away from growing his small business. That even makes the new Pope mad. As Tom's dad often said, If you're not going to be part of the solution, at least don't be part of the problem. Thus far, ObamaCare is the problem.

It is time for President Obama to join our efforts and provide a real solution to this flawed and unworkable law.

DONNA'S DILEMMA

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

Mrs. HARTZLER. Mr. Speaker, I rise today to share a story from Missouri's Fourth District. It is from an individual who had her insurance canceled because of ObamaCare.

Donna from California, Missouri, wrote in, saying that she and her husband received a letter stating that their plan would be canceled next year because it doesn't comply with the law. After researching new plans on the exchanges, she found that their premiums for a comparable plan would increase by $300 and that their deductible would increase by $1,300. She says:

> I'm not sure I'll be able to pay my medical expenses. That's a ''choice'' being forced upon me and is limiting my freedoms. I worry about the children whose parents don't take them to the doctor because they can't afford the out-of-pocket expense or they lose everything because they did seek medical help for a critically ill child.

Donna, we are here today to speak out for you and for the millions of Americans who were given a promise. That is why I am proud to stand with my colleagues on both sides of the aisle, to ensure that our President keeps the promise he made to so many Americans. You deserve it.

THE FACES OF OBAMACARE

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

Mrs. WAGNER. Mr. Speaker, in recent weeks I have received countless examples of heartbreaking stories from the people of Missouri's Second Congressional District about how government-run health care is impacting their lives.

Today, I rise to put a face on the failures of ObamaCare and to tell Pam and Dennis Hopmann's story, who hail from Chesterfield, Missouri. This is their story in their own words:

> We are livid that President Obama broke his promise to us about keeping our doctors. The Federal Government has very few success stories at running programs, and this is a prime example. Not only am I going to lose my insurance, but I also received a letter that I would lose care from my OB/GYN doctor, whom I have seen for 30 years. I wanted to stay with my plan. There was nothing wrong with it. It was not a ''junk'' plan, which Obama so frequently likes to call them.

Mr. Speaker, this is just one of millions of examples of real people being hurt by ObamaCare.

OBAMACARE

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

Mr. PEARCE. Mr. Speaker, the President promised that if you like your plan you can keep it; but he hasn't followed that promise, and he followed up with an administering of the plan that is even worse.

Only 172 people have been able to sign up in the one month's 24-hour access to the Web site that is supposed to allow us to sign up. More people are served popcorn and soft drinks during the halftime of an Artesia football game than have been able to get service through this Web site. The losses are extensive:

In Truth or Consequences, Ron says that he lost his coverage and that the replacement is 350 percent to 550 percent higher;

Jacob in Roswell: his whole road crew lost its plan. It is seeing its premiums triple;

Kathy from Silver City, who is on fixed income-retirement: their premiums are quadrupling;

Jen, on Facebook, who is going from $300 a month to $1,500 a month, wonders where she can get the money to pay that.

Maybe you have an answer, Mr. President.

ANOTHER BROKEN OBAMACARE PROMISE

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

Mr. SMITH of Missouri. Mr. Speaker, today President Obama announced yet another delay to his health care mandate. The President is picking and choosing which parts of ObamaCare he wants to enforce. The President needs to stop picking winners and losers. ObamaCare is broken and cannot be fixed.

Republicans led the fight against ObamaCare because we knew the mandate would cause individuals to lose their health care. We knew monthly premiums would skyrocket, and we knew the quality of the health care of Americans would suffer.

For over 3 years, President Obama has made numerous statements to American families to sell his misguided health care law, and now he is asking Americans to trust him again.

My constituents in the Show Me State are not buying it, President Obama.

Mr. Speaker, ObamaCare cannot be fixed by delaying portions of the law. ObamaCare needs to be repealed.

OBAMACARE

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

Mr. NEUGEBAUER. Mr. Speaker, I would like to read to you a letter from a woman named Katherine from Levelland. Katherine's daughter, Taylor, has an aggressive form of childhood cancer, which requires treatments in Lubbock and Houston.

Katherine writes:

> Along with the expense of her medical treatments, we have the expense of keeping an apartment in Houston and traveling back and forth. My husband owns a small car dealership in Levelland, and we have a private insurance policy. We have had this policy for over 4 years, and we were devastated to find out that Taylor's policy is now being canceled.

President Obama said, If you're one of the 250 million Americans who already has health insurance, you will get to keep your own health insurance.

Unfortunately, we have not been given the choice to keep Taylor's health insurance. I wanted you to know our story so that when you are in Washington you can share it with others.

I wish that Katherine and Taylor's story were unique; but, unfortunately, I receive dozens of emails from constituents who tell me about lost coverage, lower benefits, and higher premiums. They are looking for us to make it right.

I will do everything in my power to fix this so as to ensure that mothers

like Katherine don't have to worry about losing critical coverage for their families.

KEEP THE PROMISE, MR. PRESIDENT

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

Mr. JOHNSON of Ohio. Mr. Speaker, since 2010, President Obama has touted his well-known phrase: If you like your health care plan, you will be able to keep your health care plan.

The past few weeks have made it very clear that President Obama has failed to keep that promise.

According to the Associated Press, 3.5 million people have already seen their health plans canceled. Constituents from all over eastern and southeastern Ohio have been contacting my office, notifying me of skyrocketing premiums and canceled health plans.

Take, for instance, Cathy, from my hometown of Marietta, Ohio. Here is the letter she received. She was notified that her plan is not in compliance under the requirements of the ACA and that it would, instead, be rolled over into a better plan. It turns out that the ''better'' plan increases her premiums from $670 a month to $1,600 a month—more than double.

Skyrocketing premiums, canceled plans and a complete takeover of health care do not make health care affordable. The President should keep his promise to the American people, let Congress work to fix this problem and support the Keep Your Health Plan Act.

OBAMACARE

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

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to highlight the impact of the current health care situation of the millions of Americans who are losing their health care coverage, including many in Nebraska's Third District.

Pam Weldin, a self-employed small business woman from Minatare, Nebraska, has a preexisting condition. She has had affordable health insurance coverage which meets her needs, but she just received this letter which explains her current plan will no longer be offered. Pam told me she had great coverage before, which obviously included coverage of her preexisting condition. She has since tried to see what is available through healthcare.gov and the 800 number as well, but has been unsuccessful. As of January 1, she will lose the coverage that she likes.

Like Pam, millions of Americans are learning they are losing their health care plans they were told they could keep. I have heard from many other Nebraskans who are losing their insurance or whose rates have increased so much they cannot afford to keep the plans they currently have.

This is not what the American people want, and both sides need to work together to make this right. I encourage all of my colleagues to support the Keep Your Health Plan Act.

OBAMACARE

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

Mr. MARINO. Mr. Speaker, the President continues to unilaterally implement these politically motivated, piece-by-piece, so-called ''fixes,'' but this law is broken, and it is hurting millions and millions of Americans.

Every day, I hear from more of my constituents who have had their coverage canceled and who have seen their premiums increase. I recently heard from a woman from my hometown of Williamsport, Pennsylvania, who is going to have a baby early next year. She will lose her health care coverage on January 1.

I received a copy of a document from a constituent of mine, Paul from Lackawanna County. It is a notice from the insurance company.

It reads:

> It's important that you know that Federal health care reform will require many changes to health insurance plans beginning in 2014. As a result, as of December 31, 2013, the Special Care health insurance plan you have will no longer be offered.

We need to repeal the Affordable Care Act and replace it with health care reform that actually lowers costs and increases access to quality health care.

The President has an obligation to keep his promise. Going back on one's word sets a very poor example for our children, and that is the truth.

□ 1630

OBAMACARE

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

Mr. FITZPATRICK. Mr. Speaker, the Affordable Care Act is more than a Web site. That is the comforting assurance President Obama is giving to the American people as the continuing train wreck of his law's implementation grinds on. The law is more than a Web site. Unfortunately, that means its flaws extend past the Web site as well. It is bad technology mixed with bad policy. Each day we hear more and more people losing plans they liked despite the President's promise they could keep them.

Recently, I spoke with Scott Randolph, a self-employed father of two in my district, who is feeling the harmful effects head-on. Scott received this notice in the mail that said his insurance plan, which he liked and which worked for him and his two sons, was going to be terminated and replaced with a similar plan at triple the cost. I think Scott said it best when he said:

> The President guaranteed me, ''If you like your plan, you can keep it.'' Well, the fact is, I can keep my plan; I just can't afford my plan now.

Mr. President, this is unacceptable. Period. Let's pass the Keep Your Health Plan Act and offer help to the millions of Americans hurt by this broken promise.

OBAMACARE

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

Mr. GIBBS. This week, Americans, the administration, along with the media, are starting to see the harmful effects of ObamaCare on our country.

Many Ohioans are experiencing sticker shock and are desperately worried if they will have coverage at all and if they will keep their doctor. A constituent recently told me that his hours were cut to part-time in order for his employer to keep the business running. A man from Canton, Ohio, called in and will see his premiums increase by 700 percent due to this harmful law. A single mother of two young boys from Ashland, Ohio, will not be able to afford the increase in price of her premium each month under ObamaCare. When she wrote in, she asked a great question:

> If this is the Affordable Care Act, why can I no longer afford my health care insurance?

It seems as though my constituents have more common sense than those who wrote this devastating law.

I, along with my colleagues in the House, remain committed to protecting Americans from this law and ensuring that you are in charge of your health care decisions, not some bureaucrat here in Washington. Whether it is the doctor's office, the gas pump, the dinner table, or in the job market, Washington is standing in the way of hardworking Americans, and it is just not fair.

OBAMACARE

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

Mr. LAMALFA Mr. Speaker, over the past few months, I have heard hundreds of stories from my constituents about the President's health care law and the devastating effects it is having on their families and small businesses. One issue I want to address today is the serious threat ObamaCare is to the rural health care situation in our country.

For my constituents in northern California, we already face a shortage of care and choices. Many families have to turn to bordering States to see a doctor or for emergency room visits. Now we know that the law is actually creating a much larger challenge for rural Americans.

Today I want to share with you a story from a constituent I met just a couple months ago at the Tulelake Fair in Siskiyou County. Patricia

Plass lives with her husband, a self-employed business owner, in a rural border town just inside the California-Oregon State line. Their longtime family doctor is in Oregon, as well as the closest hospital. These letters I have here also point out that they have had their insurance coverage canceled recently, so this notification has thrown them into a tizzy because of the law and their plan has been canceled. They now have to enroll in a plan that they don't like, that is inferior and increasing their costs by hundreds of dollars each month.

Tricia wrote to me and said:

I have been told I will not have coverage for our regular doctor in Oregon that our family has been seeing for years and, of course, our closest hospital which is also in Oregon. We are now living with a constant fear that our new policy under ObamaCare will not even provide coverage when we need it.

Mr. Speaker, this is wrong. Mr. President, it is broken. We need to support a new plan.

OBAMACARE

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

Ms. NORTON. Mr. Speaker, when the time comes, Members and staff will get their insurance at dchealthlink.com. They will have a good chance to pay less because they will have 267 choices.

In advance, one of my staff members, who has a name-brand policy from our Federal program, went on dchealthlink.com and found that she could get a comparable policy for at least $100 less with no deductible.

If Republicans want to deal in anecdotes, hers is far more typical than those from the crowd who have gone from 41 repeals to their new strategy of actively sabotaging the Affordable Care Act.

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, ObamaCare is a disaster. The President knows it; Congress knows it; and most importantly, the American people now know it.

The President claims to be working with Congress to stop the train wreck the ACA is waging on American families. Actions speak louder than words. It is time for him to engage with House Republicans to find a solution.

We must help Mary in Lexington, South Carolina, whose health care policy premium has already increased 275 percent since the beginning of this year; and Rebecca from Aiken, who will be forced to pay $600 more a month for the same coverage in January; and Alvin, an uninsured veteran also living in Aiken, who has tried to purchase insurance on the government health care Web site but can't afford it because the premium will be higher than his mortgage, utilities, and Internet combined.

This is absurd. For the sake of the middle class, we must replace ObamaCare with commonsense solutions that protect families, provide a safety net, and promote jobs.

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

OBAMACARE

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

Mr. HUIZENGA of Michigan. Mr. Speaker, at least 225,000 residents of Michigan have—or will shortly—received letters informing them that their current health insurance policies will be canceled because of ObamaCare. To put that number in context, more people in Michigan have had their private health care plans canceled due to ObamaCare than have even selected the private plan nationwide on healthcare.gov.

Adding insult to injury, the dismal enrollment number announced by the administration does not represent an adequate depiction of the ObamaCare experience. Whether it is Nancy from Grant, Barbara from Walker, Terry from Grandville, or David from Twin Lake, my constituents all seem to be sharing the same experience: frustration, followed by exasperation, rounded out with higher costs that they can't afford. We hear you, and I am here for you.

The reality of the ObamaCare ''experience'' is a Web site that is difficult to navigate—when it actually works—coupled with policy options that result in higher health care costs for Michigan consumers.

I applaud my friend and colleague, FRED UPTON, who is going to be leading a charge to provide a legislative solution for that problem tomorrow. I hope our friends across the aisle will be able to provide that same relief to their constituents, and I hope they will join me in doing so.

OBAMACARE

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

Ms. BROWN of Florida. Mr. Speaker, you can fool some of the people some of the time, but you can't fool all of the people all of the time. The House Republicans have passed a bill 44 times to rescind the health care bill. ObamaCare is because Obama cares. The shutdown cost the American people $24 billion.

I come from the great State of Florida where the Medicaid extension has not, to this time, been accepted. That means that over a million people—a million people—will not receive health care.

Every time I speak to a group of students at the Florida A&M University, I ask them how many students can stay on their family plan because of ObamaCare? Every single hand goes up.

So let's be clear: the first rollout was the proposal that let over 3 million people stay on their family plan. And the doughnut hole, because Obama cares, we are closing that that was instituted under the Bush administration.

I really do believe to whom God has given much, much is expected. I really do expect more from the people's House than what we have gotten from the Republican leadership.

OBAMACARE

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

Mr. CRAMER. Mr. Speaker, Wayne and Leann Buchholz operate a ranch near Rhame, North Dakota. They have never been active in politics, but a recent letter from their insurance company has changed all of that, for their letter informed them that they would be losing their health care coverage due to the excessive regulations of ObamaCare.

Mr. Speaker, 36,000 North Dakotans are receiving similar cancelation notices, similar to that of Wayne and Leann. Each of these figures on this poster represents over 1,200 North Dakotans just like Wayne and Leann.

On the other hand, only 30 North Dakotans have been able to sign up for ObamaCare through the first month—not 30,000, not 3,000, not even 300, Mr. Speaker—30. Each figure on this part of the graphic represents one North Dakotan able to sign up.

Mr. Speaker, in North Dakota, like much of America, a man's word is his bond. We must help the President make good on his promise and pass the Keep Your Health Plan Act tomorrow.

IHC HEALTH SOLUTIONS,
INDEPENDENCE HOLDING GROUP,
Phoenix, AZ, September 30, 2013.

Re Companion Life Insurance Company, Discontinuance of your Coverage, Contract Amendment to extend coverage until April 1, 2014

IMPORTANT NOTICE: THIS AFFECTS YOUR INSURANCE CONTRACT RIGHTS. PLEASE READ CAREFULLY.

DEAR LEANN C. BUCHHOLZ: This notice is to inform you that Companion Life Insurance Company (''Companion Life'') will be exiting the individual major medical insurance market in North Dakota effective March 31, 2014 at midnight. This decision was prompted by the increased regulation since the federal government's passage of its recent federal health care reform, commonly referred to as the Patient Protection Affordable Care Act (''PPACA''). The increased regulation will make it difficult for Companion Life to continue to operate and compete meaningfully in North Dakota's individual major medical market. As such, your referenced insurance coverage will terminate on your first premium due date on or after our March 31, 2014 market exit (date reflected above), or earlier if your premium is not received when due.

Your current coverage with Companion Life has an annual anniversary date on or after December 31, 2013 but before March 31, 2014. Typically, you would receive a renewal notice from us prior to this date with an offer to renew with new rates. However, since we are exiting the market, we cannot offer you a renewal on a PPACA compliant major medical product in calendar year 2014. Instead, we will extend your current coverage from your policy anniversary date until your premium due date on or after March 31, 2014. This coverage will be provided at your current rate. Please find enclosed an amendatory endorsement to include with your current insurance contract indicating your health insurance coverage's new termination date as of April 1, 2014.

We are pleased to inform you that there are many options for you to secure health insurance coverage after your coverage termination date with us or prior. You may purchase insurance in the general marketplace or through the Federal Exchange. As brief background for you, PPACA created a new mechanism for purchasing insurance coverage called Exchanges or Marketplaces, which are entities that have been or will be set up in states to create an organized and competitive market for health insurance for qualified individuals and employers, Please go to https://www.healthcare.gov/marketplace/individual for information concerning health insurance coverage on the Federal Exchange.

Please remember that your health insurance with Companion Life is effective until April 1, 2014, as long your premiums are paid through that date. It has been our pleasure to serve as your health insurer, If you have any questions or concerns, please feel free to contact us at 1–800–518–4510 or by email at questions@ihcgroup.com

Sincerely,

COMPANION LIFE INSURANCE COMPANY.

COMPANION LIFE INSURANCE COMPANY,
Columbia, South Carolina.

AMENDMENT 1

It is understood and agreed that the Policy and Certificate to which this Amendatory Endorsement is attached is amended as follows with respect to Covered/Insured Persons residing in North Dakota as of the effective date of their certificate evidencing their insurance coverage under the Policy:

Any Renewability or Termination of Insurance provisions of Your Certificate/Policy that indicates that insurance coverage will terminate following 180 days after Our decision to discontinue offering health insurance in the individual market in the state your coverage was issued is amended by adding the following:

The health insurance coverage for You and any Dependents covered under the Policy will terminate on April 1, 2014. Pursuant to the terms of the Policy, We will continue Your health insurance coverage at the current rates and benefits for Insured/Covered Persons up to this termination date, unless coverage terminates earlier in accordance with the Policy's provisions regarding termination due to the non-payment of required premiums when due.

This Amendatory Endorsement is endorsed and made part of the Policy and Certificate to which it is attached as of October 1, 2013.

This Amendatory Endorsement is subject to all provisions of the Policy which are not in conflict with the provisions of this Amendatory Endorsement. Nothing in this Amendatory Endorsement will be held to vary, alter, waive, or extend any of the terms, conditions, provisions, agreements, or limitations of the Policy other than stated above.

In Witness Whereof, the Insurance Company has caused this Amendatory Endorsement to be signed by its President.

TRESCOTT N. HINTON, Jr.,
President.

OBAMACARE

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

Mr. CAMP. Mr. Speaker, today I rise on behalf of the people I represent in Michigan's Fourth District who are feeling the real impact of ObamaCare. They are paying more for health care, losing the coverage they have and like, and having their work hours cut.

I have been receiving calls, emails, and letters from people worried about the negative impacts ObamaCare is having on their lives.

Jeff Frazier from Midland, Michigan, wrote:

> My wife has been recently informed by her insurance carrier that her health care policy ''does not comply with the Affordable Care Act.'' Now we must purchase a new policy to get the same coverage at an 18 percent increase in our premium. So, what happened to the ''if you like your insurance, you can keep it''?

Unfortunately, Jeff's story isn't unique. He and an estimated 225,000 people in the State of Michigan and millions of Americans across the country are losing the coverage they have and like because of ObamaCare.

I urge my colleagues to join me in standing up against higher health care costs, dropped coverage, and reduced work hours that are hurting the constituents I serve in Michigan and Americans all across the country.

OBAMACARE

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

Mr. LANCE. Mr. Speaker, New Jersey's largest newspaper, the Newark Star-Ledger, yesterday reported that fewer than 27,000 people have signed up for private health care insurance via the troubled ObamaCare Web site, healthcare.gov. The number includes just 741 in New Jersey.

These enrollment numbers are being dramatically outpaced by the millions of Americans, including at least 800,000 New Jerseyans, who are losing their plans because of the law, despite the President's promise they would not.

The House will vote tomorrow on the Keep Your Health Plan Act that will provide much-needed certainty and relief to Americans who have lost or are about to lose their current health care coverage.

I encourage President Obama to keep his promise to the American people and join Members of Congress on both sides of the aisle in support of letting those who like their current health care plans keep them under the law.

□ 1645

OBAMACARE

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

Mr. KELLY of Pennsylvania. Mr. Speaker, sometimes the truth hurts, and for a quarter of a million Pennsylvanians, the truth really hurts because they are losing their health care plans.

Mike McKean and his father own and operate Titan Tool Company. It is a small business in Fairview, Pennsylvania, that their family has run since 1920. In his letter to our office, Michael wrote:

> My dad has always prided himself of offering 100 percent health care coverage for every single one of our associates. It has been this way for as long as I can remember.

However, under ObamaCare, their yearly premium will rise 113.9 percent, taking the cost from $120,000 to $227,000. One of his employees will see her monthly premium go from just over $300 to $940. That is a 249 percent increase.

In Michael's words:

> This type of increase is too much for the company to weather. Next year, for the first time in decades, my father and my family are forced to drop insurance coverage for our employees.

He also added:

> Being the generous and concerned person my father is, he said he would give each employee this year's cost of premiums to offset the rise in costs, but beyond that, he cannot afford to do any more. This means that, next December, we will all have to pay enormous increases out of our pocket for poorer coverage.

That happens to be the truth, and not one that they have to go back on later on.

OBAMACARE

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

Mr. NUNNELEE. Mr. Speaker, they said implementing ObamaCare is going to be a train wreck, and that train wreck went right through the Etta community in Union County, Mississippi, and ran right over Reverend Bobby Irvin. Reverend Irvin tells me:

> I had health insurance. I was happy with my coverage. Specifically, it is a coverage that I picked out and I selected, and my policy was canceled because it did not meet ObamaCare guidelines.

Reverend Irvin was made a promise by the President of the United States: if you like your health insurance, you can keep it. That promise has been broken. It is vital that we pass the Keep Your Health Plan Act so this House can step up and honor the promise that was made to Reverend Irvin and those Americans like him: if you like your health insurance, you can keep it.

OBAMACARE

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, Dan from Greensburg, Pennsylvania, wrote to me. He said:

I am having very serious difficulties with the new health care. I called a place from the marketplace today inquiring about an affordable plan for my wife. I currently pay about $300 per month through my employer just for her coverage, but she has lost her job. The marketplace premium for her beginning in January will be over $800 per month. How do you think this is affordable coverage? This is a 200 percent increase, or more, for me. My wife and I both have bills to pay. I will lose my house if I pay this outrageous premium. I will find it to be necessary to drop her from coverage. I would have been willing to do my share in this, but this increase is way beyond my reach. I will not be able to cover my wife now. I am 62 years old. I had a major heart attack 3 years ago. I was revived four times during my heart attack and then had complications which required emergency abdominal surgery to save my life again. I am back to work, but I have medical expenses, and now my premium just for my wife is doubling. I am sorry for being angry, but I feel cheated. I am not able to afford the outrageous premiums, and I will not be able to cover my wife.

Mr. Speaker, this breaks your heart.

OBAMACARE

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

Mr. MEEKS. Mr. Speaker, really I felt compelled to come because let's really talk about what this is. This is the 44th time to try to deny people access to health care. That is what it is.

If you listened to some of my colleagues, you would think that all Americans are being denied health care coverage. Number one, we are talking about 5 percent, and 5 percent is too much. So what the President did today was to say that we are going to make sure that those individuals who have lost their coverage, if the insurance companies will stand up, they will do the right thing.

What this says is that what we know is that there are 36 States, most of them headed by Republicans, that have already decided they didn't want to get involved; they didn't want State exchanges. So they wanted to make sure to deny individuals who have preexisting diseases.

You could come and talk about the people who are saying, Thank you, Mr. President, for the Affordable Care Act. Because of my preexisting condition, I had been turned down by insurance companies. With Affordable Care, that won't happen.

Young people who don't have insurance, up to age 26, they will still be covered because of the Affordable Care Act.

What this is is a process and an attempt to try to end the Affordable Care Act for the 44th time. Let's not do that. Let's give the people the right to health care.

OBAMACARE

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

Mr. BISHOP of Utah. Mr. Speaker, in 2003, 5-year-old Isabelle Jane was diagnosed with leukemia, a disease that has driven the decisions her family has made since that time on where to live, what doctors to have, what insurance to gain. She had daily chemotherapy for 3 years and is now in remission.

But 18 months ago, she started to have side effects from this disease. It affected her heart, her bones, and her cognitive processing. Since that time, and since ObamaCare was passed, her insurance rates have more than doubled, and she was told this year that their insurance would be canceled by the end of this year. As Isabelle Jane's mother wrote:

The Affordable Care Act has seriously threatened my family's way of life. For over 10 years, we have had the coverage we have needed to care for our family. I defy anyone who says the insurance we currently have is not enough. My daughter is living proof that it is.

Mr. Speaker, these people are being hurt by the present system, and that needs to change.

OBAMACARE

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

Mr. McCLINTOCK. Mr. Speaker, by the government's own numbers, for every American who has found health coverage under ObamaCare since it rolled out, some 50 Americans have lost their health insurance on the individual market, but that doesn't account for the many millions more who are losing employer insurance or are losing wages as a direct result of the Democrats' ObamaCare fiasco.

One such family is the Howard Asbury family in Mariposa, California. Mr. Asbury writes:

I am a retired union carpenter, and I am covered under the union's retiree health plan. When I retired, my wife went to work in the billing department for an ambulance company. Yesterday, she was informed by the owner that he was dropping all health care coverage and cutting all employees below supervisor to part-time. We will be able to enroll her and our two children under my retirement health plan through my union, although this does not address the loss of income. So now we have to pay for her coverage and the children on $440 less income.

Mr. Speaker, my office is being flooded by such complaints. I have to believe that our colleagues across the aisle are hearing the same things. Why aren't they listening?

OBAMACARE

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

Mr. LoBIONDO. Mr. Speaker, I rise today to indicate, as many of my colleagues have, that beyond the so-called glitches and hiccups of the Web site, that the President's health care bill simply is not working. In fact, it is hurting.

Since the President's health care bill was signed into law, I have seen the anxiety, the confusion, and the genuine fear of south Jersey families, employers, employees, and of health care professionals; and for 4 years the conversations around the kitchen table and the water coolers have been about this anxiety and uncertainty. That has turned to real fear—fear and anger.

Terry from Millville told me that both her mother and her mother-in-law had current plans, and they were very happy with them. They were canceled under the President's health care bill, only to be replaced by plans with higher copays and premiums.

Randy from Scullville wrote on my Facebook that his monthly premiums are now $2,500, a full $700 more than before.

Lou, who opened a small business less than 2 years ago, hired more than 50 people and is going to have to make them part-time. This simply is not working, and it is wrong.

OBAMACARE

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

Mr. HASTINGS of Washington. Mr. Speaker, we all heard President Obama say, If you like your health care plan, you can keep, period.

A constituent of mine from Yakima, Gary Bailey, writes:

My wife and I are self-employed. Our provider just sent us a letter telling us that, due to the Affordable Care Act, our policy will no longer be available and we will have to choose a new policy.

He went on to say:

The least expensive policy is double the cost of my original policy, and the deductible went up to $10,000.

Mr. Speaker, Gary is not alone. Millions of hardworking Americans have lost the insurance they like and can afford. The Keep Your Health Plan Act that we will vote on tomorrow fulfills President Obama's promise, even if he won't.

YAKIMA, WASHINGTON.

REPRESENTATIVE HASTINGS, I have to write to tell you what has just happened to me regarding my health insurance with Regence Blue Shield. My wife and I are self-employed and do not get insurance from our employer. We cannot afford a luxury policy in fact our policy was major catastrophic with a $3500 deductible. Our provider just sent us a letter telling us that, due to the ''Affordable Care Act,'' our policy will no longer be available and that we will have to choose a new policy.

The least expensive policy is double the cost of my original policy and the deductible went up to $10,000.

President Obama said that our health care would go down $2,500. Our cost for one of us went up $1,632. I am sorry Congressman Hastings, but the President and all the democrat party has not been truthful and you need to

defund Obamacare. Most of America doesn't want it and I can't afford it!

Please listen to your constituents! Thank you for your time.

GARY BAILEY.

OBAMACARE

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

Mr. DENHAM. Mr. Speaker, all we are asking is the President keeps his word. I have got hundreds of letters now from constituents from all across my entire district.

Nate from Oakdale says:

Before the Affordable Care Act, our health coverage was $279 a month for me and my wife. We recently got a letter in the mail stating that our plan is no longer available due to the Affordable Care Act and that our premium will be $434.60 a month, an increase of $155.60.

Tom from Ceres says:

Farm Bureau has informed me that my med insurance will be canceled in January 2014. My premium will increase 170 percent for now.

Valerie from Denair:

My policy was canceled. In shopping for a new plan, I see that my monthly cost will at least triple for inferior coverage.

These lists go on and on and on.

Dawn from Turlock says:

I just received a letter today from my health care provider, and they have notified us our health care insurance has just doubled.

We owe it to the American people that this does not go on any longer. The President needs to fulfill his promise.

OBAMACARE

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

Mr. WENSTRUP. Mr. Speaker, I rise to give voice to my constituents. While I would expect that ObamaCare's thousands of pages would help at least a handful of people, a sampling of mail coming into any office lets me know that help by the Affordable Care Act is rare.

Steve from Greenfield says he and his wife are in good health with current insurance costing $485 a month. Under ObamaCare, that goes to roughly $1,150 a month, a 237 percent increase.

June from Batavia received a letter from UnitedHealthcare. They are discontinuing coverage for most of her family's doctors. And while she says she can handle it, it will be a problem for her husband. He has stage 4 kidney disease and is on dialysis and will soon not have his doctors.

Don from Loveland says:

If the Affordable Care Act is allowed to stand, my family will have to come up with an extra $6,600 next year. We can't afford that.

Mr. Speaker, from what I am seeing, stress and anxiety are becoming an increasingly common diagnosis, all due to ObamaCare. The Web site isn't the only problem, Mr. Speaker, the law is the problem.

OBAMACARE

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

Mr. MESSER. Mr. Speaker, once again today the President said to the American people, if you like your health care plan, you can keep it—at least for 1 more year, if you're lucky. The problem is saying something many times does not magically make it come true.

Right now, only 701 people in the State of Indiana have been able to sign up for insurance through the Affordable Care Act exchanges. According to the Indiana Department of Insurance, more than 108,000 Hoosiers will receive or have received cancelation letters.

One of those people is Michael Sturgis of Greensburg. He called my office after receiving a cancelation letter from his insurance company. Michael was told his monthly premium was going to increase from $397 a month to $831 a month. His $5,000 deductible will go up to $7,300.

That is unacceptable, and it is certainly not affordable. That is why we need to pass H.R. 3350, the Keep Your Health Plan Act of 2013, and let the American people remain in charge of their health care.

□ 1700

OBAMACARE

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

Mr. STUTZMAN. Mr. Speaker, millions of Americans find themselves in the heartbreaking situation of losing their health care plans thanks to a broken promise that the White House is not scrambling to try and fix.

Hoosiers like Jared from Woodburn, Indiana, were told that they could keep their plans. Unfortunately, Jared found this cancelation letter in his mailbox on September 23. He is just one of the more than 3.5 million Americans who lost coverage under ObamaCare.

For Jared, the timing couldn't have been worse. In the middle of selling their home and making an offer on another, Jared, his wife, and 1-year-old son were hit with a cancelation letter and the real possibility that their health care costs will become unaffordable.

President Obama's health care law is hurting Hoosiers. If he is serious about helping Americans like Jared, he should start by keeping his promise and signing the Keep Your Health Plan Act as soon as it is passed.

Enough is enough.

ANTHEM BLUE CROSS BLUE SHIELD,
San Antonio, TX, September 23, 2013.

DEAR JARED SCHORTGEN: Anthem Blue Cross and Blue Shield is discontinuing your individual health benefit plan because it doesn't meet all the requirements of the new health care reform laws (also called the Affordable Care Act). As a convenience to you, we're transitioning you to a health care reform compliant plan upon your renewal date. Your current individual health benefit plan will remain in effect until 01–Jan, 2014.

Don't worry, we've got options for you! We've selected a new plan for you that meets the new requirements. This new plan, ANTHEM CORE DIRECTACCESS WITH HSA–CABP is available at $669.82. You don't need to do anything; you will automatically transition into your new individual health benefit plan. For additional plan details and to view a copy of the Summary of Benefits and Coverage (SBC) go to sbc.anthem.com/dps/CCD0S6M.

Or, we can help you choose a different plan. Just talk to your Anthem agent, go to anthem.com and click ''Changemycoverage'', or call a Health Plan Advisor at 855–809–2879 to find a plan that's right for you. You may choose any of the health care reform compliant individual health benefit plans that we offer.

You can also check into whether you're eligible for a government subsidy to help you pay for your health coverage. If you are, you could buy an Anthem plan on the government-run Health Insurance Marketplace (also called the ''exchange'').

Your current individual health benefit plan is still in effect until 01–Jan, 2014. If you choose to automatically move into the plan we selected for you, payment of the new premium will be considered acceptance into your new plan, ANTHEM CORE DIRECTACCESS WITH HSA–CABP at $669.82. If your premium is currently withdrawn electronically from your account this will continue upon your transition. If you have questions, please call your Anthem agent or Health Plan Advisor team at 855–809–2879. Representatives are here Monday through Friday, 7:30 a.m.–9:00 p.m. and Saturday 9:00 a.m.–5:00 p.m., Eastern time.

Sincerely,

ROBERT W. HILLMAN, CLU,
President and General Manager,
Anthem Blue Cross and Blue Shield.

OBAMACARE

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

Mr. LAMBORN. Mr. Speaker, my office has been flooded with constituents calling to share their Obama horror story.

Take Nicole Butler, for instance, a constituent of mine living in Colorado Springs and a mother of three children. Her family's Humana insurance plan was canceled because it was deemed insufficient under ObamaCare. She is currently paying $431 per month for what is, in her words, a great plan. She and her husband are insuring their family of five within a tight budget. The cheapest ObamaCare plan she could find would cost her family $1,003 per month in premiums, more than twice as much. This is the same story for 250,000 other Colorado families who have been canceled.

Mr. Speaker, the American people took our President at his word when he said ''If you like your plan, you can keep it.''

I look forward to legislation which will give relief to families in Colorado and all over this country.

OBAMACARE

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

Mr. STEWART. Mr. Speaker, we have officially entered la-la land, where the President thinks that by the mere power of his own voice he can turn back time by simply announcing that he will no longer enforce provisions within his own law. Think about that. The answer to fixing this law is for him to announce that they won't enforce the law. That tells you how desperate they are. His announcement today will only make things worse, and it is the American people who will continue to pay.

I, like everyone who has spoken on the floor this afternoon, have many examples of people who are being hurt today because of provisions of ObamaCare. Amanda from Bountiful, Utah, within my district, has seen her family's deductibles and the rate they will pay double.

Sundee from southern Utah has had her family's health plan entirely canceled. As small business owners, they are scrambling now to try to find something, some way in which they can maintain insurance for their family.

President Obama repeatedly promised that if you have health insurance, you can keep it. That promise has not been fulfilled. We call upon him to do that today.

OBAMACARE

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

Mr. GUTHRIE. Mr. Speaker, I rise today to share some powerful stories that Kentuckians have shared with me regarding their experiences with ObamaCare.

Jim Holloway of Glasgow was notified that his small business insurance plan will be canceled. Here is the letter:

> Dear James Holloway, II, you will be moving to a health care reform, also called the Affordable Care Act compliant plan.

Mr. Holloway told me, ''The plan I had was not a junk plan. I liked my plan.'' Unfortunately, he will not be able to keep that plan.

Tanya Veitschegger of Bowling Green also received a cancelation notice of her plan. After calling her insurance agent, she learned that a similar plan to what she and her husband had was available at a cost of $490 more a month.

Vince Berta, also of Bowling Green, said that by being forced to go onto the exchange, his family's insurance rate will jump from $375 a month to $849 a month. He asks a fair question: ''An over 100 percent increase—what part of this is affordable?''

The fact is that President Obama repeatedly promised Americans that if they liked their plan they could keep it. I heard over and over from Kentuckians that is not the case.

OBAMACARE

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

Mr. SHIMKUS. Mr. Speaker, I would like to share two stories with you.

I have a 30-year-old self-employed farmer. He had a major medical plan with a $2,500 deductible and paid 80 percent. He paid $122.17 a month. This plan was canceled. To get a plan now with a $6,000 deductible and pay 80 percent, it is $259.02 a month, but it will cover pediatric, dental, and maternity. He is an individual bachelor, self-employed. He is single and a male. His point is, ''I had a plan. I liked it. The President said I could keep it. That was a lie.''

I also want to share the story of Tara, Eric, and Ky Manzano. They are both employed with a son. Their premium is doubling. They are not sure how they will be able to save for college for Ky and pay for this insurance.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

OBAMACARE

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

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today to tell the stories of real people in Arkansas' Second Congressional District who are being hurt by ObamaCare.

Many of them have seen their work hours reduced. Others are seeing their premiums double, triple, and quadruple. Many are losing the health insurance plans they would like to keep and wondering why President Obama told them repeatedly that that would never happen.

One single mom in Little Rock told me that her current health insurance plan will be canceled at the end of the year in just 6 weeks. She is worried this will affect her daughter who is about to start graduate school.

Terry and his wife in Rose Bud, Arkansas, will see their premium rise from $380 to more than $1,000 per month. That is not affordable.

Daniel Hanley, here with his horse, a vet in Little Rock, received notification that his health insurance plan was being canceled because of ObamaCare. The cancelation notice says:

> ObamaCare will ultimately prevent us from offering competitive medical insurance . . . as a result, we anticipate that your medical insurance policy will be ending effective midnight December 31, 2013.

It is clear that ObamaCare is a broken law, and its broken Web site is only the beginning. ObamaCare must be repealed so we can pass real patient-centered health care reform.

OBAMACARE

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

Mr. LONG. Mr. Speaker, a constituent emailed my office this morning, and then she followed up with a call. She is fed up with ObamaCare.

She is battling cancer, which requires travel to a neighboring State. She told me her health insurance had been canceled due to the President's health care law. She was able to find a new plan, but will no longer be able to see her cancer doctor in Little Rock. She said:

> My doctor and I are very concerned about the future treatment if I have to change docs. How many other Americans can no longer go to the treatment centers they need for lifesaving care? This is absurd. I have decided to continue my lifesaving treatments in Little Rock but will likely go bankrupt in the process. Just a little more stress the Obama plan has placed on thousands of Americans undergoing lifesaving treatment. I am angry not only for myself, but for everyone else who is going through this.

Mr. Speaker, we need to honor the promise President Obama made to the millions of Americans who like their plans but are now receiving cancelation notices.

OBAMACARE

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

Mr. FLEMING. Mr. Speaker, I want you to meet Andrew Parks, a hard-working young man from Bossier City, Louisiana, who has been hammered twice by ObamaCare. Earlier this year, his employer did what so many other businesses were forced to do by the ObamaCare employer mandate. They reduced Andrew's hours from a nearly 40-hour work week to 26 hours a week. He suffered a substantial loss in pay.

Then, the other shoe dropped. His employer recently sent him this notice from a national firm that his health insurance would not meet ObamaCare standards and would be discontinued at the end of the year. His ordeal couldn't be much worse.

Andrew has fought through a long-term illness and is a survivor of cancer, yet all he has asked for is the opportunity to work hard, to earn a living, and to keep his health insurance that he could afford. All ObamaCare has done is make those goals much more difficult to reach.

ObamaCare is damaging our economy and harming individuals. It needs to be repealed and repealed now.

OBAMACARE

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

Mr. ROSKAM. Mr. Speaker, my constituents are asking a simple question,

and the question they are asking the White House is: Can you hear us now, and do you understand this frustration that we feel?

I have got a constituent, Mr. Speaker, Diane, who got this letter from her insurance, Medicare, with these couple of sentences:

> Effective January 1, all plans must be compliant with the new health care law; therefore, the insurance company plan you have now will no longer be available after December 31.

What happened to Diane? A plan that she liked, a plan that she was satisfied with as an 11-year cancer survivor, a plan that she could afford now was taken away based on ObamaCare, and she was ''migrated'' into ObamaCare, and her premium was nearly doubling.

What does Diane have to say about President Obama's offer to fix this? She said this:

> I want to see legislation passed to fix this problem, legislation I can trust. I don't want an administrative trust. I don't trust that to anyone.

We need to fix this. We need to pass this legislation.

OBAMACARE

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

Mr. SMITH of Texas. Mr. Speaker, the Affordable Care Act, also known as ObamaCare, needs to be repealed and replaced with better legislation. There is no administrative or legislative fix that will repair this flawed law.

Millions of Americans across the United States are receiving notices that their health insurance plans are being canceled.

Jeff is a constituent of mine in San Antonio, Texas. His insurance company sent him a notice informing him that his current coverage will be canceled at the end of the year. His new ObamaCare policy will cost 98 percent more than his current plan.

After the administration's announcement today, Jeff and his family may be able to keep their health care insurance coverage, but only for 1 year, and at what cost?

We need to replace ObamaCare with commonsense solutions that lower costs, expand access to care, and eliminate unfair mandates and penalties.

OBAMACARE

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

Mr. CHABOT. Mr. Speaker, the Americans we are discussing today did nothing wrong. They purchased insurance before any Federal mandate ordered them to. Now they are losing their insurance.

Katie Rupert is a constituent of mine. At 33, she was diagnosed with breast cancer, a sickness that later spread to her brain. She started radiation and travels to Houston to see her oncology specialist. Today, she is a Stage IV cancer survivor and doing well, but she knows that this will not last forever.

Katie had good coverage through her husband's workplace but is losing it because of ObamaCare. What is worse, she has been told that her doctors are not covered by her options on the ObamaCare exchanges. She is a wife, a mother, an inspiration, and now she is another example of this law's collateral damage. That is the impact of ObamaCare.

We can do better. We have to do better. We owe Katie and others like her at least that much.

□ 1715

REMOVAL AS CONFEREE AND APPOINTMENT OF CONFEREE ON H.R. 3080, WATER RESOURCES REFORM AND DEVELOPMENT ACT

The SPEAKER pro tempore. Without objection, and pursuant to clause 11 of rule I, the Chair removes the gentleman from Georgia (Mr. GRAVES) as a conferee on H.R. 3080 and appoints the gentleman from Missouri (Mr. GRAVES) to fill the vacancy.

The Clerk will notify the Senate of the change in conferees.

There was no objection.

SECOND CHANCE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Illinois (Mr. DANNY K. DAVIS) is recognized for 60 minutes as the designee of the minority leader.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I am going to change the tenor a little bit and do a little switching, although I must confess that there is not much more important in this country than trying to make sure that citizens have access to quality, comprehensive health care. And I think that we are much closer to that than we have ever been and look forward to it actually happening.

As I was listening, I was reminded of something that my father used to tell us, that if you keep telling yourself the same thing over and over and over and over again, you will eventually get to the point where you believe it.

Being here to do a Special Order, though, reminds me of my good friend, Representative Major Owens, who was famous for doing Special Orders. I remember when I first came here that you could see Representative Major Owens on the floor late at night, by himself, talking about education and the need to make sure it happened. And I guess the fact that he was a trained librarian may have had something to do with that.

So I wanted to just take a moment and pay tribute to Representative Major Owens for the tremendous work that he did on education, and especially the work that he did that led to the creation of something called PBIs, predominantly black institutions, as a part of the Higher Education Act.

So, Major, many, many students will remember your contribution to the development of what we know as these 75 or so institutions across the country that are called predominantly black institutions, and who now receive special consideration for funds because of that designation.

I also, before I delve into my subject, want to express condolences to the family of Commissioner Devera Beverly, who passed away earlier this week and is known as probably the most profound advocate for public housing and public housing residents in the city of Chicago and, perhaps, throughout the Nation, because she has spent more than 30 years advocating for this population group and was a founding member of the Public Housing Museum, which is well on its way to being developed.

So we express condolences to the family, friends and associates of Commissioner Devera Beverly, who lived in the Abla Homes in Chicago. That is A-B-L-A, Abla Homes. But she was a public housing resident who advocated to the point of being selected by the mayor of the city of Chicago to be a commissioner of the Chicago Housing Authority. So we salute you, Ms. Devera Beverly.

Now I want to talk about something that is near and dear to my heart, but it is also near and dear to the hearts of many, and it is also part of a crisis that actually exists in our country.

Our country is known for many things, as it should be. It is one of the, and perhaps the, wealthiest country on the face of the Earth. It is one of the most technologically proficient countries in the world today. It is one of the most highly educated countries.

But it also is the country that has the distinction of having more people incarcerated, both per capita and in actual numbers, than any other country on the face of the Earth. More than 2.3 million people sit, tonight, in our prisons throughout America.

About 750,000 of those come home every year; and you know, of all the individuals who are incarcerated, most of them will come home, or they will go somewhere. There are numbers of individuals who do, in fact, die in prison. They are lifers, and in many instances they are individuals who have committed horrible crimes, sadistic crimes, crimes that suggest they should never be let out on their own.

But most individuals will return home, or they will return to some community; and when they do, what happens to and with them will often determine whether or not they remain on the outside, or how soon they will return to the inside.

There are some things that we know about this population. We know that if they do not receive any help, many of them, about two-thirds, within a 3-year

period of time will have done what we call recidivate, which means that they will have committed some offense for which they could be rearrested and reincarcerated.

And about 50 percent of them, within 3 years, if nothing happens to or with them, if they don't get any help, will be back in jail or prison, costing the public money, living and being cared for at taxpayer expense. In some instances, these costs have become so high, until some States are just looking for ways that they can release them, some of them, because in some instances they are spending as much money for corrections as they are spending for education, and that is an awful lot of money.

But there is an alternative, and that alternative is called the Second Chance Act, and that is what I am going to spend some time talking about. As a matter of fact, it was passed into law 5 years ago, signed by President Bush, so it is not a Democratic piece of action. It is not a Republican. It is a joint legislative initiative that had bipartisan, bicameral support, Democrats and Republicans, House and Senate passed.

The interesting thing about it is that all of the reports that we have seen, and there have been a number of them, Justice Center has put out a report called ''Re-Entry Matters.'' Other groups have issued reports, the Leadership Conference on Civil and Human Rights.

And the reports that I have seen all suggest that, while it has not been a panacea, meaning that it certainly has not been able to solve all of the problems or diminish all of the issues surrounding this need, it has, in fact, been very helpful, and there are States who are reporting reductions in recidivism.

Recidivism is one of the factors which contributes to keeping the numbers of people incarcerated as high as it is because, for many of them, they are constantly in and out; and it becomes a cycle of going in and a cycle of getting out and going in again.

But what helps them is when there are programmatic approaches, evidence-based, that actually help them; and we have had about 600 such programs and grants that have been funded under the Second Chance Act. Of course, it has not been as much money or as much funding as would be needed, but 600 groups across the Nation, 600 institutions, 600 research groups, all working towards finding a solution and finding help, has made a difference.

It is time now to re-introduce this legislation, and I am pleased and delighted that on yesterday, in both the House and the Senate, very senior level and prestigious Members of both bodies have introduced, and we have seen the re-introduction of the Second Chance Act.

In the Senate, Senator LEAHY, chairman of the Judiciary, Senator ROB PORTMAN, Democrat, Republican; in the House, Representative JIM SENSENBRENNER, former chairman of the Judiciary Committee, Republican, myself, Democrat. And so we have Democrats and Republicans on this issue.

There are a lot of things that we are not necessarily agreeing upon right now in Congress. There is a tremendous amount of disagreement, enough that actually shut down the government. But on this issue there appears to be the emergence of tremendous agreement, which makes all of us optimistic that something significant and even more significant can be done.

So I want to highlight some of the organizations and groups that have been actively engaged and seriously involved, groups like the Leadership Conference for Civil and Human Rights, groups like the Justice Center, from the Council of State Governments, groups who have worked fastidiously to demonstrate that people can be helped.

□ 1730

What is it that individuals actually need when they are released from jail or prison? Well, they certainly need more than $20 and a bus ticket. Many of them have no place at all to go. But if they can find somebody waiting in some community who says, We are going to help you get reestablished. We are going to help you find a place to live, a place that you can call your own. Or if you have got a drug problem, we are going to find you a source of treatment. Or maybe, if you are in need of anger management help, we are going to find someone who can provide that.

Perhaps you don't have much in the way of formal education and skill, so maybe we will direct you to a GED program, or maybe we will direct you to a vocational or technical training program so that you can develop the skill that you need in order to find a job or secure employment. Or maybe if you have got some emotional, psychological, or just self-esteem problems, we could direct you to a program that will help you overcome these deficiencies.

And I can tell you that, if these individuals can find a job, a place to work, a place where they know that they can fit and make a contribution, many of them will never, ever see the inside of a jail or prison again because they have evolved into a person who knows that they have self-worth, self-esteem, that they can take care of themselves. They can earn what they need, and they can make a contribution.

But I will tell you, there are many barriers that often prohibit and prevent individuals from finding their rightful place or being able to successfully reenter society as a contributing member. For example, you may not be able to live in public housing if you have a felony conviction. You could just very well be barred. Well, who needs public housing more than individuals who can't find a job?

There are many entities within our society that say to an individual with a record, We don't hire people with records, meaning, if you have been convicted of a felony, there is no point to making an application even if we have ''help wanted'' signs posted. Fortunately, there are some businesses and some companies who are beginning to ease up a little bit and see the futility of that kind of policy because, if these individuals are never able to find a job, they will be a cost to the public for the rest of their natural lives. Somebody's tax dollars will have to go to support them in one way or another.

So some State legislatures are beginning to look at some of the licensing requirements that their States have and say, Maybe you can't get a license to be a barber or a beautician or a cosmetologist, yet you are able to get trained while incarcerated; and now that you have been trained, you cannot work in that profession. Of course that does not appear to be very logical, and so some States are beginning to review their policies as it relates to certain kinds of licensure requirements and whether or not individuals can get what might be called a waiver or whether they can demonstrate that not only do they have the training and expertise to do the job, but they also have the character which will allow them to do it well. So a little bit of progress is being made in that direction. There are some instances where housing authorities are beginning to look to see whether or not there might be some way.

And I don't think anybody is suggesting when they are being asked to provide opportunities, certainly you wouldn't necessarily put a child molester in a day care center. Many of the programs and many of the individuals who try to help erase some of the barriers, they already know that, and that is not the kind of thing that they advocate; but they do believe that people should be given a chance, an opportunity, a chance to demonstrate that they want to be good citizens, that they want to work, that they want to contribute.

So I am asking my colleagues both in the House and the Senate to look at the invitation letters that they have received to become cosponsors of this legislation. It is not asking for as much money as it needs. $100 million is money, but it does not break the bank. That is the appropriation asked.

I think one of the things that we look at is what it has spawned and what it has sparked, not just how much Federal money has gone into it, not just how many Federal dollars. But it has spawned response and reaction from State, local, and county governments who have established their own second chance programs, who have put together their own second chance initiatives.

I certainly want to commend Governor Patrick Quinn of the State of Illinois, my Governor, who, by the way, happens to live in my congressional district and is my constituent, for the State of Illinois' response to this problem.

And I also want to commend and congratulate the president of the Cook County government, the county board, which, of course, is larger than more than 25 States in the Nation. The county of Cook is a very large county, with more than 5 million people in it. I want to commend County President Toni Preckwinkle for how the county government is trying to respond to this need.

And I especially want to commend the sheriff of our county who has more than 13,000 people in his jail. He recognizes that many of them ought not be there because they have got mental health problems and mental health issues, and he is seeking and searching and looking for ways to change that.

I want to commend the mayor of the city of Chicago, our former colleague, Rahm Emanuel, because he has established a number of programs with city agencies and with city government where they are set aside specifically for individuals who have records, individuals who have been incarcerated, individuals who need a second chance with both the city of Chicago, itself, and the Chicago Transit Authority.

So there are bits and pieces of progress being made, and I commend all of those who are helping to make it. But my final ask is for my colleagues in both the House and the Senate to join in this effort, sign on to the Second Chance Act, help us to get it renewed, help us to get it reauthorized, to get it refunded, and get it seriously implemented throughout the United States of America so that these individuals will know that our country does, in fact, believe in a second chance.

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

RELIGIOUS FREEDOM IN THE MILITARY

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

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

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

There was no objection.

Mrs. HARTZLER. Mr. Speaker and my fellow colleagues, I wanted to share with you a picture that I have in my office, and it is my favorite picture. It is the famous picture of President and then-General George Washington on his knees praying at Valley Forge.

Of course, we all remember from our history lessons the story of what happened during that time. But the winter at Valley Forge was a terribly, terribly trying time for the Continental Army. They had suffered a lot of defeats that fall, and they went into a very cold, harsh winter with very, very limited supplies, and the stories that come from that are just heartbreaking.

There were 12,000 men that were encamped. Many of them did not even have a tent or a shelter. Several of them did not even have a blanket. And as you know, here in Washington, D.C., and back home in Missouri, the weather has started to turn cold. I think it was about 30 degrees this morning. And to think about what it would have been like to have to sleep out in the cold with no blanket during that time. And of course, snow came along.

We have heard stories about how many of the men did not even have shoes. They had marched so much that fall and had gone through such harsh battles that their shoes had fallen apart. And we have all seen pictures and heard stories of how their feet bled. Even in the snow, there were foot tracks like that. And what is worse, many of them didn't even have food.

This was the situation of 12,000 men. The conditions were so bad that they ruled at one time that a third of them, almost 4,000 men, were unfit for battle. And then 2,000, over the course of those winter months, died as a result of disease and dysentery and other things that occurred during those very harsh conditions.

And during that time, we have learned a story that George Washington, the commander of this ragtag but yet valiant group of men, went to the woods and got down on his knees and prayed. And the reason we know this is because of the story of Isaac Potts who later shared the account that was later recorded.

He was a local Quaker farmer. He was riding his horse through the woods, and he heard a sound that was strange, as if a man was crying out in plaintiff prayer. So he quietly got off his horse and wrapped the reins around a sapling tree, snuck through the woods to get closer, and as came into an opening, he could see something that shocked him.

□ 1745

He said it like this:

> I saw the great George Washington on his knees, alone, with a sword on one side and his cocked hat on the other. He was at prayer to the God of the Armies, beseeching to interpose with his Divine aid.

We know what happened later—and, I believe, as a result of those prayers. That ragtag group of army over the winter gained courage and strength. Supplies started to come in. General Baron Von Steuben was sent by Benjamin Franklin from the Prussian Army to start drilling the men and turn this ragtag but courageous group into a major, strong fighting force, and they came out that next spring a force ready to meet the British Army, and they did.

That was a turning point in the war. It wasn't to be decided for years to come, but at Valley Forge the whole outcome of not just the war, but of our country, was turned, and I believe it was because of the prayer of the general of the Army.

Faith has been important to the armed services and to the people of this country from the beginning, and it is just as important now to our men and women in uniform as it was back at the beginning of our country. Yet their ability to express their religious beliefs is being attacked from forces outside and forces within.

It has been discouraging the last few years to hear accounts of some of these infringements on the basic religious rights and freedoms of our men and women in uniform. So that is why my colleagues and I are here for the next hour. We are here to, first of all, stand up for the religious rights and freedoms that are guaranteed in our Constitution.

I think it is very fitting and appropriate to remember that George Washington was there and helped craft that Bill of Rights, and what is the first right? The freedom of expression of religion.

We want to not only celebrate that and stand up for that but to also raise awareness of the concerns that we have and to implore the Department of Defense to push back on some of the negative policies that have been coming out that infringe on their rights, and to change course and to continue to remain strong as a country, preserving those basic freedoms so that we can continue to be strong in the future as we have in the past.

So now I want to invite someone who knows from very personal experience and can speak to this issue, my friend from Georgia, Representative DOUG COLLINS, who is still an active member of the Air Force Reserves, not only serving his country in many ways, but also serving his God by being a chaplain.

Representative COLLINS, I would like to hear what you have to say about this very important issue.

Mr. COLLINS of Georgia. I appreciate the gentlelady yielding and being a part of this tonight and really bringing something to the forefront that we need to discuss. It is a part of our foundation. It is a part, as you have so rightly shown by that wonderful reproduction of a painting there, that—our values and our founding were founded really on a sense of prayer, and not from a prayer that led to an exclusive Nation, but a prayer that led to an inclusive Nation. I think that is something that we often many times have forgotten in this process.

Tonight, as we talk about this, I want to discuss that on Veterans Day, the President laid a wreath at the Tomb of the Unknown Solder in Arlington National Cemetery. As the final resting place for so many men and women of faith, Arlington is, understandably, full of religious symbolism. It is considered this country's most hallowed ground.

Veterans Day gives Americans an opportunity to honor those laid to rest at

Arlington Cemetery, along with those continuing to serve our great Nation. Those interred in Arlington's soil gave their lives to uphold the rights we are blessed to enjoy today.

Sadly, I have become concerned about our servicemembers' ability to exercise their freedoms. Over the past year, a number of incidents have caused many to question if the Pentagon and the VA no longer embrace the religious freedoms its soldiers and patients have bled to defend.

A news report came to light just a few days ago of two military chaplains being harassed in a Veterans Affairs chaplain training program in 2012. The VA health programs employ chaplains to minister to patients receiving care, and these two seasoned officers were looking to attend to the needs of those in VA care.

I want you to understand these are not new chaplains. These are not new to the military environment. They were two who had admirably served in the military as chaplains and gone through this training, which should have been easy because it had been something they had been doing their entire career.

However, their suit claims a VA supervisor repeatedly harassed the chaplains about their Christian beliefs. The supervisor instructed the chaplains not to pray in the name of Jesus, which is an integral component of the Christian faith. Even in the context of a group discussion on faith-based topics, the two chaplains were chastised for reciting Scripture.

As a chaplain myself, I am just amazed at this process at this point—chaplains not able to use Scripture of any faith group. That is the very basis of who we are, no matter what faith background that we come from, and in ministering to those with faith or without faith, it is a structural part of who we are.

The chaplains' spiritual beliefs were belittled on multiple occasions. The harassment by the chaplain's supervisor was so filled with vitriol that one of them withdrew from the program.

The VA is designed to serve members of the Armed Forces during periods of need and hardship. If the VA bars chaplains from expressing themselves, how can we expect servicemembers suffering from private illnesses to come forward?

Unfortunately, this is not an isolated event. There are numerous reports of the DOD and VA permitting open hostility to Christian organizations and those practicing the faith in uniform.

In April, media sources reported that Army soldiers were being briefed that Christian Evangelicals were to be considered extremist organizations in the vein of al Qaeda. Similar briefings have apparently continued, with a similar incident at Camp Shelby in Alabama—get this, not a few months ago, not when this was first done—last month. As one who is a Christian Evangelical, to be described with those in a terrorist organization in the vein of al Qaeda is despicable and should be stopped.

Earlier this year, the Southern Baptist Convention's Web site had issues at Army, Navy, Air Force, and Marine bases. The Pentagon has subsequently apologized for the issues, and they said there was never an intent to restrict servicemembers' access to the Web site, but when you look at it from an overall perspective, this still continues to be a concern.

Then we have a gentleman named Mikey Weinstein, who is an ardent critic of Christians practicing in the military. Mr. Weinstein heads the Military Religious Freedom Foundation. Don't let the title of his organization fool you. That is what they want you to think.

Mr. Weinstein believes the phrase ''so help me God'' should be removed from the Air Force Academy's honor oath. This same man requested and received time to speak with top military brass to discuss religious freedom in the military. At what point in time should someone who wants to take away freedom be given the opportunity to go before our highest military officials to plead a case to remove a very constitutional right without the benefit of others getting the same courtesy?

As I continue reflecting on the meeting of Veterans Day, it troubles my spirit to think that leading military personnel may be targeting Christian organizations as a part of a personal agenda.

This country has fought such tyrants. Freedom of religion has been upheld with the blood, sweat, and tears of the U.S. military. Now there appears to be a strain inside the Pentagon and VA whose mission it is to take away the soul of our fighting force.

Are we now to tiptoe on the very soil that entombs the brave men and women who gave their lives for religious liberties and our other constitutional rights? As a military chaplain myself, I pray not.

Mrs. HARTZLER. Thank you very much, Representative COLLINS. Well said.

The oath that you talked about, I want to expound on it a little bit so people understood that what Mikey Weinstein did has had an effect. The Air Force Academy actually removed a poster portraying the words of the Academy oath, and the committee is considered removing the phrase ''so help me God'' from the honor oath recited by all incoming cadets.

This is the same oath. Let me read it. This is the oath that every cadet gives when they come into the Air Force Academy. It is also the same oath of office for officers and the same oath that Members of Congress say. This is what they want to remove the ''so help me God'' from:

> Having been appointed as an Air Force Cadet in the United States Air Force, do solemnly swear or affirm that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of which I am about to enter. So help me God.

It is a time-honored oath.

This is a serious decision to enter the service of the country, whether it is in the military or whether it is as a Member of Congress, and to have them question whether we should remove that or not is despicable.

Now I would like to turn to a champion on these issues, and that is my friend from Colorado, Representative DOUG LAMBORN. I appreciate the letters that he has authored to push back on many of these attacks on our religious freedoms.

Representative LAMBORN.

Mr. LAMBORN. I thank the gentlelady from Missouri. I know that she is a leader on military issues. We serve together on the Armed Services Committee, and she is becoming known as a leader on military issues. Her passion on religious freedom is also evident through her getting this time here today. So I appreciate that.

Mr. Speaker, I rise today again in support of religious freedom in our military. I am honored to represent tens of thousands of men and women in uniform who serve at the five military installations in my district in Colorado. Our military is made up of brave and dedicated men and women of all faiths who deserve to practice their respective religion free from harassment and malicious attacks.

But there is a growing and troubling pattern of religious discrimination against our men and women in arms. Earlier this year, an Army reserve training brief listed Catholics, Evangelical Christians, Sunni Muslims, and some Jews as ''religious extremists,'' along with groups like al Qaeda, Hamas, and the KKK. In response to this troubling report, I sent a letter, along with 34 of my colleagues, to the Secretary of the Army to express deep concern and to request information about what is being done to prevent this sort of offensive briefing from being given again.

In his response, Secretary of the Army John McHugh assured us the that this briefing was an isolated incident. Secretary McHugh also made note of a corrective measure that would require all briefings of this nature to be vetted with the appropriate unit leaders and subject matter experts prior to presentation.

Sadly, this past month, reports of additional offensive Army briefings came to light, first, at Camp Shelby in Mississippi, where an Army Reserve training briefing listed the American Family Association, a respected Christian organization, as a domestic hate group alongside groups like the Ku Klux Klan, Neo-Nazis, the Black Panthers, and the Nation of Islam, and also at a Fort Hood briefing that listed Christian Evangelical groups as a ''threat''

to the United States. These disturbing reports have made clear that the offensive briefing given in April was not an isolated incident. This pattern must be addressed.

I was encouraged to learn that Secretary McHugh, after learning of the most recent incidents, issued an order to cease all briefings on the subject of extremist organizations and activities. Secretary McHugh rightly described the mislabeling of Christian Evangelical groups as ''inaccurate, objectionable, and otherwise inconsistent with current Army policy.''

I commend Secretary McHugh's recent action and believe it was a step in the right direction. However, these Army briefings are small examples of what I believe is a larger issue, which is a pattern of intolerance toward people of faith in the military.

In addition to briefings mislabeling Christians, we have also seen a Christian chaplain ordered to remove a religious column he had written which simply detailed the history of the phrase ''there are no atheists in foxholes.'' Active efforts are underway to remove the phrase ''so help me God'' from the Air Force Academy oath. The President, upon signing the National Defense Authorization Act, actually called religious freedom protections for military chaplains and other servicemembers ''unnecessary and ill-advised.''

I have no idea how he could say this.

Mr. Speaker, this religious intolerance is unacceptable. Our Nation was founded on Judeo-Christian principles but has always believed in freedom of self-expression and intolerance. We owe it to our men and women in uniform to defend these basic rights.

Religious freedom is an integral component of America's greatness and has been a pillar of our Nation from the very beginning. You can see the picture that Representative HARTZLER showed of George Washington. It has also been a strong part of our military heritage.

We must remain firmly committed to defending that freedom.

Mrs. HARTZLER. Thank you, Representative LAMBORN. That was very good. I appreciate the summary of some of the concerns that we had of the pattern that has developed of the intolerance in the military of religious expression. So thank you for your leadership on that.

I would now like to turn to my friend from Texas, Representative ROGER WILLIAMS.

□ 1800

Mr. WILLIAMS. Thank you, Congresswoman. I appreciate your leadership.

Mr. Speaker, in our Nation's 237 years, over 25 million men and women have served in the Armed Forces. They wear the uniform, fight our enemies, defend their homeland, protect their fellow man in battle, honor their fallen comrades, and, perhaps most importantly, they honor their oath to support and defend the Constitution of the United States against all enemies foreign and domestic.

Mr. Speaker, the First Amendment of the Constitution states:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

Freedom of religion is how we live our faith, not just where we attend worship services. Soldiers, airmen, sailors, and marines stationed domestically are able to attend their religious services; and for troops overseas who aren't able to walk off base in enemy territory to attend a service, there are military chaplains who facilitate services for them. But religious freedom doesn't just cover worship services; it covers the exercise of religion.

Regrettably, in the last few years, many instances of religious intolerance in the military have come to light, specifically targeting Christianity. Soldiers are being told by superiors that they cannot associate themselves with Christian groups and that evangelical Christians are a threat to the United States. These soldiers are told not to associate with, contribute to, or be a part of these Christian groups.

This is not only an outrage. It is un-American and a direct violation of the Constitution that these men and women have sworn with their lives to uphold. Troops do not take an oath to their superiors, the President, the government or to Congress. They take an oath to defend the Constitution, which protects their religious liberty.

The Department of Defense's rules and regulations protecting these rights need to be enforced. As a whole, the military overwhelmingly respects the rights and religious beliefs of individuals, but these so-called ''isolated incidents'' of intimidation and coercion must end now—immediately.

Mr. Speaker, our Armed Forces are willing and ready to answer the call of duty, and so many have made the ultimate sacrifice to preserve the freedoms and liberties we as Americans value so dearly. My district, the 25th District of Texas, is home to Fort Hood, which is the largest military installation in America. The patriots at Fort Hood deserve to have someone fighting on their behalf when their rights as Americans are violated.

Congress must ensure that every time a man or a woman makes the admirable decision to join the military, he is not signing away his First Amendment rights. Let's make sure right here, right now that our policies leave no room for interpretation when it comes to the military's right to freely practice its religion. After all, we are one Nation under God. In God, we always trust.

Mrs. HARTZLER. Thank you so much, Representative WILLIAMS. Well said. I appreciate it very much.

Now I would like to yield to a real leader on this, one who has been at the forefront of ensuring that our men and women in uniform are not discriminated against based on their religious beliefs. He was the author of the amendment of the National Defense Authorization Act last year and this year, an amendment which protects those freedoms. I would now like to turn to JOHN FLEMING from Louisiana.

Mr. FLEMING. I thank the gentlelady from Missouri.

I thank you for your leadership and also, tonight, for having this great time for us to come together to talk about a subject that, I think, is increasingly important.

With great foresight and clarity, the Founding Fathers enshrined religious liberty as our First Amendment right, stating:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

This is an important constitutional right that is for every American, including servicemembers who defend those very liberties with their own lives.

The ability to live one's life informed by one's faith is not just a protected constitutional right; it is also essential for the individual well-being of our soldiers. In the uniquely stressful military environment, Congress must ensure that our men and women in uniform can access religious support and practice their faith without risking career reprisals.

Servicemembers increasingly fear even mentioning their faith in the military because of restrictions, uncertain policies surrounding religious expression, and a general climate of hostility towards those with particular religious or moral viewpoints. This is not your father's military. This is not the military you served in. This is a different military when it comes to respecting religious rights and freedoms.

Last year, the House Armed Services Committee adopted an amendment to the National Defense Authorization Act, section 533, that provided protections of sincerely held religious beliefs for servicemembers and chaplains. However, we have yet to see the regulations that should have been issued in accordance with this amendment.

In a March 2013 JAG memorandum, the Air Force clearly showed that it is interpreting section 533 as only protecting the religious beliefs of servicemembers and not the actual expression of those beliefs through actions and free speech. For heaven's sakes, of course the military can't say anything about what you believe because nobody knows what you believe unless you express those beliefs in some way or another.

Just as the First Amendment does not mean just freedom of worship but, rather, the free exercise of religion, servicemembers are not only protected in holding a belief but are free to live their lives in accordance with those beliefs and to give voice to them.

This June, on a bipartisan basis, the House Armed Services Committee adopted my amendment to the National Defense Authorization Act to

clarify the protections provided for actions and speech that flow from sincerely held religious and moral convictions.

My amendment provides the Department flexibility to ensure the morale and readiness needs of servicemembers are met upon the application of this provision. It clarifies that action and speech, along with the beliefs of a servicemember, are protected by the First Amendment, and it requires that the DOD consult with the faith groups, which already work with the military to endorse military chaplains, when implementing section 533.

While the military context requires good order and discipline to be maintained, ''good order and discipline'' cannot be wielded as a club to stifle the reasonable religious expression of servicemembers.

So what am I really talking about here? Let me give you some examples:

A servicemember received a severe and possibly career-ending reprimand from his commanding officer for respectfully expressing his faith's religious position in a personal religious blog even though the blog included a disclaimer that his views were not official military policy;

An Air Force officer kept a Bible on his desk, along with other personal items, for 18 years. When he transferred to his latest assignment, he was told by his supervisor that he could not keep his Bible in public view, that it may offend someone if one actually saw his Bible;

Walter Reed Hospital briefly prohibited the distribution of religious materials, i.e., Bibles and scripture of any faith, from being given to wounded servicemembers;

Thousands of Army Reserve soldiers received equal opportunity training, labeling evangelical Christians, Catholics, ultra-Orthodox Jews, and others as ''religious extremists'' who are comparable to the KKK and al Qaeda. This training, which was memorialized in writing, further instructed the servicemembers that they may not support such extremist organizations by attending meetings, fund-raising, recruiting, helping lead or organize or distributing literature. In other words, thousands of soldiers were told that they could not go to church, lead Sunday school, tithe, share their faith or give out Bibles;

Another series of equal opportunity training sessions held for Army active components at Camp Shelby in Alabama and again at Fort Hood in Texas listed a prominent ministry, the American Family Association, as an extremist group alongside the KKK. I am pleased that Secretary McHugh, upon being made aware of these particular types of egregious training materials, canceled all future equal opportunity training until the DOD gets its act together;

There is the case of Sergeant Monk, a fine young man whom I met personally, who was relieved of his position after objecting to his commander's plans to punish an instructor who had expressed religious objections to gay marriage. When asked about his own support of traditional marriage, Sergeant Monk was told that he was in violation of Air Force policy. Yes, because he supported traditional marriage, he was in violation of Air Force policy, and after 19 years—almost 20 years, almost reaching retirement—he was fired;

In performing his official duties, an Air Force chaplain, Lieutenant Colonel Reyes, at Joint Base Elmendorf-Richardson in Alaska, wrote a column on the ''Chaplain's Corner'' Web site, titled ''No Atheists in Foxholes: Chaplains Gave All in World War II.'' The column traces the history of the famous phrase used by President Eisenhower, and connects it to the idea that the military is unique in that servicemembers must confront the grim reality of death.

He writes:

> Everyone expresses some form of faith every day whether it is religious or secular. Some express faith by believing, when they get up in the morning, they will arrive at work in one piece . . . What is the root or object of your faith? Is it something you can count on in times of plenty or loss? peace or chaos? joy or sorrow? success or failure? What is ''faith'' to you?

Finally, the column did not speak negatively of people of no faith or of people of non-faith, though the commander removed the column from the ''Chaplain's Corner'' Web page. The commander later reposted the column after media attention and congressional inquiries.

I would just like to say in conclusion, Mr. Speaker, that we are seeing an assault on religious liberty, not just on religion—not just on Christianity—but on religious liberty in a way this Nation has never seen before. Bear in mind, why did our forefathers—why did our ancestors—come to this Nation? They came for different reasons—economic freedom, freedom of speech and other things—but primarily for religious freedom.

That is the one freedom that appears to be slipping away in the most important venue that we have, and that is in the military, because who pays a heavier price for that freedom than our uniformed members who stand in the gap, who protect us each and every day in our own freedoms?

Mrs. HARTZLER. Thank you so much Representative FLEMING. Your leadership has really made a difference and appreciate your comments.

I know another colleague from Texas who is a captain in the Army probably has a few things to share about this so I would like to hear from my friend LOUIE GOHMERT.

Mr. GOHMERT. I thank my friend from Missouri for yielding and for setting up this time that we could share about what is going on.

Just in contrast to my friend from Louisiana's examples of the abuses of military members' First Amendment rights, the government is not supposed to prohibit the free exercise of religion. Of course, we know in the military—I knew—that there are some things you give up when you are in the military. You can't assemble when you want to, and you can't speak when you want to, but Commanders in Chief have always known that when it comes to religious liberty, you should not infringe upon people's religious beliefs, especially when they believe they are fighting for a country in which people could have First Amendment rights to utilize and to worship God.

In fact, of course, in my 4 years in the Army, we didn't have a Commander in Chief who had issued an order—attributed to George Washington—that people should not take the name of the Lord in vain, because how can we ask God's blessing on our military at the same time and in the same mouth as one's taking God's name in vain? That was not the order of the day when I was in the Army; but by the same token, you saw crosses at chapels on military installations. You saw crosses inside of chapels and outside of chapels. Now they have been removed, we have been told, from the insides and outsides of chapels on military installations. It is outrageous.

We hear people call the generation in America that won World War II—making the world safer for democracy—the Greatest Generation. Yet, if you look at what occurred during World War II, you had a President of the United States who went on national radio on D-day and prayed about the evil forces that our troops were trying to defeat. He prayed God's blessing openly for several minutes on national radio.

I was given by my aunt a New Testament with a metal cover. There are all kinds of stories about these metal covers actually stopping bullets when they were placed in pockets, but on this metal cover, it says, ''May the Lord be with you.''

Under the new rules, I haven't seen anything that this Commander in Chief has signed or said of ''you can't practice your Christian beliefs'' or ''we are not going to afford you conscience exemptions'' like have always been provided throughout our country. I haven't seen that.

□ 1815

But as Harry Truman said, the buck stops with the Commander in Chief. Whether it is actually stopping with Valerie Jarrett, or wherever it is stopping, the Commander in Chief has the power to get the buck, bring it to his desk, and make these decisions.

Well, here is what Franklin D. Roosevelt did. Here in this New Testament, it says, ''May the Lord be with you on the front.'' Inside, at the top, it says, ''The White House, Washington.''

> As Commander in Chief, I take pleasure in commending the reading of the Bible to all who serve in the Armed Forces of the United States. Throughout the centuries, men of many faiths and diverse origins have found

in the Sacred Book words of wisdom, counsel, and inspiration. It is a fountain of strength, and now, as always, an aid in attaining the highest aspirations of the human soul.

Signed by Franklin D. Roosevelt.

I have been trying to find a Bible in recent days that has an inscription or signature from the current Commander in Chief who has said he takes such great inspiration from Franklin Roosevelt. Instead, not only do we not find Bibles being encouraged and handed out, we see crosses being taken back, people being told they can't even have their own Bible where people might see it. It is an outrage.

I worry for our Nation, just as George Washington did. How can we expect God to bless a nation that is not being allowed to even praise God publicly in our military? It is a sad day. But what is more, if George Washington is right, we are stripping our Nation of the opportunity to have our military blessed because of what was done in prior militaries that brought about blessings.

Even if you don't believe in God whatsoever, why wouldn't you want to at least have an insurance policy that maybe the reason they were blessed was because of things like this done for our military in our military, signed by the President of the United States? Obviously, this is a stamp of the President's signature.

But again, I appreciate my friend from Missouri. #MilitaryFreedom—we encourage people, Mr. Speaker, to utilize that, to get us information, because we want to help our military protect us.

I thank so much Mrs. HARTZLER for this effort and for this hour and encourage all of our colleagues, Mr. Speaker, to stand up for what is right for our military—their freedom of religion.

Mrs. HARTZLER. Thank you. I really appreciate you bringing your Bible and sharing that story. I think that really brings home how things have changed and how we need to go back to having an administration and a Department of Defense that protects and preserves and promotes the exercise of religion among our troops for the protection and blessing of not only them, but our country.

Now I would like to turn to my friend from Illinois, just a little ways to the east here, RANDY HULTGREN, to share on this important topic.

Mr. HULTGREN. Thank you, Congresswoman HARTZLER, for putting this together. I appreciate your important work on this. This is such an important subject for us to be talking about.

Mr. Speaker, I rise tonight troubled by what appears to be growing attacks on the religious freedom of those serving in our military. Our great Nation, as you all know, was founded on the principle that all men and women have a natural right to freely practice their respective faiths. These rights extend equally to the brave men and women who serve in our Armed Forces. Our founding documents were written with the express purpose of protecting the inalienable rights of American citizens, including that of religious liberties. The First Amendment states:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

In 1785, the father of the Constitution, James Madison, said:

> The religion then of every man must be left to the conviction of conscience of every man, and it is the right of every man to exercise it as these may dictate.

He recognized that one's faith contains dictates that, barring harm to others, demand obedience from adherents. And obedience not only in thought and behavior, but also by speech and action as well. An individual's faith is inseparable from the way in which he or she lives and acts.

If the Federal Government would curtail the religious speech and action of military members, they would be clearly overstepping the bounds of the Constitution. Unfortunately, over the past several years, a string of aggressive government actions has chilled the religious practice of members of our Armed Forces. These soldiers defend our freedoms abroad but did not expect to lose those freedoms at home.

Earlier this year, an officer in the Air Force was asked to remove the Bible he kept on his desk. He was told his displaying his Bible made others uncomfortable and that he could, as a superior, be seen as forcing his religion on others.

Does this mean that President Obama has forced his religion on others when he put his hand on President Lincoln's Bible as he swore the oath of office on inauguration day? When did freedom for religion become conflated with freedom from religion?

While attempting to avoid elevating one faith above the rest—an admirable goal—the government has stifled all religion. The so-called ''protection'' from religious expression extends further into servicemembers' personal lives.

An Army chaplain's assistant was reprimanded for expressing her views informed by her faith regarding human sexuality on her own private Facebook profile. Her post was created in her free time and was only visible to her friends and family. Yet, once the post was discovered, a superior demanded she remove it or potentially face disciplinary action, including loss of rank and pay. She eventually was forced to acquiesce and remove the post.

These are not isolated incidents, but reflect an institutionwide problem.

Take, for example, a memo released September 14, 2011, to Walter Reed National Military Medical Center. Here is an excerpt from a section regarding visits by religious leaders:

> No religious items (i.e. Bibles, reading material, and/or artifacts) are allowed to be given away or used during a visit.

So the memo prevented a priest visiting an ailing parishioner from bringing his Bible—or imam, his Koran—with him to the hospital. This sparked a national outcry and the memo was quickly rescinded under the claim that it was an ''accident.'' So the memo was ''accidental.''

But what about military briefings? Are they ''accidental'' as well?

Last month, several dozen U.S. Army Active and Reserve troops were advised to treat the American Family Association as a hate group. Apparently, the Christian ministry's support for traditional marriage was enough for the instructor to slap on the ''hate group'' label. Fortunately, again under public pressure, the Pentagon later retracted the label.

Similarly, a West Point think tank released a report at the beginning of the year labeling ''far right'' conservative groups, specifically those holding pro-life values, as extremists and domestic terrorists. Because a few radical and disturbed activists have used violence to further their cause, the report lumped in everyone who believed in the sanctity of all life as terrorists. It is dangerous and disingenuous to paint with such broad strokes, blaming entire groups for the terrible actions of a few individuals.

These stories are just a few examples of rising sentiment that attacks the expression of religion in our military first and then asks questions later. Taken individually, these incidents are cause for concern. Taken together, we must wonder whether this widespread activity is more than just coincidence.

We must also wonder why a distinguished institution has taken a political position in opposition and opposing those who have long championed the very values the military purports to uphold. Soldiers are being told with more frequency that religion has no place in the military. If they hope to rise in the ranks or escape punishment, they must leave their faith at the door.

The military is unique in its power to make broad demands over individual servicemembers, demands that can't be made over civilians. No one should be forced to choose between service to country and his or her faith. We must ensure that men and women in uniform have the ability to practice that faith without fear of reprimand.

The First Amendment secures the freedom of religious expression for all Americans, including those who protect our freedoms. How could we allow this liberty to be stripped away from our soldiers, our sailors, our pilots? Our brothers, sisters, mothers, and fathers in the Armed Forces all deserve the same rights and liberties that we enjoy—the very ones that they fought to protect. Let's defend them at home as they defend us abroad.

Again, thank you Congresswoman HARTZLER for doing this.

Mrs. HARTZLER. Thank you, Congressman HULTGREN.

I think that is a very good point—that we should defend their rights as they are defending us.

I am looking forward and very much appreciate my colleague from Michigan, who is here tonight as well, because he has put his life on the line, starting after high school, going to serve in Vietnam—I believe you were an infantry rifleman to start off with—and then ended up all the way serving with the military police over in Iraq.

First of all, thank you for your service. Thank you for what you are doing to defend freedoms even today as we talk about this important issue. So I yield time to you.

Mr. BENTIVOLIO. Mr. Speaker, I would like to thank the gentlewoman from Missouri for the opportunity to speak on this very important topic.

Mr. Speaker, a few months ago, I read a report that really bothered me. The story said that Army briefs labeled Evangelical Christians and Catholics as ''extremists.'' That really disturbs me, and it should disturb everyone in this room—in fact, everyone in this country.

We have to remember that the men and women in our Armed Forces represent a microcosm of America. Although they have a variety of beliefs, they work together to defend us. On the battlefield, the enemy doesn't care what you look like or what God you worship. I serve God and country in that order, as did many of my fellow soldiers.

It was the greatest honor of my life to serve my country, first as an infantryman, as you said, and later in the Michigan Army National Guard for more than 20 years. I can say without a doubt that the soldiers I served with represented the best America had to offer. That is still true today as well. Millions of them are Christians. It is wrong and disrespectful to equate those who believe in traditional values with members of a hate group. Our military should grant mutual respect to everyone in the armed services, because that diversity is what makes America great.

Before I close, I would like to remind everyone about that famous prayer that was addressed or mentioned in the gentleman from Texas' speech. A great general said before the soldiers embarked on that great, great battle on D-day:

> Good luck. And let us all beseech the blessings of Almighty God upon this great and noble undertaking.

General Dwight D. Eisenhower.

Mrs. HARTZLER. Thank you.

We have another friend from California here, Representative DOUG LAMALFA. We are so glad that he is here, and I want to yield time to you to hear what your thoughts are on this very important topic of religious freedom in our military.

Mr. LAMALFA Thank you, Mrs. HARTZLER. I really, really appreciate you leading the charge on this very important issue that is probably not noticed by a lot of Americans these days, but is certainly being noticed by those members of the military that wish to express their religious freedoms as they see fit.

Indeed, that was really one of the cornerstone issues of the Founders on several items: on taxation, of course, on private property and private property rights, and very importantly, the ability of Americans in the new country to express their religious views as they see fit, to have the freedom to do that.

So it is rather amazing, and certainly appalling, that in our own military we see this going on where those rights are being suppressed, especially what we are hearing tonight with some of my previous colleagues' speeches about Christianity. Having a Bible on a desk somehow is a problem for somebody? How have we gotten to this point here? How can people be labeled somehow as part of a terrorist organization when actually these are peaceful enterprises where you are trying to bring people together under the grace of God?

□ 1830

I have, in my Washington, D.C., office and in one of my district offices, this portrait here of General Washington as a reminder, as a way for me to continue to seek humility myself. General Washington, Valley Forge, what a man of principle, of humility, of grace. This picture captures so much. He knew it was important that he bow to God, and it certainly served him well and served the founding of this country at a very perilous time when the fledgling Revolutionary War could have gone either way at the time. He is an example for all of us back then and right now. That is why I like that portrait so much, and I am glad you brought it here tonight.

The reasons, as put by the Founders for our religious freedom, have been mentioned here. It is a right guaranteed by the First Amendment. Those who were willing to lay down their lives for us fought for that for all Americans, and we should be guaranteed this right without any questions asked.

So I feel it is a duty for me, as one Member of Congress, and my colleagues here tonight in speaking about this to work to fight to uphold that right. Who has taken over in our military that thinks that this is acceptable, to suppress this freedom of expression of religion? I don't understand it. So we are here to protect those servicemembers as well and that ability to have that freedom.

We know that the chaplaincy was formed in 1775 at the behest of General Washington, who knew and acknowledged at that time how important religious freedom was to our soldiers. The chaplains exist to facilitate the free exercise of religion under the First Amendment for servicemembers, and they faithfully administer to servicemembers of all faith, or of no faith. I think that is a key thing to mention here.

We have all heard the story mentioned earlier as well about ''there are no atheists in foxholes.'' You may have heard that phrase. It goes back to a story by Father Cummings, who was a civilian Catholic priest in the Philippines. The phrase was coined during the Japanese attack at Corregidor. During the siege, Cummings had noticed that non-Catholics were attending his services. Some he knew were not Catholic; some were not religious. Some he knew were atheists. Christ just brings out a desire for something greater than ourselves and a need to look within or above. With the pending surrender of Allied forces to the Japanese, Cummings began calming men down by reciting The Lord's Prayer and offering up prayers on their behalf. He then uttered the famous phrase, ''there's no such thing as an atheist in a foxhole.''

Well, we all know there are all different types of religions in this Nation and people who practice no religion. They choose to have their own way of looking at things. And we embrace all that. Everybody has that right. Everybody has that ability.

So atheists are still allowed to be atheists, but to have a group of people dictate to everybody else—how many times have we seen these battles, such as a high school graduation, somebody wants to sue to stop a prayer or a nativity scene? If you don't like it, don't pay attention to it, because the rest of us sure see a lot of offensive things in TV and commercials and the T-shirts people wear, even people's hygiene, and we don't go around being able to stop them from expressing themselves that way.

So it certainly goes against the founding of this country to be oppressing people's views; and, indeed, it is contributing to, I think, a breaking down of our military and its strength to have this kind of oppression going on.

So being able to join Mrs. HARTZLER tonight here and my other colleagues and pointing this out to the American public and then doing something about it here in these Halls of Congress is a necessary thing. I thank my colleague for bringing this topic up tonight and allowing me to speak.

Mrs. HARTZLER. I thank you for your kind words expressing how important it is we stand strong for our military. We want our military to be strong, and their ability to be able to pray and hold on to their faith, to express their faith is what makes them strong. It is part of it, so we don't want to undermine that. Thank you for those words.

Now I turn to the gentleman from Mississippi (Mr. NUNNELEE), from Mississippi's First District, to hear his thoughts on this and thank him for his letter that he authored to the Secretary of the Army that got a very positive response. So thank for your leadership.

Mr. NUNNELEE. Thank you, Mrs. HARTZLER, and I appreciate your leadership in this area.

You know, when the Framers of our Constitution put together this government and submitted it to the people, the American people looked at it and said, You did a good job, but it is not perfect. There is something that is missing, and that something is a Bill of Rights guaranteeing individual freedoms for all Americans. And so those 10 planks were constructed and added as part of the ratification process. I am convinced that if those 10 planks had not been added, the Constitution would not have been ratified. I do not believe it is insignificant that the first sentence of the First Amendment guarantees freedom of religion:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

And our men and women in the military take an oath of office to support and defend that very Constitution, but they do not surrender that First Amendment right immediately when they put on a uniform.

The trend of military instructors and officers portraying Christians and socially conservative nonprofit organizations as ''extremists'' and potential threats to our Nation is unconscionable. Recently, they labeled the American Family Association, a group in my district that by their very name indicates that they are committed to the preservation of the American people. The fact that they are labeled as an extremist organization, unbelievable.

These developments are part of what appears to be a mounting culture for religious intolerance and hostility towards Christians within the military. I do not believe that adequate steps have been taken to address the root cause of these incidents, and that is why I put together the letter that Mrs. HARTZLER referred to to the Secretary of the Army, along with a number of my colleagues, to communicate our concerns regarding these developments and ask for the details on what the Army is doing to foster a culture of religious liberty among our men and women in our military.

While our Founding Fathers prohibited the establishment of a State-established religion, they purposely did not restrict references to God or personal beliefs in civic dialogue, military service, or everyday life.

Mr. Speaker, the dais on which you sit, over which you preside this great House, has behind it the American flag. Above that flag are the four words of our national motto: ''In God We Trust.''

Congress has a responsibility to fight attempts within our military to restrict the religious liberty of those who serve our Nation and work to safeguard these freedoms. It is intolerable for those brave men and women serving our country to be denied these very freedoms they are putting their lives on the line to defend.

Mrs. HARTZLER. Thank you very much for your leadership, and for bringing up those excellent points.

Now I would like to turn to the gentleman from Kansas (Mr. HUELSKAMP) to share his thoughts on this important topic, the military and religions freedom.

Mr. HUELSKAMP. Congresswoman HARTZLER, I appreciate your leadership on this topic. It is so essential, not just to our brave men and women serving in the military, but also to our foundation as a Nation.

I would like to identify two stories that occurred in the last month and a half in the military. They are very troubling.

During the government slowdown in October, the administration, it was reported in some parts of the media, required all chapels that were serviced by contract chaplains to be closed.

In particular, I visited with Father Ray Leonard, who served a naval base in South Carolina. He was not informed ahead of time. He showed up for Saturday evening mass to a locked door at the chapel. Door locked. It said, Come back. Shut down. Go away. People from his congregation were pouring into the parking lot and were forbidden, a locked door, not allowed to enter. He said, I want to volunteer. I want to do it for free. I want to say mass. The government said no.

Father Ray Leonard had a long history. He just had come back from serving as a missionary in China. His words were:

> I expected that in China. I expected a locked church door in China, but not in America, not on a military base.

The Department of Defense decided they were going to punish men and women of faith by locking those doors.

Another case of a chaplain in Texas, the first day of the government slowdown, he was ordered to come to the office. By 10 a.m., his BlackBerry was taken from him. All of his contact information was taken from him, as was his computer. He was forbidden to answer any private calls. He was forbidden to answer emails. He was forbidden to communicate with any of the folks he was in the middle of counseling. Those are folks suffering from PTSD. During the entire shutdown, the government forbade him to serve as a chaplain.

It is those kinds of things that you are wondering what they are thinking at the Department of Defense in this administration because, as James Madison wrote, ''conscience is the most sacred of all properties''—but if you refuse access to chaplains, the folks who are putting their lives on the line.

I was in the White House in April when the Congressional Medal of Honor was granted to Father Emil Kapaun from Kansas, and the President talked about his great history and how he inspired Catholics and Protestants and Jews and Muslims at that death camp, and he received an award and a tremendous honor. He was a tremendous man and a tremendous leader, but he is the very type of person that I believe today would not be allowed to serve in our U.S. military. That is a shame. But most devastating, it is not just a shame; it is a loss to the men and women who are looking for that type of support, that type of encouragement, that type of inspiration. This was a Nation founded with his blessings, and then we turn around and lock the church door. We turn around and kick chaplains out who actually have views that differ with the administration. This is an attack on religious liberty in the military. Who will be there to defend the religious liberty of our members of the armed services? We are there.

Mrs. HARTZLER. Thank you very much. We started off with a poster of George Washington praying at Valley Forge. We have come a long ways in this country. You have heard the stories tonight of how that freedom to express religion is under attack. It is time for the pattern of intimidation and intolerance and coercion to stop. It is time to preserve and defend religious freedom to keep America strong and keep our armed services strong.

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

PATENT LAW

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

Mr. ROHRABACHER. Mr. Speaker, I first would like to associate myself with the remarks of my colleagues that I have just heard. The struggle for freedom is a continuing struggle that started back with our Founding Fathers and will not end with us. Every generation has to pick up the torch or the light of liberty and justice will be extinguished and it will never be returned. Reagan always told us, it just takes one generation not to do their job, and we will have lost our freedom forever.

Tonight I would like to talk about a very significant part of our freedom and liberty, and it deals specifically with patents and intellectual property rights. I know sometimes over the years when they hear somebody is going to talk about patent law, there is a big yawn, but this has been a significant part of the success of the United States.

Our Founding Fathers believed that with technology and freedom and, yes, with profit motive, that this was the formula that would uplift humankind and that would make America a great country in which all of our people benefited from this greatness and the prosperity we would have here. They believed it so strongly that they wrote into our Constitution a guarantee of the ownership rights of inventors and authors. It is the only place in the body of the Constitution where the word ''right'' is used. The rest of the rights that we have just been talking about were part of the Bill of Rights.

But in the Constitution itself, article 1, section 8, clause 8, it states:

Congress shall have the power . . . to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

□ 1845

This provision has served America well, leading to a general prosperity that has been the envy of the world. It has led to national security and it has led to, yes, average people living decent lives.

It is an integral part of the individual freedom based on rights that were granted by God that are at the heart of American society. It is the reason we have emerged among all the nations of the world with our people living free and living well.

It is not just something that is tangential. It is at the heart of our system. The right to own one's technology that they invent has catapulted our people, who started out to be very poor people on the east coast, into one of the world's greatest powers.

This provision has served America well, leading to prosperity, national security, and, yes, this average life of our people that we can be proud of.

Some people think it is just hard work that has caused this great success of our country. Yes, Americans work hard, but so do other people. Technology has made the difference. Technology multiplies the results of our work and the hard work of our people into prosperity. That is the secret of America's success. It is technology and freedom, and, yes, it was our strong patent system that made this difference.

We have had a strong patent system since the founding of our country, as I just pointed out. Yet, today, multinational corporations, run by Americans, want to diminish the patent protection that our country has had traditionally. Over the years, we have fought—and I say we fought, meaning since I have been in Congress for 25 years, we have fought time and again and fought back—sometimes defeating, sometimes having to compromise—but these have been attempts to weaken our patent system, which is the basis of American prosperity.

What has been happening over the years? For example, we have had a strong patent system in the United States, but a weak patent system in the rest of the world. That is why they are not prospering. Their patent systems were set up so that big guys could rob from the little guys. Our patent system was set up as a recognition that the ownership of one's discoveries and creations is a gift from God and can't be stolen by a power-grabbing big company.

Overseas in Japan and Europe, that just isn't true. They have tried over these last 25 years to harmonize our law with the European law and the Japanese law. They call it ''harmonizing with the rest of the world.'' The trouble is they want our law to be weakened, rather than bringing up the other laws from around the world to our standards. For example, up until recently—there has been a little change in this; I managed to fight it back—they were trying to propose that we have a publishing law for a patent application that they have overseas. What do they have overseas? In Japan and in Europe, someone files for a patent, and if the patent hasn't been issued within 18 months, the patent is published.

Our system in the United States has been the opposite. You file for a patent, and it has been against the law for anyone to even indicate what is in that patent application until the patent is issued. If it takes 1 year, 2 years, 10 years because it is such a complicated issue, however long it takes, traditionally our inventors knew that no one was going to get a hold of their patent information until the patent was granted.

Again, in Europe, what they wanted to do and tried to do here in this body—but we fought them back—was have that same system. I called it the ''Steal American Technologies Act'' because after 18 months all of our secrets would have been published even before the patent was issued.

Also, we have had a tradition in the United States that you do get a certain time of protection. That is what our Constitution says. Traditionally, it has been 17 years, but that 17 years starts from when you are issued the patent.

In Europe, after 20 months, no matter if you got that patent or not, that clock starts ticking, and by the time you would end up with a patent, if it was a very complicated, high-tech patent, sometimes you have lost all but a year, maybe even all of your time in which to enjoy the rights and the rewards of having invented something. Under our system, once that clock starts—but it only starts after you have been issued your patent, and then you get 17 years of guaranteed time.

These people in these major corporations were trying to change that. They were trying to emasculate the rights of American inventors, saying we need to harmonize with the rest of the world. Who would be doing such a thing, and why would they be doing it?

The reason they were doing it is they want to steal from the American inventor the same way these big boys have been stealing from people in Europe and in Japan and inventors throughout the world. Well, let me once again note that for 25 years I have been finding myself fighting for the small inventors, struggling to defend the patent rights for these young, and maybe not young, maybe just people who are middle-aged and old, as well, but people who are not people who have means, but people who have ideas, people who are creative, people who come up with the breakthroughs that have changed our way of life.

Philo Farnsworth has a statue here. He is a man in Utah who invented the picture tube. RCA didn't invent it. RCA tried to steal it from him. This is one man who fought this all the way to the Supreme Court, and the Supreme Court sided with this one lower-income individual who, I might add, had to enlist people to invest in his court case against RCA in order to fight that case to the Supreme Court. There is a statue in our Congress to Philo Farnsworth, the inventor. There is no statue to Mr. Sarnoff, who headed RCA and tried to steal that from him, knowing that he was stealing somebody else's invention so he wouldn't have to give credit to this hick from Utah.

Supposedly there has always been some excuse that has been used by these corporations, these multinational—not just national corporations—people who have businesses all over the world. Some of them are headed by Americans; some of them not. Even Americans no longer think they have to watch out for the United States. They are watching out for the global interests of their company. They have to have some reason or excuse of why to take away or diminish the patent rights of our own people and to harmonize it with somebody else.

In the past, they have used the excuse of the ''submarine patentor.'' This is just one of the derogatory terms they came up with in order to justify the fact that they were diminishing the property rights of our intellectual inventors and those people who are coming up with our new technology, and they come up with these derogatory terms, and it sounds good. These big companies have big PR firms in order to come up with a term that can then be used as sort of an excuse, a cliche to say ''yes'' to diminishing America's patent protection for the little guys. After all, who would support these big multinational corporations, they said. We just want to take anything these people invent and give them whatever we want to give them, or not give them anything. We want to have a right to steal from them, and that is why we are trying to change the rules. They would never get anywhere. Instead, oh, business is being treated unfairly by submarine patentors. That is what they have used before, and now they have a new term.

In this wave, this onslaught—as I said, we have been facing this wave after wave for 20 years. They keep coming back, trying to diminish our patent structure. Now they insist that we need patent change because of the threat of the so-called ''patent troll,'' not to be mistaken with a submarine patentor. That was the last one. There will always be some, as I say, pejorative word that their PR firm, which they pay a lot of money to, can come up with that seems to be sinister enough to scare the American people into emasculating our patent system and letting the big guy steal the ideas from the little guys.

These so-called ''patent trolls'' are actually patent holders or companies who represent patent holders. They are either people who themselves invented patents or they represent the companies who actually have bought in to patents, who represent the patent holders themselves. They are engaged basically in defending the patent rights against the infringement of those rights of the patents they own. Their patents are no different than anybody else's patents.

They call them ''patent trolls,'' but what we have got here are just people who are engaged in the business of enforcing patents that are not being enforced. They basically are seeking to protect some little guys who don't have the money, or to see that they can join in partnership with people in order to maximize their benefit from the patents which these people hold. They are valid patents. There is all this innuendo and sinister thoughts and phrases coming out to make it sound like we are not talking about real, legitimate patents. I am talking about people who have invented legitimate patents that have been granted by the Patent Office. We are also talking about huge corporate infringers that would have us believe that those patents are unfair and evil because patent trolls are involved.

So what makes the difference between the good patents owned by large corporations themselves—these corporations we are talking about do own patents, and, quite frankly, quite often go and try to enforce other patents that they have accumulated and bought. What makes them so different from the patent trolls? The patent troll has been identified as someone who is out for profit from technology that he or she did not invent. Oh, my goodness. You have got somebody who didn't invent something and they want to make some money out of it by investing and/or joining a partnership with somebody who did invent it. That is not something as sinister as patent troll sounds.

We know that lawyers can file illegitimate lawsuits and try to get people to settle just because they don't want to go through the procedures. That doesn't mean we should destroy the right of people to sue when they have a legitimate claim because some lawyers go out and misuse the system. That should be up to a judge or a jury, not a restriction on the right of people to file suit in order to protect the rights and to gain compensation if their rights have been violated.

If the small inventor doesn't have the resources to enforce his or her patent, an individual or a company can buy those rights, and they can actually buy them just like you would buy a piece of property. That is what it is, intellectual property. They can buy these, or they can create a partnership with the inventor, and that means that they can then try to seek a suit or some sort of compensation from those who are infringing on those patents.

I have consulted with a number of outside individual inventors and groups, and they have reaffirmed to me that the legislation that is being now proposed by the Judiciary Committee further disadvantages the little guy against the deep-pocketed, multinational corporations that are behind the changes that are now being proposed in the United States Congress, which I will detail in a few moments.

Yes, they are using the guise of targeting these patent trolls. They hope to achieve a legislation that will prevent little guys from actually selling their product to these big guys, or have a dramatic impact on the ability—it would probably be more accurate to say will have a dramatic impact on the ability of people who own patents to actually file suit against those big infringers, and they do this in the name of controlling the patent trolls. Again, I say, what does that mean? That is someone who necessarily hasn't invented something but is working with the inventor to see that those rights are respected.

How horrible it is to make a business helping small inventors or partnering with people in order to see that they have the resources to enforce their patent rights against large corporations, mainly, or even if they are medium-sized corporations who are infringing on a patent, meaning they are using this invention, and the inventor comes in and says, You are infringing on my patent. Pay me for the rights of using this while I still own it. The answer is ''sue me'' because the big corporations know full well that they have deep pockets, and they can handle anything, and the little guy, especially if they get this law passed, the little guy is not going to be able to seek help, and it is going to be much more complicated for him.

□ 1900

Tonight I draw the attention of the American people to H.R. 3309, the Innovation Act they call it this time, introduced by Chairman GOODLATTE with 14 bipartisan cosponsors.

This bill is scheduled to be marked up in the House Judiciary Committee next week, even though the committee has only held one hearing since this bill was introduced, and it was only introduced 8 legislative days ago. So something is being rammed through the process here big time. People need to see that.

And what are they trying to do?

Why are they ramming it through?

Because this is the multinational corporations who want to diminish the rights of the little guy; and only, we, the American people, can stop that with our sense of fairness and our commitment to making sure America remains the technological leader of the world, and that that isn't in the hands of these multinational corporations who aren't necessarily in allegiance with the United States.

The witnesses from these hearings on this legislation have included former Patent Office Director Kappos, and he made it clear that we should move slowly and with great care in making the many changes to the patent law that are part of this legislation, especially in light of the fact that no one yet understands the implications of the last patent bill that was passed through Congress during the last Congress.

They passed a patent bill called the America Invents Act, which is in the process of being implemented and interpreted by the Patent Office and by the courts. So we haven't digested that last bite the Congress took out of the patent law apple, and now they want us to gobble down a few more.

In and of itself, this legislation is too broad, its implications are too unclear, and its impact and effects are unknowable. That is what witnesses and other experts have indicated; and the conclusion is move forward with caution, not ram something through in just a few days.

But that is not what is happening. Congress is being railroaded into passing this legislation on top of the last legislation which we haven't even figured out how it works yet; and now, of course, they have got the patent trolls which they are telling us to be afraid of.

So we don't have to worry about any of that. Don't think. Just remember patent trolls are sinister, and we have got to stop them and pass this bill. That is what most of these people are hearing here in Congress. Congress needs to hear from their own constituents about bills like this.

So what is going on?

This congressional ramrodding exemplifies the battle to diminish America's patent system, and it has been going on for 25 years, wave after wave of attack on America's patent system. We fought them back most of the time, but this time we could lose. And you lose one, that system is changed forever.

According to the cosponsors of H.R. 3309, it is an attempt to combat this problem of patent trolls—and here it is—even though the study mandated by Congress in the last patent bill—they mandated this study by Congress, and that study that was mandated by the last law—shows that this whole much-heralded patent troll problem is not the major driver of lawsuits that we are being told, and has not created, N-O-T created a surge of new lawsuits.

Most of the provisions of the legislation they will pass through committee next week will make it much more complicated, much more costly, much more challenging to bring a lawsuit for patent infringement. That is what it is all about. They want to make it more difficult to challenge them.

Instead, if what we are really talking about are people abusing the patent system in order to abuse these businessmen, we should be, instead, making it cheaper and simpler and easier to defend against baseless accusations of infringement.

We are being asked to raise the bar for an inventor to bring a lawsuit to defend his or her rights, rather than lowering the bar to allow a small business to defend itself against frivolous lawsuits.

In addition, the claim of technical correction, under that claim, this legislation proposes to remove the patent system's only independent judicial review process, section 145 of title 35. If this passes, inventors who are not satisfied with the Patent Office administrative process will have no recourse, no recourse, although this safeguard of judicial recourse has been in American law since 1836.

This isn't some antiquated process. It is an independent judicial review; and last year the Supreme Court, in Kappos v. Hyatt, reaffirmed the importance of having judicial review when you have people in the Patent Office who are defining the property rights of American inventors, something so important to our country.

Now, the Patent Office has requested that judicial review be done away with because it is burdensome for them to defend their actions in court on the rare occasion that this happens. So, oh, it is burdensome.

Well, the Patent Office wants to strip away the rights of Americans because it is inconvenient to the bureaucracy. Boy, here is where we have got the bureaucracy and multinational corporations working hand-in-glove.

This legislation going before the Judiciary Committee here in the House next week is consistent with the decades-long war being waged on America's independent inventors.

Here are some of the sections of that bill I have been talking about, H.R. 3309, which will be going through the Judiciary Committee next week, and how it undermines America's patent system and patent rights of the little guy and opens up power grabs by the multinational corporations, which is something we have been experiencing for the last 25 years and have had to beat back every time.

Well, here we go. Here are some provisions of this bill: H.R. 3309 creates additional information requirements, which means when you are filing a legal case for infringement it is going to cost you a lot more. There is more paperwork and thus more potential for a dismissal of the case just on a technicality.

More paperwork means higher costs, more likely to have the case thrown out on a technicality, which then increases, not decreases, the chances of small patent holders being infringed.

This bill also switches to ''loser pays.'' And of course, ''loser pays'' sounds like a good idea; but when you talk about this in terms of patent rights, what we have got is these huge corporations who have got deep pockets, and if you end up having ''loser pays,'' the little guy knows for him to actually try to have the loser pay means that this big corporation can put massive expenses on to their defense, where you have only a smaller amount that is available, so you are then put in great disadvantage.

We are, again, making the little guy, putting them at the disadvantage of these big, multinational corporations.

H.R. 3309 adds a new dimension to this ''loser pays.'' It allows the Court to bring others into the case involuntarily, as a plaintiff, if they have an interest in the patent they make them liable for the cost. So if you have somebody, like Milo Farnsworth, whose patent was stolen, whose idea was stolen, anybody who would invest in his lawsuit, which is what he had to do in order to take it all the way to the Supreme Court—and God bless the Supreme Court of the United States and the United States of the America, that we have a court that sided with this little guy.

But now they want to change that so the Milo Farnsworths can't get people to invest in their suit because at that point they, then, are liable for the court costs of the big corporation that is being taken on.

This is so broad that people can be made part of an infringement case, even if their interest in the patent is just legal or innocent, such as those who have licensed the patent.

This, combined with the ''loser pay'' provision, means that if the patent holder loses the infringement suit, anyone who has done business with him may lose or be held financially liable. What a disincentive for people to support the efforts of small inventors.

This is absurd. But yet this is what is going to be going through the Judiciary Committee next week, just like they have tried to push this on us for 25 years. And the players behind this are big, multinational corporations trying to steal the technology that has been invented by America's small inventors.

H.R. 3309 allows the courts to limit discovery until clarifying the patent and infringement claim.

What does that mean? The case will take longer and thus cost more.

The transparency of patent ownership, once filing a claim for infringement, a patent holder must, according to the provisions of this proposed legislation, provide information about all parties with an interest in the patent to the Patent Office and to the accused infringer.

As a result, we have an elimination of privacy in these business dealings. The little guy is totally exposed, as are his friends.

Here again we are trying to do everything we can, and this legislation is trying to do everything that it can to try to get people not to support the little inventor. Don't get on his side. Don't give him any strength to enforce his rights because he invented something that now some multinational corporation has stolen and wants to manufacture in China.

Once this requirement has been invoked, the patent holder must maintain—here it comes—the patent holder will also have to maintain a current record of information on file in the Patent Office. Thus we have, again, bureaucratic reporting requirements for these little inventors.

That, to a big corporation, means nothing. To a small inventor, it means all of his time, all of his resources. And if, indeed, they do not report—let's put it this way, if he doesn't report it right, he could lose the intellectual property rights he is trying to protect.

In addition, the patent holder would be forced to pay recordkeeping fees to maintain a current record at the Patent Office. There we have bureaucratic fees all aimed at the little guy, because the big guys can afford this. They have got people on the payroll. They have got lawyers on the payroll.

Then we have the customer suit exemption. This section appears to remove all of the current section 296 of title 35, which specifically allows—here it goes, this is really significant—this allows inventors to sue governments who infringe on their patents.

What we are talking about here is, if a government steals a person's intellectual property, it permits them to get away with it. This emasculates the right of the American inventor, American people, to hold their government accountable if the government steals their technology. This is totally contrary to American tradition.

Limits of discovery in a court case, unless the judgment determines necessary and appropriate, again, an infringer, and this is section 6 of H.R. 3309, an infringer, especially big ones like large multinational corporations, may make an infringement paper trail.

This requires a paper trail, what we are saying here, this section, that is so broad and so diverse that a plaintiff will have to ask repeatedly for discovery.

The SPEAKER pro tempore. The gentleman's time has expired.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3350, KEEP YOUR HEALTH PLAN ACT OF 2013

Mr. BURGESS (during the Special Order of Mr. ROHRABACHER), from the Committee on Rules, submitted a privileged report (Rept. No. 113–265) on the resolution (H. Res. 413) providing for consideration of the bill (H.R. 3350) to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1915

OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the

gentlewoman from North Carolina (Ms. FOXX) for 30 minutes.

Ms. FOXX. Mr. Speaker, the decisions we make in this body matter to the people in this country. They matter to families. When Obama and the Democrats in Congress, with no Republican votes, chose to radically alter health care—something that impacts every American and compromises one-sixth of the United States economy—the effects extend well beyond committee hearing rooms, courtrooms, and government office suites. The effects are felt in doctors' offices. They are felt in homes across the Fifth District I represent. They are felt by moms and dads who are finding out the health care that they had counted on keeping, insurance they had budgeted for and know they can afford, won't be around next year.

Earlier this month, it was estimated that 160,000 North Carolinians received that unwelcome news. My constituent Dawn from Wilkes County is one of them. She wrote to me to tell me exactly how Washington's interference with her health care is affecting her. Let me let Dawn speak for herself.

Dear Representative FOXX: Never in my life have I been without health insurance. I am writing to share with you the impact of the Affordable Care Act on my health care options.

I work part-time and purchase my own health insurance. In order have an affordable monthly premium and to have the possibility of budgeting for dental and vision care as well as general medical care, I have had a high-deductible health savings account, HSA, for several years.

The Affordable Care Act has eliminated my current HSA with BlueCross BlueShield of North Carolina. I currently have an annual deductible of $5,000 and a monthly premium of $160.30.

The ACA-compliant replacement policy which I have been offered by BlueCross BlueShield will have a $5,500 annual deductible and will cost $478.60 per month. Even with a 10 percent higher deductible, this new plan will cost $318.30 per month more than what I can now afford. That is a 198 percent increase—almost three times what I now pay—for a plan with a higher deductible. Please help me understand how this is affordable care.

My husband and I do not have cable or satellite television, high-speed Internet, smartphones, or other optional services which we can cancel in order to pay the astounding increase in my health insurance premium. We do qualify for a partial subsidy to help cover the premium, but that does not change the $5,743.20 annual price for this meager health insurance policy. It merely shifts part of the expense to our children and some other taxpayers.

I have spoken with representatives in the health care exchange and www.healthcare.gov and with independent insurance brokers, but they offer little hope. Do I have any option in order to continue to live within my means and afford to pay for my own health care? I am truly bewildered.

Sincerely,

DAWN.

Mr. Speaker, reading Dawn's letter breaks my heart. This is a woman who plans ahead. She budgets carefully. She takes pride in her work and responsibility for herself and for her family. ObamaCare is changing things drastically for her and millions of other Americans like her.

With about a month to go before the Affordable Care Act renders her current health insurance illegal, Dawn is left with questions, the last of which I will repeat again:

Is it possible to live within my means and afford to pay for my own health care?

Americans took the President at his word when he said they would be able to keep the care and doctors they liked. They trusted that a law called the Affordable Care Act would actually make health care more affordable. They believed that the President wouldn't raise taxes on the middle class through this law.

Mr. Speaker, the President's broken promises are hurting families like Dawn's, but the higher premiums and the canceled plans are central to ObamaCare. The law will work only if many Americans are compelled to leave their current plans and pay more for government-approved insurance.

Now, as the country is becoming better acquainted with this very sad reality, Democrats and Republicans in Washington must recognize that repeal is still the only way to solve all of ObamaCare's problems.

The answer to America's health care challenges is not going to be found in 100 percent partisan solutions like the Affordable Care Act. We should work together to enact honest, patient-centered reforms that empower families like Dawn's with choices and custom care options so that she can continue to pay for health care and still live within her means.

Mr. Speaker, I now yield to the gentleman from California.

Mr. ROHRABACHER. I appreciate the gentlewoman yielding to me to finish my remarks.

Section 6 of H.R. 3309 calls for a limit on discovery when we are talking about patents. Just so you will know again, one of the results of these innocuous things is hard to understand. What it means is that if you limit the discovery when someone says, ''I invented this, and I am trying to have discovery with a huge corporation to find out how they infringed on my patent,'' if you limit that discovery and that little guy has to have more motions, it costs a lot more money and, thus, the little guys can't afford to bring a suit against the big guys.

So basically what we have got is a list of things in this bill that make it extremely more difficult for the little guy to afford to support and defend his own patents. And on top of that, then we have this attack on patent trolls who are there to try to assist anybody that can't afford to enforce his or her own patent. This is a boon to the huge corporations, the multinational corporations, and perhaps foreign corporations who also get involved in this.

Let us note that section 7, Small Business Education, Outreach, and Information Access, says that the Director of the Patent Office will create a database on ''patent trolls,'' thus creating a strategy to teach businesses how to defend themselves against patent trolls. You know what we have got here? We have got the creation of an enemies list. That is what we have here. Justification for people to be put on an enemies list if they are out trying to help small inventors enforce their patents.

And finally, let me just note here, section 9, Improvement and Technical Corrections to the Leahy-Smith America Invents Act, states it eliminates section 145 of title 35. Again, this is one of the most important things they are trying to slip through this process. This would, again—and I am repeating this because it is so important—eliminates the independent judicial review of patent applications, which has been the law of the land since 1836. A huge emasculation, a cut in the rights of people who are seeking patents, inventors, the creative people in our country. This would eliminate their right—if the Patent Office is not treating them fairly or has made a mistake—for a judicial review that has been a right of the Americans since 1836. This is horrendous.

This bill that is being considered next week by the House Judiciary Committee is not reform. It is an antipatent bill consistent with decades-long antipatent attacks by multinational corporations who want to emasculate America's patent system. And these multinational corporations may or may not be headed by Americans, but they are not watching out for the interests of our country; and especially, they aren't watching out for the innovators and inventors of our country.

I ask the American people, the patriots, to call their Members of Congress and oppose H.R. 3309, the Innovation Act.

And I would add one last element, as my colleague was just talking about the ObamaCare issue that we have been discussing here. One of the things that I have found most objectionable about the Affordable Care Act, they have a provision in that bill that gives a 2.5 percent tax on the gross receipts of anyone who invents a medical device.

Our inventors have helped increase the standard of living of our people, have improved the chances for survival, survival of people's families by inventing new technologies that have enabled us to fight diseases, that have taken millions of people throughout the history of the planet, taken them away in horrible agony. We have our innovators and our inventors now creating these new things.

I have a personal situation where a loved one is suffering from cancer, and that loved one has had implanted in her a little—it is a portal, they call it. It is under the skin, and it permits this person to have chemotherapy and blood transfusions without having to go through the vessels, the blood vessels.

This invention has saved this person's life, because 20 years ago, that young girl would probably have had collapsed blood vessels or died of some type of situation from infection from putting the needles in one's arm. This is what happened 20 years ago and why the survival rate now of such cancer patients has gone up.

I feel like hugging the person who invented that device. That person deserves our love and gratitude. This administration has seen fit to punish this person for this creativity and this innovation.

This administration put a 2.5 percent tax not on the net, not after all the expenses that this inventor went through to invent this, all the expenses to go into producing it, all the expenses that go into distributing it, making sure people knew how to use this new device. No, no. This is a 2.5 percent tax on the gross income. It is a horrendous penalty on the person who has saved the lives of all these people. That is what this Affordable Care Act is all about. That is what ObamaCare is all about.

In some misguided idea that we are going to redistribute the wealth and take care of everybody through government, we are now doing things that are of great harm to the people in this country, not just to the infrastructure, the financial infrastructure of our health care which is collapsing under the incompetence of this law that is foisted upon them with lies, no, but also we are now facing a situation where the very heart and soul of human progress, medical technology, is being punished through this law.

I join with my colleagues and say that this is something we should all join together, repeal, and start again and try to do a better job next time.

Ms. FOXX. I thank my colleague for his comments and yield back the balance of my time.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 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.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 6, 2013, she presented to the President of the United States, for his approval, the following bills:

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).

H.R. 3302. To name the Department of Veterans Affairs medical center in Bay Pines, Florida, as the ''C.W. Bill Young Department of Veterans Affairs Medical Center''.

ADJOURNMENT

Ms. FOXX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 29 minutes p.m.), the House adjourned until tomorrow, Friday, November 15, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3646. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting The Department's final rule — Defense Federal Acquisition Regulation Supplement: Private Sector Notification Requirements of In-Sourcing Actions DFARS Case 2012-D036 (RIN: 0750-AI05) received October 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3647. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement-Panama (DFARS Case 2012-D044) (RIN: 0750-AH79) received October 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3648. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amendment to Standards and Practices for All Appropriate Inquiries [EPA-HQ-SFUND-2013-0513; FRL-9902-22-OSWER] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3649. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Redesignation of the Columbus Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter [EPA-R05-OAR-2011-0597; FRL-9902-00-Region 5] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3650. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Removal of Gasoline Vapor Recovery from Southeast Wisconsin [EPA-R05-OAR-2012-0891; FRL-9900-17-Region 5] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3651. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Atlanta, Georgia 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan [EPA-R04-OAR-2013-0147; FRL-9902-19-Region 4] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3652. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2012-0692; FRL-9902-25-Region 4] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3653. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — D-Glucopyranose, oligomeric, decyl octyl glycosides; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0165; FRL-9901-95] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3654. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fomesafen; Pesticide Tolerances [EPA-HQ-OPP-2012-0589; FRL-9401-8] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3655. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Imazapyr; Pesticide Tolerances [EPA-HQ-OPP-2012-0583; FRL-9401-9] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3656. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of 1-Propene, 2,3,3,3-tetrafluoro- [EPA-HQ-OPPT-2008-0918; FRL-9901-97] (RIN: 2070-AB27) received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3657. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's assessment of Demand Response and Advance Metering, pursuant to Section 1252 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

3658. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Regulatory Guide 1.110 Cost-Benefit Analysis for Light-Water-Cooled Nuclear Power Reactors, Revision 1 received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3659. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-55, Notice of Proposed Issuance of Letter of Offer and Aceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3660. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-54, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3661. A letter from the Assistant Secretary, Department of Defense, transmitting a Report on Proposed Obligations for the Cooperative Threat Reduction; to the Committee on Foreign Affairs.

3662. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed by the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of

2000 (EEOICPA); to the Committee on the Judiciary.

3663. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

3664. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Feed Materials Production Center (FMPC) in Fernald, Ohio, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk or printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 413. Resolution providing for consideration of the bill (H.R. 3350) to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes (Rept. 113–265). Referred to the House Calendar.

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. BARTON (for himself, Mr. RUSH, Mr. CASSIDY, Mr. FARENTHOLD, Mr. COHEN, Ms. DELAURO, Mr. ELLISON, Ms. NORTON, Ms. SCHAKOWSKY, Mr. TIERNEY, and Ms. TSONGAS):

H.R. 3481. A bill to amend the Children's Online Privacy Protection Act of 1998 to extend, enhance, and revise the provisions relating to collection, use, and disclosure of personal information of children, to establish certain other protections for personal information of children and minors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARRETT (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. KING of New York, Mr. LUETKEMEYER, Mr. HIMES, Mrs. BACHMANN, Mr. WESTMORELAND, Mr. AL GREEN of Texas, Mr. HURT, Mr. FINCHER, Mrs. MCCARTHY of New York, Mr. MULVANEY, Mr. ROSS, Mrs. WAGNER, Mr. MURPHY of Florida, Mr. CASSIDY, Mr. SESSIONS, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. MCCAUL, Mr. HARPER, Mr. CULBERSON, Mr. DUNCAN of Tennessee, Mr. BOUSTANY, and Mr. GRIFFIN of Arkansas):

H.R. 3482. A bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes; to the Committee on Financial Services.

By Mr. POLIS:

H.R. 3483. A bill to amend title 18, United States Code, to provide exceptions from the firearm prohibitions otherwise applicable in relation to marijuana if its possession is lawful under State law; to the Committee on the Judiciary.

By Mr. JOHNSON of Georgia (for himself, Mr. MORAN, Mr. ELLISON, Mr. CARSON of Indiana, Mr. LEWIS, Mr. DAVID SCOTT of Georgia, Mr. GRAYSON, Ms. JACKSON LEE, and Mr. CONYERS):

H.R. 3484. A bill to prohibit certain individuals from possessing a firearm in an airport, and for other purposes; to the Committee on Homeland Security, 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. PRICE of Georgia (for himself, Mrs. BACHMANN, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BUCSHON, Mr. CASSIDY, Mr. CHABOT, Mr. COLE, Mr. CRAWFORD, Mr. CRENSHAW, Mr. DUNCAN of South Carolina, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. HARPER, Mr. HUDSON, Mr. HUELSKAMP, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. KING of Iowa, Mr. LAMALFA, Mr. MARCHANT, Mr. MULVANEY, Mr. OLSON, Mr. PITTENGER, Mr. PITTS, Mr. RADEL, Mr. RIBBLE, Mr. ROSS, Mr. SALMON, Mr. SESSIONS, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. YOHO):

H.R. 3485. A bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Education and the Workforce.

By Mr. GRAVES of Georgia (for himself, Mr. DUNCAN of South Carolina, Mr. WOODALL, Mr. DESANTIS, Mr. HUIZENGA of Michigan, Mr. WEBER of Texas, Mr. AMASH, Mr. ROKITA, Mr. WESTMORELAND, Mr. STUTZMAN, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. JONES, Mr. HENSARLING, Mr. MULVANEY, Mr. SCHWEIKERT, Mr. LONG, Mr. BROUN of Georgia, Mr. GINGREY of Georgia, Mr. BRADY of Texas, and Mr. HUELSKAMP):

H.R. 3486. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and the Budget, 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 Mrs. MILLER of Michigan (for herself, Mr. BRADY of Pennsylvania, Mr. GINGREY of Georgia, Mr. HARPER, Ms. LOFGREN, Mr. NUGENT, Mr. ROKITA, Mr. SCHOCK, and Mr. VARGAS):

H.R. 3487. A bill to amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes; to the Committee on House Administration.

By Mr. MEEHAN (for himself, Mr. DEFAZIO, Mr. BISHOP of Georgia, Mrs. BLACKBURN, Mr. BRADY of Pennsylvania, Mrs. BROOKS of Indiana, Mr. BROUN of Georgia, Mr. CARSON of Indiana, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COLE, Mr. CROWLEY, Mr. RODNEY DAVIS of Illinois, Mr. GERLACH, Mr. GIBSON, Mr. GENE GREEN of Texas, Mr. GRIMM, Mrs. HARTZLER, Mr. HIGGINS, Mr. JOHNSON of Ohio, Mr. JOHNSON of Georgia, Mr. JONES, Mr. JOYCE, Mr. KEATING, Mr. KING of New York, Mr. LANCE, Mr. LOBIONDO, Ms. MCCOLLUM, Mr. MCKINLEY, Ms. MENG, Mrs. MILLER of Michigan, Mr. NADLER, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PASCRELL, Mr. PETERS of Michigan, Mr. RANGEL, Mr. RENACCI, Mr. ROGERS of Alabama, Mr. SCALISE, Ms. TITUS, Mr. WESTMORELAND, Ms. WILSON of Florida, Mr. FITZPATRICK, Mr. SOUTHERLAND, Mr. RAHALL, Mr. BUCSHON, Mr. LARSEN of Washington, Mr. GEORGE MILLER of California, Mr. HUIZENGA of Michigan, Mr. COURTNEY, Mr. SESSIONS, Mr. LEWIS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUIZ, Mr. COLLINS of New York, Mr. STIVERS, Ms. BROWN of Florida, Ms. DELAURO, Mr. POE of Texas, Mr. RADEL, and Mr. GRAVES of Georgia):

H.R. 3488. A bill to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes; to the Committee on Homeland Security, 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. TIBERI (for himself, Mr. LIPINSKI, Mr. BOUSTANY, Mr. SCHOCK, Mr. BRADY of Texas, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. REICHERT, Mr. GRIFFIN of Arkansas, Mr. MCINTYRE, Mr. TURNER, Mrs. BLACK, and Mr. MURPHY of Florida):

H.R. 3489. A bill to amend section 1341 of the Patient Protection and Affordable Care Act to repeal the funding mechanism for the transitional reinsurance program in the individual market, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri (for himself and Mr. CLAY):

H.R. 3490. A bill to amend the Internal Revenue Code of 1986 to extend and expand the deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 3491. A bill to amend the Internal Revenue Code of 1986 to regulate and tax Internet gambling, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LUMMIS (for herself and Mr. BISHOP of Utah):

H.R. 3492. A bill to provide for the use of hand-propelled vessels in Yellowstone National Park, Grand Teton National Park, and the National Elk Refuge, and for other purposes; to the Committee on Natural Resources.

By Mr. WALBERG:

H.R. 3493. A bill to require a pilot program on the provision of certain information to State veterans agencies to facilitate the transition of members of the Armed Forces from military service to civilian life; to the Committee on Armed Services.

By Mr. BLUMENAUER (for himself, Mr. COBLE, Mr. MCCAUL, and Mr. DEFAZIO):

H.R. 3494. A bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for

other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CÁRDENAS:

H.R. 3495. A bill to amend the Food, Conservation, and Energy Act of 2008 to make improvements to the food safety education program carried out under such Act, and for other purposes; to the Committee on Agriculture.

By Mr. COHEN (for himself, Mr. CONYERS, and Mr. GRIJALVA):

H.R. 3496. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Education and the Workforce.

By Ms. DELAURO:

H.R. 3497. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mr. PERRY):

H.R. 3498. A bill to allow individuals to choose to opt out of the Medicare part A benefit and to allow individuals opting out of such benefit to be eligible for health savings accounts; to the Committee on Ways and Means.

By Mrs. KIRKPATRICK (for herself, Mr. DEFAZIO, Mr. HINOJOSA, Ms. BROWNLEY of California, Mr. BARBER, Mrs. NAPOLITANO, Mr. GRIJALVA, Mrs. CHRISTENSEN, Ms. SINEMA, Mr. MICHAUD, Mr. RAHALL, Mr. LOWENTHAL, Ms. KUSTER, Mrs. DAVIS of California, Ms. SHEA-PORTER, Mr. HONDA, Mr. ENYART, and Mr. MCNERNEY):

H.R. 3499. A bill to provide for advance appropriations for certain information technology accounts of the Department of Veterans Affairs, to include mental health professionals in training programs of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON (for herself, Ms. MOORE, Ms. KAPTUR, Mr. CARSON of Indiana, Mr. RANGEL, Ms. BROWN of Florida, Mr. ELLISON, Ms. FUDGE, Mr. CONYERS, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, and Ms. SCHAKOWSKY):

H.R. 3500. A bill to provide for the compensation of Federal contractor employees that were placed on unpaid leave as a result of the Federal Government shutdown, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SERRANO:

H.R. 3501. A bill to authorize the Secretary of Housing and Urban Development to provide assistance to eligible nonprofit organizations to provide specialized housing and supportive services for elderly persons who are the primary caregivers of children that are related to such persons; to the Committee on Financial Services.

By Mr. SMITH of New Jersey:

H.R. 3502. A bill to encourage States to expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses; to the Committee on the Judiciary.

By Mrs. BEATTY (for herself, Mr. RYAN of Ohio, Ms. NORTON, Mr. ELLISON, Mr. GRIJALVA, and Ms. BORDALLO):

H. Con. Res. 64. Concurrent resolution supporting the goals and ideals of suicide prevention awareness; to the Committee on Energy and Commerce.

By Mr. OLSON (for himself, Mr. WESTMORELAND, Mr. BUCSHON, Mr. WILLIAMS, Mr. YOHO, Mr. WEBER of Texas, Mr. FARENTHOLD, Mr. FLORES, Mrs. BACHMANN, Mr. GOHMERT, Mr. HUNTER, Mr. AMODEI, Mr. DUNCAN of South Carolina, Mr. BRIDENSTINE, Mr. DESJARLAIS, Mr. SAM JOHNSON of Texas, Mr. STOCKMAN, Mr. CONAWAY, Mr. ROE of Tennessee, and Mr. MASSIE):

H. Res. 411. A resolution impeaching Eric H. Holder, Jr., Attorney General of the United States, for high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. JONES, Mr. CONYERS, Mrs. NAPOLITANO, Mr. CRAMER, Mr. CRAWFORD, Mr. WOLF, Mr. LAMALFA, Mr. POE of Texas, Mr. BENTIVOLIO, Mr. PETERS of California, Mr. FOSTER, Mr. PASCRELL, Ms. SINEMA, Ms. ROS-LEHTINEN, Mrs. BUSTOS, Ms. NORTON, Mr. ENYART, Mr. BARBER, Mr. MARINO, Mr. ROTHFUS, Mr. BARLETTA, and Mr. COLLINS of New York):

H. Res. 412. A resolution amending the Rules of the House of Representatives to require a reading of the names of members of the Armed Forces who died in the previous month as a result of combat operations; to the Committee on Rules.

By Mr. GRIMM (for himself, Mrs. BEATTY, Mr. HANNA, Mr. SCHNEIDER, Mr. KING of New York, Mr. WALZ, Mr. RUNYAN, Mr. POLIS, Mr. GIBSON, Mr. LEWIS, Ms. NORTON, Mr. HINOJOSA, Ms. JACKSON LEE, Mr. TAKANO, Mr. MEEHAN, Mr. MURPHY of Florida, and Mr. WALDEN):

H. Res. 414. A resolution supporting the goals and ideals of American Education Week; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII,

152. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Puerto Rico, relative to Resolution No. 27 requesting the President and the Congress to initiate the process of admission of Puerto Rico as the 51st State of the United States of America; to the Committee on Natural Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RYAN of Ohio introduced a bill (H.R. 3503) to authorize the award of the Distinguished Service Cross to Robert L. Towles for acts of valor during the Vietnam War; which was referred to the Committee on Armed Services.

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. BARTON:

H.R. 3481.

Congress has the power to enact this legislation pursuant to the following:

[clause 3 of] section 8 of article 1 of the Constitution

By Mr. GARRETT:

H.R. 3482.

Congress has the power to enact this legislation pursuant to the following:

Article I, 1, Section 8, Clauses 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''), 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 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. POLIS:

H.R. 3483.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

Article I Section 8, Clause 18 of the United States Constitution, and Amendment II of the United States Constitution.

By Mr. JOHNSON of Georgia:

H.R. 3484.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. PRICE of Georgia:

H.R. 3485.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. GRAVES of Georgia:

H.R. 3486.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Article I, Section 8, Clause 7—

The Congress shall have Power . . . To establish Post Offices and Post Roads

By Mrs. MILLER of Michigan:

H.R. 3487.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1.

By Mr. MEEHAN:

H.R. 3488.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. TIBERI:

H.R. 3489.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GRAVES of Missouri:

H.R. 3490.

Congress has the power to enact this legislation pursuant to the following:

This Act is justified by the sixteenth amendment, which grants Congress the power to lay and collect taxes on income.

By Mr. MCDERMOTT:

H.R. 3491.

Congress has the power to enact this legislation pursuant to the following:

The principle constitutional authority for this legislation is clause 1 of section 8 of article I of the Constitution of the United States, which states: ''The Congress shall have power to lay and collect taxes . . . .''

By Mrs. LUMMIS:

H.R. 3492.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: ''The Congress shall have power to dispose of and

make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.''

By Mr. WALBERG:

H.R. 3493.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BLUMENAUER:

H.R. 3494.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution provides clear authority for Congress to pass legislation regarding our national transportation program and safety regulations within that program.

By Mr. CÁRDENAS:

H.R. 3495.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. COHEN:

H.R. 3496.

Congress has the power to enact this legislation pursuant to the following:

The changes made by this bill to the Higher Education Act are within Congress' authority under Article I, section 8, clause 1 of the Constitution.

By Ms. DELAURO:

H.R. 3497.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and the Sixteenth Amendment

By Mr. SAM JOHNSON of Texas:

H.R. 3498.

Congress has the power to enact this legislation pursuant to the following:

''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and 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 Mrs. KIRKPATRICK:

H.R. 3499.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

''The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. NORTON:

H.R. 3500.

Congress has the power to enact this legislation pursuant to the following:

clause 7 of section 9 of article I of the Constitution.

By Mr. SERRANO:

H.R. 3501.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States . . .''

By Mr. SMITH of New Jersey:

H.R. 3502.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

Mr. RYAN of Ohio:

H.R. 3503.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following Section 8 statements:

To make Rules for the Government and Regulation of the land and naval Forces.

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.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. POLIS, Mr. LUCAS, and Mr. VALADAO.

H.R. 32: Mr. MCKINLEY, Mr. BARROW of Georgia, Mr. ROE of Tennessee, and SEAN PATRICK MALONEY of New York.

H.R. 148: Mr. BRALEY of Iowa.

H.R. 182: Mr. MCNERNEY.

H.R. 276: Mr. SMITH of Missouri.

H.R. 351: Mr. TIPTON.

H.R. 366: Mr. BACHUS and Mr. MAFFEI.

H.R. 385: Mr. WALZ, Mr. GARRETT, Mr. CUMMINGS, and Mr. NEAL.

H.R. 495: Mr. SCHIFF.

H.R. 543: Mr. BISHOP of Georgia.

H.R. 578: Mr. PERRY.

H.R. 611: Mr. LATHAM.

H.R. 647: Mr. HECK of Nevada, Mrs. WALORSKI, Mr. BROUN of Georgia, and Mr. GINGREY of Georgia.

H.R. 680: Mr. CARTWRIGHT.

H.R. 685: Ms. MENG, Ms. GABBARD, and Mr. GERLACH.

H.R. 713: Mr. THOMPSON of California.

H.R. 721: Mr. CARSON of Indiana.

H.R. 863: Mr. PETERS of California.

H.R. 920: Mr. MCKINLEY.

H.R. 924: Mr. TAKANO.

H.R. 1020: Mr. SCHRADER.

H.R. 1074: Mr. PRICE of North Carolina, Mr. DOGGETT, and Mr. GINGREY of Georgia.

H.R. 1098: Mrs. MCCARTHY of New York.

H.R. 1209: Ms. NORTON.

H.R. 1250: Mr. WILSON of South Carolina and Mr. RYAN of Ohio.

H.R. 1337: Mr. DUNCAN of South Carolina and Mrs. HARTZLER.

H.R. 1354: Mr. PALLONE, Mr. MCKEON, Mr. HASTINGS of Florida, Mr. WOMACK, and Mr. LOBIONDO.

H.R. 1500: Mr. LYNCH.

H.R. 1518: Ms. GABBARD, Mr. BERA of California, Mr. HUNTER, Mr. OWENS, Mr. BENTIVOLIO, Mr. GIBBS, Mr. JOHNSON of Georgia, Mr. MICHAUD, Mr. MULVANEY, and Mr. RIBBLE.

H.R. 1524: Mr. CARTWRIGHT.

H.R. 1557: Ms. NORTON.

H.R. 1563: Mrs. MILLER of Michigan, Mr. MURPHY of Florida, and Mr. RAHALL.

H.R. 1635: Ms. BASS.

H.R. 1696: Mr. HUFFMAN.

H.R. 1732: Mrs. BEATTY.

H.R. 1749: Mr. TIERNEY.

H.R. 1755: Mr. WATT and Mr. RICHMOND.

H.R. 1869: Mr. GRIFFIN of Arkansas, Mr. SWALWELL of California, and Mr. STEWART.

H.R. 1910: Ms. KAPTUR.

H.R. 1920: Mr. BARROW of Georgia and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1941: Ms. SCHWARTZ and Mr. BLUMENAUER.

H.R. 1975: Mr. DEFAZIO and Ms. BASS.

H.R. 1980: Mr. COURTNEY.

H.R. 1982: Mr. GUTHRIE.

H.R. 1995: Ms. MCCOLLUM.

H.R. 2012: Ms. SLAUGHTER and Mr. BLUMENAUER.

H.R. 2026: Mr. WALBERG.

H.R. 2027: Mr. COLE and Mr. COTTON.

H.R. 2030: Mr. DEFAZIO.

H.R. 2058: Mrs. CAROLYN B. MALONEY of New York, Mr. POCAN, and Mr. ISRAEL.

H.R. 2068: Mr. HORSFORD.

H.R. 2073: Mr. MORAN.

H.R. 2084: Ms. HAHN.

H.R. 2103: Mr. SMITH of New Jersey.

H.R. 2118: Mrs. MCCARTHY of New York.

H.R. 2195: Mr. HOLT, Mrs. DAVIS of California, and Mr. MCNERNEY.

H.R. 2315: Mr. LATHAM.

H.R. 2328: Mr. HOLDING.

H.R. 2429: Mr. BURGESS, Mr. COLLINS of Georgia, Mr. BENISHEK, and Mr. LANCE.

H.R. 2478: Mr. NEUGEBAUER, Mr. PITTS, Mr. WALBERG, Mrs. BACHMANN, Mr. BROOKS of Alabama, Mr. RIBBLE, Mr. LAMALFA, Mr. BARTON, Mr. OLSON, and Mr. WEBER of Texas.

H.R. 2482: Mr. JOHNSON of Georgia, Mr. BEN RAY LUJÁN of New Mexico, and Mr. MCDERMOTT.

H.R. 2483: Mr. CUMMINGS.

H.R. 2499: Ms. SCHWARTZ, Mr. LANGEVIN, Mrs. CAROLYN B. MALONEY of New York, Mr. SMITH of Washington, Ms. LEE of California, Ms. CLARKE, Ms. MCCOLLUM, Mr. BECERRA, and Mr. FARR.

H.R. 2509: Mr. QUIGLEY.

H.R. 2510: Ms. BONAMICI.

H.R. 2521: Mr. MATHESON.

H.R. 2591: Mr. SESSIONS, Mr. MCDERMOTT, Mr. MORAN, and Mr. RAHALL.

H.R. 2651: Mr. ROGERS of Michigan.

H.R. 2697: Mr. GRIMM and Mr. KENNEDY.

H.R. 2734: Ms. DUCKWORTH.

H.R. 2772: Mr. PRICE of North Carolina.

H.R. 2791: Mr. AMODEI.

H.R. 2866: Mr. SALMON, Mr. POSEY, Mr. BRALEY of Iowa, Mr. UPTON, Mr. WALDEN, Mr. DENT, Mr. SESSIONS, Mr. MURPHY of Pennsylvania, Mr. LANKFORD, Mr. WOODALL, Mr. LOEBSACK, Mr. HANNA, Mr. ENGEL, Mr. MATHESON, Ms. SINEMA, Ms. GABBARD, Mr. BURGESS, Mr. PITTS, Mr. GOHMERT, Mr. BARTON, Mr. ROONEY, Mr. SOUTHERLAND, Mr. HALL, Mr. MARCHANT, Mr. MCKEON, Mr. DENHAM, Mr. SMITH of Texas, Ms. LOFGREN, Mr. KENNEDY, Mr. GRIMM, and Mrs. BLACKburn.

H.R. 2896: Ms. SCHWARTZ.

H.R. 2902: Ms. FUDGE and Ms. NORTON.

H.R. 2907: Mr. SMITH of New Jersey and Mr. YARMUTH.

H.R. 2909: Mr. NOLAN, Mr. MAFFEI, Ms. KAPTUR, Mr. PERLMUTTER, and Mr. YARMUTH.

H.R. 2939: Mrs. NEGRETE MCLEOD.

H.R. 2998: Mr. MCGOVERN.

H.R. 3040: Ms. MCCOLLUM.

H.R. 3043: Mr. MCDERMOTT and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 3061: Mr. HUFFMAN.

H.R. 3077: Mr. BROUN of Georgia.

H.R. 3086: Mr. MULLIN, Mr. DIAZ-BALART, Mrs. WAGNER, Mr. AUSTIN SCOTT of Georgia, Mrs. CHRISTENSEN, Mr. GRIJALVA, and Mr. JONES.

H.R. 3113: Mrs. MCCARTHY of New York.

H.R. 3121: Mrs. CAPITO.

H.R. 3133: Mr. HURT, Mr. DUFFY, Mr. NEUGEBAUER, Mr. GOWDY, Mr. DUNCAN of Tennessee, and Mr. FARENTHOLD.

H.R. 3154: Mr. RIGELL and Mr. COTTON.

H.R. 3155: Mr. SMITH of Nebraska.

H.R. 3172: Ms. LOFGREN, Mr. FARR, and Ms. ROYBAL-ALLARD.

H.R. 3199: Mr. FARENTHOLD.

H.R. 3229: Mr. COLE and Mr. KILMER.
H.R. 3240: Mr. STIVERS.
H.R. 3299: Mr. SMITH of Nebraska, Mr. SCHWEIKERT, Mr. GUTHRIE, Mr. BILIRAKIS, and Mr. HUIZENGA of Michigan.
H.R. 3303: Mr. BURGESS.
H.R. 3306: Mrs. MCMORRIS RODGERS and Mr. PETERS of California.
H.R. 3310: Ms. BROWNLEY of California.
H.R. 3312: Ms. CASTOR of Florida.
H.R. 3319: Mr. CHAFFETZ.
H.R. 3322: Mr. MORAN.
H.R. 3327: Mr. THOMPSON of Mississippi, Mr. BARROW of Georgia, and Mr. ENYART.
H.R. 3335: Mrs. HARTZLER and Mr. FRANKS of Arizona.
H.R. 3350: Mr. COBLE, Mr. CULBERSON, and Ms. SINEMA.
H.R. 3359: Mr. JORDAN, Mr. BENISHEK, and Mr. BUCSHON.
H.R. 3360: Mr. HECK of Nevada, Mr. COFFMAN, and Mr. CALVERT.
H.R. 3367: Mr. SCHWEIKERT.
H.R. 3370: Mr. SHERMAN, Mrs. NEGRETE MCLEOD, Ms. LOFGREN, Mr. MCGOVERN, Mr. GERLACH, Mr. COURTNEY, Mr. POCAN, and Mr. SWALWELL of California.
H.R. 3376: Mr. JOHNSON of Ohio, Mr. DUFFY, and Mr. JONES.
H.R. 3377: Mr. AMODEI.
H.R. 3384: Mr. MCNERNEY.
H.R. 3385: Ms. BROWNLEY of California.
H.R. 3389: Mr. ROTHFUS and Mrs. BACHMANN.
H.R. 3395: Mr. COURTNEY.
H.R. 3401: Mr. GRIJALVA and Mr. CLAY.
H.R. 3406: Mr. LANKFORD.
H.R. 3408: Mrs. WALORSKI, Mr. RIGELL, and Mr. GRIMM.
H.R. 3413: Mr. GRIFFIN of Arkansas, Mr. GIBBS, Mr. BARR, Mrs. NOEM, and Mr. BUCSHON.
H.R. 3416: Mr. HARRIS, Mr. BENTIVOLIO, and Mr. LONG.
H.R. 3427: Mr. NADLER.
H.R. 3429: Mr. JONES and Mr. MULLIN.
H.R. 3443: Mr. JONES, Mr. CÁRDENAS, and Mr. LOWENTHAL.
H.J. Res. 43: Mr. SHERMAN, Ms. LINDA T. SÁNCHEZ of California, Ms. HAHN, Mr. NOLAN, Mr. CICILLINE, and Ms. ROYBAL-ALLARD.
H.J. Res. 56: Mr. POCAN and Mr. SEAN PATRICK MALONEY of New York.
H. Con. Res. 16: Ms. CASTOR of Florida.
H. Res. 97: Mr. COTTON.
H. Res. 147: Mr. O'ROURKE and Mr. ROTHFUS.
H. Res. 153: Mr. MULLIN.
H. Res. 190: Ms. BROWNLEY of California.
H. Res. 231: Mr. SIMPSON, Ms. TSONGAS, and Mr. GRIFFIN of Arkansas.
H. Res. 247: Mr. PRICE of North Carolina and Mr. HECK of Washington.
H. Res. 249: Mr. DEFAZIO.
H. Res. 250: Mr. BENTIVOLIO.
H. Res. 254: Mr. DEFAZIO and Mr. CÁRDENAS.
H. Res. 281: Mr. KLINE, Mr. KINGSTON, and Mr. CARSON of Indiana.
H. Res. 356: Mr. BENISHEK, Mr. COTTON, and Mr. PETERSON.
H. Res. 357: Mr. SOUTHERLAND.
H. Res. 405: Mr. MILLER of Florida.
H. Res. 406: Mr. MCGOVERN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, NOVEMBER 14, 2013 No. 162

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine.

PRAYER

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

Let us pray.

Eternal God, who transforms common days into transfiguring and redemptive moments, hallowed be Your Name.

Lord, make our lawmakers great enough for these momentous times as they seek to live worthy of Your great Name. May Your precepts keep them from life's pitfalls, guiding them through the darkness to a safe haven. Cleanse the fountains of their hearts from all that defiles them so that they may be fit vessels to be used for Your glory. Let Your peace be within them as Your spirit inspires them to glorify You in their thoughts, words, and actions.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 14, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

FINISHING SENATE BUSINESS

Mr. REID. Mr. President, this great body, the Senate, has a unique ability to work very quickly when cooperation is present. That is one of the many special things about this institution. Unfortunately, cooperation in the recent months has been very lacking.

Case in point: One Senator has delayed action for more than a month on a bill to ensure the safety of custom medications mixed by pharmacies for patients with unique health needs.

The reason that 97 Senators voted to move this legislation is because 64 people died and 800 people were made very, very sick, with some of them very sick. They had strokes and other medical issues because of the irresponsibility and negligence of this company in Massachusetts.

A lawsuit was filed recently in Nevada where two young boys were allegedly impacted significantly as a result of this medication. It was really bad medication.

Unless the entire U.S. Senate bends to that one Senator's wish, the one who voted no—and the vote was 97 to 1—he will force this body to jump through hoops and work through the next several days wasting time to finish the crucial drug safety bill, but we are going to finish that bill. This bill is important for our country, and I cannot let one Senator dictate what goes on in the Senate.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business for 2 hours, with Republicans controlling the first half and the majority controlling the final half.

Following morning business, we will vote on adoption of the motion to proceed to H.R. 3204, the pharmaceutical drug compounding bill. This is expected to be a voice vote—at least I hope that is, in fact, the case. If that is the case, then we will decide what will happen subsequent to that.

The Senate will recess from 1 p.m. to 2:15 p.m. to allow for an important meeting we are having. I understand that both the majority and minority are holding important meetings today.

There is no agreement that I am aware of to complete action on the compounding bill today, but hopefully we can do that.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the leaders or their designees, with the Republicans controlling the first half.

RECOGNITION OF THE MINORITY LEADER

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

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

Printed on recycled paper.

OBAMACARE

Mr. MCCONNELL. Mr. President, by now I am sure every Member in this Chamber has received literally countless letters, emails, and phone calls from the millions of Americans who have been hurt by ObamaCare.

I recently saw a press release from the senior Senator from California saying that she has heard from more than 30,000 constituents who are facing skyrocketing costs or canceled plans.

Each story is unique. Each story is important. That is why this morning Senate Republicans will share some of those stories to put a human face to those who have suffered as a result of the Democrats' decision to force this law on our country.

I will start off with James Dodson, who is a constituent of mine from Owensboro. James has type 2 diabetes. He recently got a letter informing him that his high-risk pool coverage would expire next month. He says a replacement plan on the ObamaCare exchange will cause his premiums to spike from $676 to more than $1,000 a month.

Here is the question he asked me: ''Where [are] the savings the Democrats . . . promised 3 years ago?''

James' story is another reminder of why it is time for Democrats to work with us to repeal this law and start over with bipartisan reform. My constituent James is counting on them, and so are millions of others across the country who are suffering under this law.

I understand my friend from Texas has something he would like to share.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, earlier this month I launched a Web site where my constituents in Texas could describe their experiences with ObamaCare. As of this morning that site has received more than 500 submissions and the stories are simply maddening.

For example, Barry Linden of Brenham, TX, is currently waiting for an organ transplant, but because of ObamaCare his health insurance policy is being canceled, which could jeopardize his ability to access that transplant.

As Mr. Linden writes, losing his health care plan ''is a potential lifeending tragedy for me and my family. The forced dropping of my plan creates a variety of complications involving my transplant team [and] my medications.''

The ''most troubling'' thing, he adds, ''is that insurance will have to recertify my transplant.'' In other words, he will have to start all over.

Meanwhile, I also heard from another constituent in Lubbock, TX, whose 13-year-old daughter has type 1 diabetes. She has had it since age 4. Her family had a health insurance policy when she was first diagnosed and they have been happy with that policy. However, because of ObamaCare, they were recently notified that their daughter's health insurance is being canceled in December.

Stories such as this are simply infuriating and unnecessary, but they should strengthen our resolve to dismantle ObamaCare entirely and replace it with patient-centered alternatives.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, the news out of South Dakota is like it is everywhere else—it is all bad. It is cancellation notices and sticker shock that families, individuals, and small businesses are experiencing.

This is a letter from a couple I received from my State. It says:

> We got the letter. We just received a cancellation letter from our health care provider . . . I am a self employed plumber . . . We have had the same kind of health insurance for years . . . It works for us, we are happy with it.
>
> When our current plan expires in 2014 it will no longer be available. We will have to get a new plan. We will be forced to lower our deductible, carry insurance for pregnancy, pediatric eye and dental care, etc. My wife is 50 years old, I'm almost there. WE DON'T NEED COVERAGE FOR PREGNANCY OR PEDIATRIC CARE!
>
> We were told that our new policy will most likely cost us over 100% more than what we pay now. WE WILL NOT BE ABLE TO AFFORD IT. We will be without insurance and I guess we'll have to pay the Obama tax and take our chances.
>
> Obama said we could keep our plan . . . PERIOD!

This is another example from my State of cancellations and sticker shock, and that is the experience Americans are having today with ObamaCare.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, The Tennessean reported on Tuesday morning in its headline that the State's largest underwriter is notifying 66,000 clients that their policies don't meet ACA coverage requirements. In other words, they are losing those policies.

I have a letter from a woman, Emilie, who lives in Middle Tennessee who was 1 of 16,000 Tennesseans who are part of another plan called CoverTN. She is losing her policy.

She says:

> I am a 39 year old single woman with a chronic illness, Lupus. I worked my way through college.
>
> As a person with a chronic illness that was deemed ''uninsurable,'' the only way I was able to obtain health insurance was through an employer based program called CoverTN . . . Although some call it a minimal coverage plan, it has been stellar AND affordable . . . I was excited to hear about the Affordable Health Care Act. I was glad to hear that ''uninsurables'' could no longer be denied coverage . . . unfortunately [that] is NOT TRUE.
>
> I cannot keep my current plan because it does not meet the standards of coverage. This alone is a travesty. CoverTN has been a lifeline.
>
> With the discontinuation of CoverTN, I am being forced to purchase a plan . . . that will increase [my costs] by a staggering 410%. My out of pocket expense will increase by more than $6,000.00 a year. Please help me understand how this is ''affordable.''
>
> I beg of you to continue the fight for those, like me, who would only ask to be allowed to continue to have what we already enjoy. A fair health insurance plan at a fair price.

That is from Emilie, who is a 39-year-old woman from Tennessee.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, if you like your health plan, you can keep it. It is a nice sound bite, isn't it? It is also not true. My constituents have learned that the very hard way.

A constituent from Perry, IA, wrote:

> My husband and I are farmers. For nine years now we have bought our own policy. We recently received our letter that our plan was going away and effective Jan 1, 2014 it will be updated to comply with the mandates of ObamaCare.
>
> We did not get to keep our current policy. We did not get to keep our lower rates. I now have to pay for coverage that I do not want or will never use.
>
> We are the small business owner that is trying to live the American dream. I do not believe in large government that wants to run my life.

This failed promise is hitting home but, more importantly, when the President promises something and doesn't keep that promise, it goes way beyond a promise to hurt an individual. It goes to the lack of credibility of all government. What we need to be doing in this country is building up credibility of government to strengthen our institutions of government.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAPO. Mr. President, I join my colleagues on the floor today because, like many of them, my constituents are upset. Idahoans are finding out that America's promise to the American people that ''if you liked your health care plan you could keep it'' simply was not true.

Over 100,000 Idahoans will find out that they cannot keep their current plans. Idahoans such as Jennifer from Salmon, ID, are finding this out the hard way. Jennifer is a working self-employed mother of three whose current health care costs her family $375 a month. Now Jennifer is being told that her current plan is no longer available under the President's health care law and that the next available plan to her family will cost $900 per month with a $10,000 deductible. That plan will require Jennifer to spend $20,000 a year between premiums and deductibles before she has benefit coverage.

This is Kelly, another hard-working mother who was promised affordable and successful health care coverage under ObamaCare.

Optimistic to enroll, Kelly and her husband looked to sign up, only to find the plans available to their family were unaffordable and thus inaccessible.

The health care law was sold on the premise that it would help families

such as Kelly's—those struggling to get by month-to-month in our stifled economy—to obtain affordable, quality health insurance. Instead, Kelly and her husband are now considering taking the penalty fine for being uninsured under the new law as it is a more feasible option for their family at this time.

There are many more just like Kelly and Jennifer in Idaho and across the country dealing with new hardships as a result of this law. The President needs to work with Congress to find reasonable solutions to amend the many broken promises made about this law.

Thank you, Mr. President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, Beth from Tribune, KS, is a single mother of a 3-year-old son with significant physical disabilities. Her son's insurance is being canceled. To replace this policy with a similar plan, it is going to cost far more than the $750 monthly premium Beth pays now.

She writes:

> How can this be? My little boy needs health insurance. . . . Now our insurance company is telling us this policy no longer exists because it doesn't meet the government's requirements and if we'd like to get another plan it's going to cost even more for the same child . . .
>
> We didn't change children . . . it's the same child!! This doesn't make sense. We frequently visit multiple specialists. We need this insurance. It baffles me as to why this is happening. It's not rocket science . . . it's healthcare. ObamaCare is affecting those that need it the most and NOT in a good way . . . It's very stressful raising a child with significant needs . . . I'd like to be concentrating on the health and well-being of my son and not on stressing out over health insurance.

For Beth and her son, we must repeal this law.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. WICKER. Mr. President, according to the U.S. Department of Health and Human Services, my State of Mississippi will have the third highest premiums in the Nation as a result of the so-called Affordable Care Act. This is unacceptable for my State, and my colleagues can be sure I am hearing from my constituents about this.

For example, I heard from a married couple in Long Beach who own a small business. The private insurance plan they have offered to their employees for over 20 years will suffer a 33-percent premium increase on December 1. Their insurance specifically cited the ACA's mandated coverage, fees, and taxes for the increased premiums. The couple will continue to insure their employees because if they were to discontinue the coverage, their employees and families would suffer because they would not be able to afford individual plans.

I also heard from a 58-year-old graphic designer from Madison, MS, stating that his insurance premiums will double at the beginning of the year from $355 to $755. This gentleman is understandably angry about this premium increase. He understands that his insurance will now cover mandated benefits such as maternity care and birth control—something he will never use as a 58-year-old male.

I also heard from a 51-year-old disabled retired doctor and the father of two high school students. Earlier this week, he was informed by his insurance provider that his family's premiums will skyrocket in January. He says he discovered that the least expensive coverage for his family will result in a 112-percent increase in his premiums.

After hours on healthcare.gov trying to enroll his family, a firefighter, a father, and a husband discovered that the cheapest plan, a bronze plan, will be too exorbitant a cost for him to pay. He will opt to pay the penalty, and he and his family will remain uninsured.

These are real Americans who are learning that the Affordable Care Act is less affordable and less accessible.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, we all know that over 5 million Americans have lost their health care and can't keep the health care they wanted. The untold tragedy is the millions and millions more who are being priced out of the market because of the increases in costs caused by ObamaCare.

I will read an email from Rob and Jessica in Georgia that I think depicts exactly what that tragedy is.

> My husband lost a job in the recession. He could not find work, so we started our own business and have grown it over the last 3 years so that we are supporting ourselves with a modest income. We lost all of our savings, in the process of the recession, but we are proud from where we've come.
>
> We are in our 40's, healthy and self-insured. We just received a letter from our insurance company that our insurance will be going up 244 percent, from $203 a month to $495 a month. We can't believe that our government has made a decision that is costing us, and everyone we talk to, thousands of dollars. It is truly unbelievable. We have worked so hard to get where we are. We cannot afford this increase.

ObamaCare is pricing the average American out of health care.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise to discuss the impact ObamaCare is already having on my constituents, likewise, as my colleague said, in my home State of Georgia.

One of my constituents, Jeanie from Twin City, GA, is a registered nurse in a small hospital. Her husband is a retired Navy officer who served this country honorably for 20 years. They are on TRICARE, so Jeanie didn't need her employer to pay for her health care. However, because of ObamaCare, Jeanie's employer is cutting her hours to less than 30 hours a week, which means a drastic pay cut for her and her family. I fear this health care law will continue to force employers to reduce employee hours in order to avoid the unaffordable health care costs.

Another constituent, Thomas from Columbus, told me about the problem he is facing with his son. His son graduated from college, but as is the case with so many his age, he has been unable to find a job in this tough economy. His son works hard to make ends meet and was lucky to find a bartending position that would allow him to work full-time.

Service industry professionals, normally, as in the case of Thomas's son, do not receive benefits, so Thomas bought his son a catastrophic insurance plan they could afford. Now it looks certain that this plan is not going to be acceptable under ObamaCare. His son will not qualify for Medicaid, but will not be able to afford the premiums he will now have to pay for this catastrophic policy.

Our economy is still recovering and Americans are still struggling. Thomas and Jeanie are exactly the type of hardworking Americans that health care reform should be making life easier for and not harder.

It is time for the President and Democrats to join us in scrapping this law and starting anew.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, a few weeks ago we opened our Web site to Nebraskans so they could tell us what they were dealing with regarding ObamaCare. I heard from a family in Grand Island, NE, and this is what they said:

> ObamaCare has made the prospect of getting sick very scary at our house. Our monthly premium is set to go up from $578 to $714. If that's not bad enough, our maximum out-of-pocket will go from $5,000 to $12,700.

This family is facing a 24-percent increase in premiums and a whopping 154-percent increase in their out-of-pocket maximum.

The letter goes on to say:

> That's not affordable; in fact, if a member of my family were to get sick and need hospitalization, we'd be in major financial trouble. Not only that, but we only qualify for a $6 tax credit. It really feels as if those of us who work hard, do the right thing, and set good examples for our children are now being punished.

It is time to stand with the American people and actually fulfill our promises and repeal this law.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, thousands of Mainers are receiving notices that their health insurance is being canceled due to ObamaCare.

This past weekend I talked with Mark Pendergast, the owner of a small landscaping company, who just found out that the premiums for his small business plan will jump by 54 percent next year due to ObamaCare. He can't

pay that and stay competitive, and his workers can't afford it either. Their share of the premium will go up by $740 next year. Mark is worried they will simply drop their coverage and pay the fine instead.

Mark and his workers are not the only Mainers hurt by ObamaCare. Mrs. Beatrice Logan of Cape Elizabeth, ME, emailed me to express her deep concern that her family is facing an increase in their deductible from $4,500 to $12,000. Moreover, she is being told that they may not be able to continue with the health care team at Boston's Children's Hospital that has provided a lifetime of excellent care to her 19-year-old son who has cystic fibrosis.

Dave Eshelman of Falmouth told me that he and his wife are facing a more than 90-percent increase in their premiums. Having to spend an additional $5,000 a year for health insurance is no small matter to them at a time when they are struggling to start a small business.

One of the major reasons I strongly opposed the Affordable Care Act was that there was nothing ''affordable'' about it. I predicted it would lead to fewer choices and higher insurance costs for middle income families and small businesses.

Congress must work together to address the very real health care concerns of the American people and the budget realities we face. Repealing ObamaCare's poorly crafted and misguided mandates and replacing the law with a fiscally responsible reform bill that contains costs and provides more choices is the best path forward.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, Gina Sell is a 29-year-old registered nurse, a wife, a mother of two girls, and a lifelong Wisconsin native. She and her husband Joe, a heating and air-conditioning technician, currently purchase health insurance on the individual market.

Their best option under ObamaCare increases their monthly premium by $700 and their deductible by $12,000 per year. This is after an annual ObamaCare subsidy of $48. Because they both work, Gina and Joe make too much money to obtain an adequate subsidy but not enough to afford health insurance.

So what can they do? Gina has looked for a full-time job that provides health benefits, but those jobs are pretty scarce. Her only option may be to quit working altogether so they qualify for a larger subsidy. Because of ObamaCare, Gina might lose a career she loves and America might lose a much needed nurse.

In Gina's words: ''This scenario is life altering . . . My husband and I are at a loss for what we can do.''

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, many people supported President Obama's health care law based on his promises. Those words don't mean much now for millions of people receiving cancellation notices from insurers for their current plans, paying prices higher than promised and losing work hours, wages, and in some cases jobs.

In Wyoming alone, there are over 2,600 people who are losing health care coverage they like. I have received numerous letters from my constituents illustrating the scope of this problem. Greta from Laramie is one of them. Greta is in graduate school and paying for tuition out-of-pocket. She had the university's student BlueCross BlueShield insurance plan. In September, her husband and two daughters received notice that their family insurance policy was gone. They were happy with their coverage. Greta said their plan had very good coverage of maternity and well-child visits, low deductibles, and an affordable monthly premium. Her family can't afford a new health insurance plan which, according to her, ''costs more and gives me less.'' That is what we are facing as a Nation: Health care plans we can no longer keep and broken promises from the White House.

The President misinformed the American people when he said, ''If you like your health care plan, you can keep it.'' Just last week, he said the Democrats didn't do a good enough job crafting the law. To me, that sounds like a law that should have never been passed. We must continue to push for repeal of this law of broken promises and work on alternative solutions that really do what the people were promised.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BLUNT. Mr. President, Sonya and Jake, her husband, are from Troy, MO. She contacted us to tell me that when her husband quit his job a few years ago to start his own business they, of course, when that happened, lost their employer coverage, but they were able to check on health care coverage for the self-employed. They found what they thought was a really doable policy for them. They are young and they are healthy. They have six kids, but they are all pretty healthy. They were paying $400 a month, with a $5,000 deductible and 100-percent coverage after the $5,000. Their preventive care was already covered. But, of course, their policy just got canceled because it did not meet the ObamaCare guidelines. Their insurance company tells them that to get the same kind of coverage with the new guidelines, they are going to pay 125 percent more than they have been paying. Their insurance more than doubled. Their plan may not have been good enough for the new guidelines, but it was good enough for them. When the government begins to tell people what they have to have, it almost always costs people more.

Also, we are seeing the high-risk pool in our State and every State go away. I am having all kinds of people saying their insurance is going to cost more, their deductible is higher, and many times the doctor who has been part of their health care challenge right up until now is no longer available to them. So much for ''if you like your doctor, you can keep your doctor.''

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I think it is great that we have the opportunity to come to the floor today to talk about what our constituents are telling us. We do not do that enough.

Last night I had a tele-townhall meeting. We had about 25,000 Ohioans. At every one of these tele-townhalls, we do a poll asking what the most important issue is. And of the tele-townhalls we have done, which is one a month, every single time it has been jobs and the economy—until last night. Last night it was health care. That is because most of the questions I got were about health care coverage and people concerned about losing it.

Let me read a letter from one of my constituents. It is indicative of what I am hearing all around the State. This is from Dean. He lives in Sandusky, OH. He writes:

> Ever since I lost my job in 2009 I have been purchasing my own health care insurance. Last month I received a letter in the mail stating that my plan is being cancelled due to the ACA. I was told to look at plans on the exchange, which I did and I found a comparable plan that is over twice the cost of what I now have.
>
> In addition, this is over half of my monthly pension. I simply can't afford this. I have always been a responsible, hard-working, self-dependent person. Now, due to the actions of our government, for the first time in my life I will not have any health insurance coverage. I am 59 years old and I need this coverage. I am outraged to say the least. How can our government do this to us? I will remember this come election time. Please get rid of this insane law. This is unacceptable.

Well, to Dean and to my other constituents, I agree with you. It is unacceptable. We should repeal the law—it does not make sense—and then replace it with one that actually reduces the cost of health care and keep the promise the President made, which is that people can keep the health care they have.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, the President has publicly promised all Americans: If you like your plan, you can keep it. If you like your doctor, you can keep that doctor. The only change, he said, you will see is falling costs.

Well, Donna, a senior citizen from New Albany—senior citizens are not supposed to be affected by this ObamaCare—received a letter telling her that she and her husband could no longer keep their Medicare Advantage plan. It was terminated. So they found another plan—much higher cost, much higher premium, much higher deductible.

Cynthia from Lafayette, IN: I am self-employed and purchase health care

privately. I am a single parent with a mortgage payment and a child in high school. My plan was canceled, and I was given an estimate for a replacement plan that is almost double what I am paying today.

Mr. President, you have not kept your promise to seniors. You have not kept your promise to single working mothers. You have not kept your promise to families. You have not kept your promise to the people whom I represent. How can Americans trust that this government takeover will work if you cannot keep your promises to the American people?

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, in North Dakota we have a lot of farmers and we have a lot of ranchers. They are small businesspeople. They run small businesses. They are being hit very hard by ObamaCare like other small businesses across this country.

A rancher from Rhame contacted us. His name is Wayne. He ranches there. Rhame is an area where we have a lot of cowboys, a tremendous rodeo. They compete nationally. They have great livestock herds there. He writes and he says:

> I'm not one to get too upset about things, but this deal really has me mad. We got a letter a few weeks ago that said they were dropping our policy. I paid my own insurance for years and years. When I got that letter, it just hit me—because somebody in Washington decided I was too stupid to figure out if my policy was right for me or not.
>
> I don't pay a lot of attention to politics, but usually what gets decided in Washington doesn't slap you in the face like this law has with me. I have gone on HealthCare.gov and used the estimators they direct you to. I could be going from a $2,500 deductible to something between $10,000 and $12,000, the way it looks to me. This is going to cost me a lot more for something I don't even want.

If I could, I would like to read another short story from a couple in Grand Folks who got ahold of us on the marriage penalty that ObamaCare creates. She wrote:

> My husband and I met with the primary health insurance carrier in North Dakota and were told that our current coverage under the guidelines of the Affordable Care Act will cost us at least another $400 more a month, and our deductible will increase from $2,000 to $12,000. Because we are married, we cannot choose individual plans, which would be a lower deductible. In essence, we are being punished for being married. We are looking at paying more than $1,500 a month in health care because we are only 61 years old and not eligible for Medicare for another 4 years—$18,000 a year for health care!
>
> We were told that part of the problem is the provisions in the law which require us to choose a plan that has maternity benefits. How does this make sense for seniors to be forced to buy coverage that does not apply to them? We agree that benefits shouldn't be denied to people, but it is not fair to be forced to buy coverage that does not even apply.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I rise today to speak on behalf of nearly 3,000 Nebraskans who have contacted my office with their concerns about ObamaCare. Their stories are, unfortunately, not unique: skyrocketing premiums and cancellation of plans they were promised they could keep.

Curt from Lincoln, NE, wrote to tell me he has seen his Blue Cross Blue Shield premiums rise a shocking 300 percent. David, a father living in Omaha, is facing a potential total increase of $16,000 a year for his family's coverage—$16,000. Another constituent from Bertrand, NE, will see his family's deductible more than double next year. He asked: ''How is this the Affordable Care Act?'' An apology now will not help the hard-working Nebraskans who have lost or who will soon lose their current coverage. One constituent wrote, ''Folks shouldn't need a second mortgage to pay for ObamaCare.'' I agree.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I go home every weekend to talk to people. I was home last weekend for Veterans Day and was in the Target store in Casper and ran into a small business owner of a small electric company he runs. He has about four people who work with him. He is somebody on whom I have operated. He is a former patient of mine. He told me he was one of those 4 million Americans who had gotten that letter that they had lost their insurance.

He said: The President promised this would be easier to use than amazon.com. I can't get on. He said it would be cheaper than your cell phone bill. Well, that has not been the case. He said that the President said: If you like what you have, you can keep it. Clearly, that is not the case. He said: What is wrong? What is wrong with this? How can we fix it?

I got another letter from a rancher that I need to read. She is from New Castle, WY. She says:

> We are ranchers who buy our own health insurance. Currently, we pay $650 a month for an 80/20 policy with a $3,500 deductible. Our maximum family out-of-pocket is $10,000 a year. We do not carry maternity insurance because we have completed our family. I am 45 years old. I have had a hysterectomy.
>
> I recently called my insurance agent out of fear our policy could be canceled. Well, he said it would be canceled at the renewal time.

She said that he told her that their policy did not meet ObamaCare's requirement because of maternity coverage and they would have to choose a policy from the exchanges. Now, remember, she has had a hysterectomy. She does not need or want or will ever use maternity coverage.

She said the insurance agent quoted her rates for a comparable policy at $1,300 to $1,600 per month. Remember, they are now paying $650. She said the insurance agent also told her they could take a bronze policy—much less coverage than they currently have—for $900, which is still $250 a month higher than they would have to pay, but the out-of-pocket cost then was much higher, much more difficult for the family.

She said:

> We are being forced out of a good policy, which we pay for with hard-earned money and which we choose, into a dangerous financial and health care situation with less coverage and which puts my husband and I, who are proud of our sustainability, onto what we consider the welfare rolls by needing a government subsidy to afford a plan that we do not want or need.

She said:

> To say that we are angry is an understatement. Why is this happening? Why can Obama force me into this? We feel helpless. What are we supposed to do, just follow like sheep until we are either bankrupt or welfare recipients?

This is not what President of the United States promised the American people. It is not what every Democrat in this body who voted for this health care law promised the American people. The American people deserve better. They deserve to be able to get the care they need from a doctor they choose at lower costs. None of that has come true under this health care law.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the more my constituents learn about the administration's so-called Affordable Care Act, the more it becomes clear that major changes should be considered.

I recently heard from a constituent who had learned from accessing the Obama administration's enrollment Web site that the plan with the lowest cost available to him has a $7,000 yearly deductible, with a $12,000 out-of-pocket maximum and a premium of a little over $2,400 a month—nearly twice as much as he and his wife currently pay.

This family is just one example of millions of Americans who are suffering from sticker shock because of the cost of insurance plans on the President's new health insurance exchanges. The shock is made worse for those who are being rejected by the plans they were told they could keep but now cannot.

It is clear we need to urge the administration to consider going back to the drawing board. We should get together, too, here in the Senate and find common ground that makes better sense for the American people.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. SCOTT. Mr. President, for the last 3 years we have heard President Obama and our friends on the left promise—no, guarantee—that ObamaCare will help make health insurance more affordable. But day after day we see costs going up for hard-working families all across our country—not merely the rich families, not only the 1 percent, but middle-class Americans.

Last week I heard from Natalie Geiger, a wife and a mother of three in

Charleston, SC, whose health insurance costs are seeing double-digit increases.

These are the faces of real people impacted by ObamaCare. They are not stats; they are not numbers; they don't get waivers. They are taxpayers, middle-income taxpayers, and ObamaCare is forcing many to choose between saving for college for these three little kids and paying for health care. They shouldn't have to choose.

''ObamaCare'' and ''healthcare.gov'' are words that we now know are synonymous with ''failure.''

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I would like to tell the story of a constituent who emailed and is so representative of what thousands are going through in Arkansas.

Mark from Little Rock wrote to me after receiving his cancellation notice. This is what he had to say:

I recently received a notice from Blue Cross-Blue Shield that my individual health insurance policy will not be renewed after 2014 due to ObamaCare. Although I am very happy with this policy, I'm being forced out of it after 2014.

The alternative options under the Affordable Care Act are not very affordable. The closest alternative plan will increase my deductible 25% and increase my monthly premiums 300%. . . . from $285 a month to $850 a month.

Mark notes that his current plan is Blue Cross, which he describes as not a ''bad apple'' provider, and that he will be required to pay for the entire cost of this new plan out-of-pocket. These are all very serious problems with the program, and certainly Mark is not alone.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Mr. President, I recently received a letter from Kathleen Stephan of Fletcher, NC, who wrote to describe her experience with the Affordable Care Act and the impact on her health care. I wish to read her letter versus paraphrasing it.

Dear Senator BURR: I recently received a notice from Blue Cross Blue Shield of North Carolina that my health insurance policy will be cancelled effective January 1, 2014 because it does not meet all of the mandates under ObamaCare.

My current premium is $418 per month. The replacement policy being recommended to me will cost $928 per month—a 122 percent increase, and I do not qualify for subsidies.

I have had continuous coverage with Blue Cross Blue Shield for many years, and I like the plan I currently have.

I'm a 62 year old woman, and will not benefit from the mandatory additions to my plan, such as maternity coverage, newborn and pediatric care.

In the past, having continuous coverage provided a sense of security that my rates could not be raised based on a change in my health status.

I experienced such a change in 2012 when I was diagnosed with breast cancer and underwent seven months of treatment.

Now my rates are more than doubling, and the security is gone, not because of the change in my health, but because of ObamaCare.

When President Obama was selling the Affordable Care Act to the American people, he repeatedly promised that if you like your health care plan, you can keep your health care plan. Period.

I'm writing to you today to tell you that I do like my plan and I want to keep it. I'm asking for fairness for myself and the estimated millions of other Americans who will have their plans taken away by ObamaCare.

Sincerely,

KATHLEEN STEPHAN.

How do I answer Kathleen's letter?

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. RISCH. Mr. President, every one of us can stand here and tell thousands of stories. Mine will come from a gentleman by the name of Clint W., who is a small business owner. He received notice that he wasn't grandfathered, was being cancelled as of the first of the year. His premiums went from $320 to $1,200. His deductible went from $5,000 to $12,700. He says he can't afford it, and he canceled the policy so that he could save money for future medical expenses, and he is going to stay canceled for as long as he possibly can.

What struck me about this—I didn't get a lot of letters from poor people. I didn't get a lot of letters or contacts from rich people. My contacts came from middle-class America, which is what this country is. We are a middle-class country, by and large, with a small sliver of rich people at one end and some people who are deserving of our help at the other end, but those who are primarily affected by this are the middle class of America.

My good friends on the other side tried to claim they are the party that represents the middle class of America. I don't know whether they are getting the same letters we are, but if they are, they realize they have done something horrible. They didn't do a plan to help the disadvantaged, whom the Republican Party has always helped. What they have done is a social experiment that is collectivism or socialism at its worst. It is obvious it is a failure. These things don't work.

The American people, over 200 years, built a very successful insurance system and health care system in America. In 3 years this has been destroyed. There are 44 days left to make this work. If this isn't done right, there is going to be a collapse on January 1 and the American people are going to know exactly who caused it.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. RUBIO. One of the things I have discussed is the impact ObamaCare is having on Medicare and Medicare beneficiaries. Obviously, being from Florida, we have a significant number of Medicare beneficiaries and, in particular, people who are under something called Medicare Advantage. This is the only program in Medicare where seniors get to choose the type of coverage they want and things of that nature. My mom is a Medicare Advantage patient.

I wish to read a letter I received from a constituent of mine named Michelle Hatley, who lives in Destin, FL, which is in northwest Florida. This is a letter she received regarding her existing doctors. She also received a letter from one of her providers that talks about the changes that are happening. She sent this document attached to it. She states:

Here is a copy of the letter that I received from White Wilson Medical Group. As I indicated in our conversation, Sacred Heart might also be affected. My Medicare Advantage plan was the Medicare Completer through AARP and United Health Care. I have multiple chronic conditions which require treatment and consultation through several doctors. Three of my doctors are with White Wilson and 3 are with Sacred Heart. My rheumatologist, who directs my care for treatment of 2 autoimmune conditions, including rheumatoid arthritis, is with Sacred Heart and the only Rheumatologist in Destin. I am also legally blind, so transport to another doctor out of town is both difficult to arrange and expensive.

Of the plans that are available that will allow me to keep my doctors, the annual out of pocket is significantly higher as well as the co-payments and deductibles for patient visits, prescription drugs, and inpatient care. My choice has been reduced to finding ALL new doctors or enrolling in a different Medicare Advantage plan, which will cost more.

I wanted the Senator to be aware that Medicare clients are experiencing negative consequences from the ACA as well.

Since that time, after this experience, she has been able to find a plan that will help her avoid losing all six of her doctors, including her five specialists and the primary care physician. This is the catch: The new plan's out-of-pocket costs are now going from the $4,000-to-$4,500 range up to an expected $5,900. It was a tough decision for her to make, but she ultimately decided to pay more money in order to keep seeing all of her doctors who have been treating her for the past 4 to 6 years.

This is a real-life story of a Medicare Advantage recipient in this country whose out-of-pocket costs are going up because of ObamaCare. It is wrong. It is unfair. It should not stand.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I came to the floor yesterday to share many stories I am receiving from my constituents about them receiving cancellations of policies they wanted to keep and higher premiums under this law. Each story is very sad, and I feel badly for the people of my State and across this country who are suffering under this law. My constituents are pleading for relief. This is only one example.

A small business owner from Peterborough, NH, who voted for President Obama twice, told me that her family has a household income of $50,000 and their total health insurance will now cost over $19,000 for the year, which is more than their mortgage. Their local hospital isn't even on the exchange. In New Hampshire we only have one insurer on the exchange and 10 of our 26 hospitals have been excluded from that exchange.

This constituent from Peterborough wrote:

> We are frustrated, afraid, and angry beyond words. . . . I urge a postponement of implementation of the Affordable Care Act while those with the power look harder at the average American and come up with a better plan. Life shouldn't be this hard.

Citizens from across New Hampshire and this country are crying out for relief. I hope the President will listen to them and call a timeout on this law so that we can come together and, rather than what was done in this Chamber—passing a partisan law—come together for bipartisan health care solutions.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. Mr. President, it is hard to narrow down the best story to tell. In fact, they are all bad stories. They are all terrible stories. Kansans are also struggling under the consequences of the passage of the Affordable Care Act. It bothers me so many times it is suggested that this is only a problem with implementation. The problem that Americans and Kansans are facing today really is the crux, the underlying basis for the provisions of the Affordable Care Act. This is not only an implementation problem; it is not only a computer problem; it is the theory on which the Affordable Care Act was based.

An example I would like to describe to my colleagues in the Senate is from a constituent from Newton, KS, which is a city in the center of the State. He writes:

> We were notified by our health insurance carrier that our premiums on our small business plan were to increase 24% on our renewal date because of the coverage mandated by the ACA starting in 2014.
>
> As small business owners in our late 50s we have struggled to find affordable health insurance for years. About 2 years ago we were able to sign up for a plan offered to small businesses through a well known carrier. It was not a ''Cadillac'' plan since we each had a $5,000 deductible and no coverage for maternity (didn't need), contraception (didn't need), but it covered the things we wanted and needed. Unfortunately, the premium increase is going to put this plan in the unaffordable range again.
>
> I have not yet been able to get on healthcare.gov. The few times I've tried it has either been down or locked up during access. As a business owner with employees and a lot of responsibilities, the time I have to spend messing around with a slow or nonresponsive web site is limited and personally expensive.

Our constituents need help, and the Affordable Care Act is why they need help.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. PAUL. The President promised the American people that if you like your doctor, you can keep him or her. He promised that if you like your insurance, you can keep it. But he needs to tell Andy Mangione and his family why they can't keep their insurance. They had an individual policy they were happy with. They paid $333 per month, and they are now going to be asked to pay $965 per month for things they don't want and didn't choose to have. This isn't only about health care; this is about freedom of choice. This is about whether one can choose what type of insurance they want. The next question is, What is next? What choices will be taken from us?

I am going to be signing up for ObamaCare. Yesterday I tried 15 times. I wasn't able to get beyond ''create an account'' because every time I pushed ''create an account,'' nothing happened.

This is a real problem—5 million people without insurance. The President said: If you can keep your insurance, you should be allowed to. You can keep your doctor.

Something has to be done because the Mangione family is going to have to pay three times as much for an insurance policy they don't want. We are taking their freedom of choice away. I, for one, say enough is enough. Let's get rid of this. Let's give back freedom to the consumer. Give back freedom to Kentucky families. In Kentucky, 10 times more families have been canceled than have actually accessed the Web site. Something has to give.

Mr. President, if you said ''you can keep your doctor,'' come forward and tell us why we can't keep our doctor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, millions across this country are losing their health care, are losing their doctors because of ObamaCare. In Texas this past week the Austin American-Statesman reported that Austin's largest provider of cancer treatment won't participate in the health insurance plans offered through the marketplace set up by the Affordable Care Act. Indeed, they went on: ''ObamaCare looked like the sunshine on the horizon. And now it's a tornado,'' said one Austinite who has breast cancer and is being treated at Texas Oncology.

In its upcoming issue, Texas Medicine, a publication from the Texas Medical Association, references a survey by the Medical Group Management Association that says uncertainty has 40 percent of physician practices across the country pondering their participation in marketplace-based insurance plans.

But by reducing their risk, Texas Oncology is passing the burden on to some already stressed families, said Seth Winick, whose wife is being treated by Texas Oncology for breast cancer. Winick also said: ''It's an unwelcome burden and could seriously affect thousands of families who deal with cancer in our communities.''

If Winick's family is forced to pay out-of-network rates to treat his wife, the family will have to make some tough decisions. He says: ''We will make the financial sacrifice necessary to purchase the best care we can afford and we hope that it is enough.''

But Mr. Winick had nothing positive to say about the people and the care provided at Texas Oncology. He also said:

> Expanding health insurance coverage to people who don't have it is a noble goal, but the impact that has on those of us who do have it remains to be seen. Folks in the individual market don't really know what is in store.

President Obama promised the American people: If you like your health care plan, you can keep it. We now know that promise wasn't true. ObamaCare isn't working and it is time to start over.

I thank the Chair.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Arizona.

Mr. FLAKE. As my colleagues have said, I think all of us have heard from hundreds of our constituents in the past week who have had their insurance policies canceled or their insurance policies have been made unaffordable by the Affordable Care Act.

I wish to talk a minute about Greg and Linda. They live a couple doors down from me. I heard from Greg earlier this week. Greg and Linda are in their late fifties, early sixties. They know at this stage in life what kind of policy they need. They know what they do not need. They had a premium of about $400 under their old policy. They paid $440, to be exact. The new plan they have been able to find that matches most closely with what they had, after their other policy was canceled, would cost them just over $1,000—$1,055 to be exact. How is that affordable?

The President promised: If you like your plan, you can keep it. If you like your doctor, you can keep him or her. Period. That has not been the case. The President needs to explain to Greg and Linda and to hundreds and thousands of other Arizonans who are losing their health coverage how it is he said they could keep their coverage and now they can't.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the President of the United States promised: If you like your plan, you can keep it. We all know now that simply wasn't true. Though many of us have been saying this for years, many Americans, including many in my State, are realizing the pain of the President's false statement.

Dave from Utah says: My company just dropped the good insurance plan we have had for years due to ObamaCare. The Affordable Care Act is costing me more money. I am barely able to keep my family out of poverty, and now health care is going to cost me even more. Please do something to change this.

Marcy from Utah says: We own a small business in Utah and we will be forced to cancel our insurance and ourselves go on ObamaCare.

We can start over with a new way to fix our health care system, but starting

over doesn't necessarily have to mean starting from scratch. We should take those lessons we have learned and we should build around the concept of a market-driven, patient-centered health care system, one that empowers individual Americans to choose their own health insurance based on their own personal needs and based on their own preferences.

I thank the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I have two stories from South Carolina I will quickly share with the body.

Scott, from Goose Creek, SC:

> I am a college professor from Columbia, SC, at a private university. We are up for our insurance open enrollment. I am 35 years old, a vegetarian, never smoked, ridiculously low blood pressure and cholesterol.

Obviously, I have nothing in common with Scott.

Continuing Scott's story:

> I noticed the following about my policy: My share of premiums went up by 35 percent to 40 percent. In addition, my actual policy changed. My deductible tripled from $250 to $750. I cannot get regular monthly prescriptions at my pharmacy now. I am sure there are other changes that I have not examined closely enough to notice.

Thomas Dougall, from Elgin, SC: After submitting his personal information on healthcare.gov received a phone call from a Mr. Justin Hadley, a North Carolina resident, who informed him that when he signed onto healthcare.gov, he received all of Mr. and Mrs. Dougall's personal information.

This is beginning to be a very famous case.

There are 572 people who have been enrolled in ObamaCare in the State of South Carolina.

ObamaCare care is not working, and I fear it will never work. The best way to fix it is to repeal it and replace it with something that will work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I have received letters from constituents all over Utah who are scared, angry, and confused about the changes they are facing under ObamaCare. I have heard countless stories from Utahns losing their coverage and who will be forced into more expensive plans, thanks to the so-called Affordable Care Act.

One such story came from Kathy in Salt Lake City. I spoke briefly about Kathy on the floor a few weeks ago. Kathy wrote to tell me how she was notified by mail that her existing health care plan was no longer going to be offered. Instead, she was presented with an ObamaCare-compliant policy that will increase her deductible from $3,000 to $5,000, increase her copays for doctor visits by 30 percent, and increase her copays for prescription drugs as much as 50 percent.

As a result of these changes, Kathy's health care expenses will exceed her income. To quote Kathy:

> The claim that only substandard policies were canceled is a lie—the plan I was on was a good policy.

She does not trust the new healthcare.gov Web site and feels there is not adequate security to protect her personal information. In her words: ''I wouldn't touch the exchange with a 10-foot pole.''

She is not alone in feeling this way, which spells trouble for these new health care exchanges and for the President's health care law.

I yield the floor.

Ms. MURKOWSKI. Mr. President, I rise today to discuss higher premiums and deductibles facing Alaskans, despite President Obama's promise that he will lower premiums by up to $2,500 for a typical family per year. I can assure you that families in Alaska that I have heard from are experiencing just the opposite; significant, double digit increases in their premiums and they are not pleased with the President's failed promise to lower their healthcare costs.

I received a letter from a couple in Fairbanks, AK who is in the 55-plus age group and make ''decent'' but not significant incomes. They also do not qualify for Federal subsidies. They say the new cost of their insurance is ''like another mortgage payment—over $1,500 per month with an increase from $5,000 to $6,350 for each deductible.'' By my assessment, that's over $18,000 in premiums plus $6,350 for their initial out-of-pocket expenses, which totals over $24,000 before any non-routine checkups are covered. They say they would rather pay the penalty, and unfortunately, this couple is not alone in their thinking. In Alaska, a State with the second highest premiums in the Nation according to CMS' own data, many of my constituents will opt for the penalty rather than bankrupting themselves to pay for a health insurance policy. It's not surprising that the letter ends by saying, ''Not happy with the Affordable Care Act.'' I agree. And recent polls indicate that many Americans aren't happy with the Affordable Care Act.

Contrary to what we've been hearing about how higher premiums are actually making health insurance better or more affordable, that's just not the case. Mr. President, this couple wants to contribute to society. They want to be responsible citizens. But they can't when their insurance premiums costs are like another mortgage payment. This is the harsh impact the Affordable Care Act is having on everyday Alaskans who are trying to do the right thing.

The PRESIDING OFFICER. The Republican time has expired.

The Senator from California.

Mrs. BOXER. Mr. President, we have seen an array of my Republican colleagues come to the floor, which is their right—and I am glad the government is open so they can have their staff help them prepare their speeches—but I have to say this is typical of the Republicans when it comes to health care. All they do is criticize. Not one—not one because I monitored the speeches—gave one new idea of how to make sure our citizens are protected with the insurance they have or how to insure the 48 million uninsured Americans—not one.

But this is the way the Republican Party has been for years. Let's look at what happened when Medicare came to the Senate floor and to the House floor—Medicare, which is one of the most beloved programs. Sixty percent of Republicans in the Senate and 50 percent of House Republicans voted against Medicare in 1965.

Representative Durward Hall, a Republican from Missouri, said:

> We cannot stand idly by now, as the Nation is urged to embark on an ill-conceived adventure in government medicine, the end of which no one can see, and from which the patient is certain to be the ultimate sufferer.

This is typical of Republicans through the generations. Every time we have tried to expand health care they have opposed it and opposed it and tried to derail it.

Senator Milward Simpson, a Republican from Wyoming, said:

> I am disturbed about the effect this legislation would have upon our economy and upon our private insurance system.

That is what they said about Medicare, and they read horror stories. They read horror stories about it.

Here is what the Republicans aren't saying. They are saying there is a problem with the health care law that needs to be fixed, which is that people who want to keep their substandard plans are having trouble keeping their substandard plans. But President Obama has already said he is going to fix that. There is legislation to fix that. We will fix it. But that is not good enough for our Republican friends. They want to tear it down, just like they wanted to tear down Medicare.

They have even wanted to tear down Medicare more recently. This isn't ancient history, let's be clear. In 1995, Dick Armey, the Republican House majority leader, said that Medicare is ''a program I would have no part of in a free world.''

This is the Republican sentiment about health care being offered to our people. That same year, after leading an effort to raise premiums and costs for seniors, Newt Gingrich predicted that Medicare was ''going to wither on the vine.''

We have tea partiers saying hands off my Medicare. OK. That is how out of touch the Republicans are with where the people are.

In 1996, Senate majority leader Bob Dole bragged:

> I was there, fighting the fight, voting against Medicare . . . because we knew it wouldn't work in 1965.

Now PAUL RYAN's budget ends Medicare as we know it.

So let's be clear. When you see almost the entire Republican caucus come down and try to repeal the Affordable Care Act, this is not just

stemming from today or yesterday or a glitch in the Web site or a problem we have that we have to fix about people losing their substandard plans. If they want to keep them, we will figure out a way to help them fix that. But notice they never said anything about the good things the Affordable Care Act is doing for millions of people.

Because of the Affordable Care Act, 3 million young adults are now insured on their parents' plan. Yet they want to repeal the Affordable Care Act. What is going to happen to those 3 million young adults?

We have 71 million Americans getting free preventive care such as checkups, birth control, and immunizations. There are 17 million kids with preexisting conditions, such as asthma and diabetes, who can no longer be denied coverage.

They want to talk about people who are having a problem. We are going to fix that. We think it is about 5 percent of the people, but even if it is 1 percent, we should fix it.

Yesterday we learned in the first month of the open enrollment period, 106,000, or 1.4 percent of consumers expected to sign up in the first year, have enrolled. If you look at Massachusetts during its first month—and I am sure the Chair is aware of this, being from New Jersey, close to Massachusetts—only 0.3 percent, or 123 people, signed up for coverage out of the 36,000 who ultimately signed up in the first year.

So let's be clear: We all wanted to see bigger numbers, but the Affordable Care Act numbers are four times better than what Massachusetts did in its first month. If you talk to the people in Massachusetts, they love their health care plan, and our plan is based on their plan. By the way, the Massachusetts plan is a Republican plan.

Hundreds of thousands have started the enrollment process, and I am one of them. I have created an account and I am going to go shopping and buy my plan. I am taking my time because I have some time—until December—and I wish to discuss it with my husband. We are going to decide what is best for us and I am going to sign up. I think it was Secretary Sebelius who said this isn't like buying a toaster. This is a commitment for 1 year and you have to take your time.

So don't come here and tear down the Affordable Care Act without having to put anything in its place and focus on one problem the President has said he is going to fix—and we are going to fix it. Things are going to pick up.

But I wish to tell you the great news about California. Just in the first 2 weeks of November, California's enrollment has doubled. Our story is a truly good one. There is a huge amount of interest in California. People are enrolling. We do have a good Web site, which is important. People are finding affordable health care options.

At the end of the day, when the kinks are worked out, I believe the California experience will be repeated across the country to the benefit of all our families.

So I will break down some of the numbers from California. We have the largest State in the Union. I hate to say this to my friends here, but we are always ahead of the curve.

During the month of October, 370,000 Californians began the process of signing up for private coverage or Medicaid through our health insurance marketplace, Covered California—coveredCA.com. Of those, over 30,000 Californians enrolled in health exchange plans and over 72,000 applied for Medicaid. So we are off to an excellent start in California. In October, there were more than 2.4 million unique visits to Covered California. In other words, this doesn't count people going back and back. These are unique visits. More than 249,000 calls were made to Covered California call centers, and they have got it down to just a couple of minutes of wait time. To date, more than 17,000 counselors, agents, county workers, and others have been certified to offer in-person assistance to Californians.

We have heard the horror stories from over there—one side of the story—of people having a problem. We are going to fix the problem. I will quote what Californians are saying.

> I enrolled online on Monday! No website troubles! Took me about 15 minutes! I'll be saving $628 a month after January 1st! So grateful!
>
> Very short wait on the phone; helpful cheerful person to talk to. This online app is very easy. Thank you!
>
> The insurance package I am getting is more comprehensive and way cheaper than the one I've had for the last 9 years. Thank you for creating the marketplace and making the information more accessible and understandable.
>
> I find the new coverage provisions to be amazing compared to what was out there before. Many of the plans are cheaper than anything I've seen before and the one I chose has zero deductible.
>
> Simple, straightforward, and intuitive. I haven't had health insurance since 1985, so this site has made it unexpectedly easy to enroll. Thank you.

What we heard from the Republicans is from a group of people we are going to help who have substandard plans—they don't meet the standards of the Affordable Care Act; sometimes they are called junk plans—some a little better than junk, many of them are not there when you need them. I have to say, to come down here and echo that sentiment without saying the good things which have been done is outrageous.

I ask unanimous consent for 2 more minutes.

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

Mrs. BOXER. So we now know the history of the Republican Party. Sad to say, but they opposed Medicare when it went in. They tried to tear it down; they still are trying to tear it down in the Ryan budget. They come down here, and they talk about a problem that exists that we are going to fix. They never said: The President is going to fix it. He may be on the way to fixing it in moments here. But they ignore the fact that the signups are ahead of where Massachusetts was at this time.

Sage McCollister from Castro Valley told me how the law is helping her family. She was able to get insurance for her 7-year-old daughter, Leah, who was born with an autoimmune disorder. Sage said that before the Affordable Care Act was passed she applied to eight different companies to try to get insurance, but none were affordable. After the law went into effect, she was able to get insurance for Leah for $8 a month. Leah was able to get a procedure done to treat a spinal cord problem that could have resulted in paralysis. Sage said that without the Affordable Care Act, ''my family would be bankrupt and Leah wouldn't have gotten the health care she needs.''

''Obamacare saved my family from financial ruin,'' said another constituent, Janine Urbaniak Reid.

So let's be fair. To come down to the floor one after the other and shed light on one problem we are going to fix—that the President said he was going to fix—and then say you are going to repeal the whole thing sounds just like their predecessors who said that Medicare was terrible and that Social Security was an awful idea. That is what this is about.

We are going to make history here. We are going to do the right thing. We are going to fix the problems, and there will be more because that is what happens when we are tackling this big issue. But at the end of the day, we will be a better nation, a healthier nation. Our children will have a brighter future, and I stand with those who want progress. We are not going to tear something down like they want to do and go right back to where we were before—with parents like these having to choose between feeding their families and giving their kids health care.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I thank the Senator from California for telling the stories of people in California, which are not unlike the stories in Connecticut—an exchange that is working, a flood of people signing up way above expectations from where we originally thought the numbers would be. I thank her as well for pointing out what is the reality—which is that over 40 times Republicans in the House of Representatives and in the Senate have voted to repeal the health care reform law. Even well over the last 5 years, using over and over this mantra of repeal and replace, they have offered absolutely no replacement.

There is a story in one of the trade publications this morning saying that the Republicans were just going to change their strategy. Instead of piling on repeal vote after repeal vote, they are now just going to come down to the

floor and use their committee chairmanships to simply criticize the law, and shelve, for the time being, their incessant efforts to try to repeal the law entirely.

But make no mistake, that continues to be their intention. While they are going to come down to the floor of the Senate, as they did this morning, and tell a handful of anecdotes about people who are dissatisfied with the law, their true intention is to get rid of the entire law and go back to a world in which 30 million people in this country had no access to insurance; that if you got sick, you would lose your insurance; a world in which insurance companies essentially set the rules of the game, to the disadvantage of providers and patients. That is what the agenda is here, to repeal the law and go back to the status quo, which is unacceptable—the highest number of uninsured citizens in the industrialized world, the most expensive health care system by a factor of two, compared to all of our G–20 competitors.

I get it that there are people who are unhappy, and the President is going to make an announcement later today which is going to set a path forward to try to fix one of the issues with the law with respect to cancelled policies. But I will share a couple of other stories about what the reality of the old system was.

Kyle is today about 11 years old, but when we first came into my office he was an 8-year-old living with hemophilia. Kyle is an amazingly brave young man who inspires courage in his parents. But Kyle has to get three to four injections a week in order to treat his hemophilia, and each one of those injections costs $3,000.

His plan prior to health care reform had a feature in it that most people didn't know was included in their health care plan. That was a lifetime cap on the amount of money his health insurance company would pay for his care. Because Kyle was mounting up bills in the tens of thousands of dollars every week, his family was going to hit that cap very quickly and then be on the hook for those $3,000 injections that Kyle needs to take three to four times a week. That was going to bankrupt Kyle's family. They thank their lucky stars that we passed this health care reform law, because now their insurance has to be real insurance. It protects them against their lifetime exposure of high health care costs.

Think about the Burgers from Meriden, CT. Betty and her husband had insurance their entire life, except for a 1-week period of time when Betty's husband switched jobs. During that 1-week period of time, their son was diagnosed with cancer, and because that was then a preexisting condition, her husband's new insurance plan wouldn't cover their son's treatment. Their story, unfortunately, can be told millions of times over across this country—because the Burgers went bankrupt. They lost their savings, they lost their house, and they lost everything as they mounted up huge bills to pay for their son's cancer treatments, just because he got diagnosed during a 1-week period of time in which their family had no health care insurance. That practice ends with the implementation of this health care law. No sick person can be denied insurance simply because of a preexisting condition, simply because a diagnosis happened to happen during a small window of time in which their family didn't have insurance.

I get it that the road has been a little bumpy as we have implemented this new health care system. But it is nothing compared to the bumps which have been encountered by millions of families across this country who have been abused by a system which simply does not work.

If our biggest problem is that enough people who don't have insurance aren't signing up quick enough for insurance, that is a problem I will accept because it is a problem we can fix. If all we are talking about here is just the pace at which people are going from uninsured to insured, then we can fix that. We can fix that because we know the product is good.

Senator BOXER talked about the Massachusetts experience, where during the first month of their enrollment for the Massachusetts exchange only 0.3 percent of the total signed up during that month. Why? Because people take their time. This is not an easy decision, to sign up for health care. But in Connecticut, where we have an exchange which has been up and running and a Web site that is working, in the first month our number wasn't 0.3 percent. We enrolled nearly 10 percent of our expected total in the first 30 days.

Here is what people say about their experience with Connecticut's exchange. One person said: This is a great resource for Connecticut residents to apply for health coverage thanks to the health care law.

Another said: I chose Access Health because I have been denied in the past by other carriers before this law changed.

Another said: Thank you so much for this health care law. I haven't been insured in a decade. I am so, so thankful.

Another said: Thank you for this program. I lost my job a year ago and couldn't find anything that I can afford in health coverage before this law passed.

Finally, another said: Thank you. This law is helpful and appreciated. God bless America, and thank you President Obama.

The President is going to make an announcement which will paint a path forward for the relatively small number of Americans—4 percent—who get their insurance in the individual market, some of which have had their plans canceled. But the solution with respect to the timing of enrollment is not to abandon the law, as is the real agenda of people on this floor. The solution is to fix the problem so that, like in Connecticut, more people across this country can for the first time have access to affordable quality health care.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleagues from Connecticut and California for coming to the floor.

We saw for the last hour Republican Senators come to floor and tell a number of stories about individuals and the difficulties they have run into with health insurance. I don't dispute the facts they have brought to the floor, but I do dispute their characterization of what America faces at this moment in time.

I supported the Affordable Care Act. I believe it was the right thing to do. I still believe it. I will tell you right off the bat—and most Democrats and Republicans would agree on this point—it is off to a rocky start.

This Web site that was supposed to be ready October 1 we are told will be ready by November 30. I hope it is, and the sooner the better. I am told it is improving by the day. That is good. Americans need access to information about health insurance. And when they have that access, they can do something—for many of them for the first time in their lives—go shopping for health insurance. There are a lot of people who have never had that luxury. Some have never had health insurance one day in their lives. Others have been given a ''take it or leave it'' situation, with a policy that may or may not be worth anything.

I listened carefully to the Republicans for a long time on the issue of health insurance. I have heard a lot of criticism, a lot of complaints. They want to defund ObamaCare. They want to delay the Affordable Care Act. They want to destroy it.

They do not have an alternative. ''We want to repair it and replace it.'' Then let's hear your proposal. We never heard one during the course of our debate on creating this law 3½ years ago. We kept waiting for a Republican plan. The honest answer is they had none and apparently they still do not.

The reason they do not is they fall back and say let the marketplace decide. Many of us know the marketplace in health care personally. We know a marketplace that has turned away 40 to 50 million people who are uninsured in America, people who still get sick, still go to the hospital, and whose bills are paid by everyone else.

The Republican Party is supposed to be the party of responsibility and rugged individualism. What about the responsibility we all have, if we can afford it, to have health insurance and as a country to provide the means for those who cannot afford it so they can have protection too. That to me is responsible. Trying to just stop this reform is irresponsible.

When you get into the specifics on the Affordable Care Act you never hear

a Republican Senator come to the floor and make a case against the specifics. Do you know why? They cannot. Is there a Republican Senator who will come to the floor and defend the right of a health insurance company to turn down a person or a family because of a preexisting condition? That is the situation we faced when we passed the Affordable Care Act. Is there a family in America who does not have someone with a preexisting condition? Most families do. My family has in the past and does now too.

Preexisting conditions can range from the very serious to conditions which are chronic and manageable, from asthma and diabetes to cancer survivors. The list is long. The Affordable Care Act says you cannot turn down a person in America for health insurance because of a preexisting condition.

The Republicans say they want to repeal that. If they want to go back to the day where you can turn down a person because of a preexisting condition, then have the courage to come to the floor and say it. They will not.

The law also says you cannot limit the lifetime payout on a health insurance policy. There were a lot of people who thought $100,000 was a lot of money for health care until they got into a serious situation. We are one diagnosis, one serious disease, one accident away from medical bills that would wipe out $100,000 in a day or two. So we put in the Affordable Care Act that there can be no upper lifetime limit when it comes to the payout under the health care insurance policy.

The Republicans say they want to repeal it. I challenge any Republican Senator to come to the floor and explain that one.

Did you know as well that of the family policies sold in America, 60 percent of the family policies did not cover maternity benefits? We require the coverage of maternity benefits. Let me tell you, my wife and I are not in a situation where we are likely to ever use those personally, but we happen to believe it is a good policy across America and it is family friendly across America to make sure policies cover maternity. Those who talk about family values and love of family and love of babies and children, why in the world would you not want to include that protection in all family policies? Spread the risk across the population but make sure every family can afford to have prenatal care for a healthy baby and a healthy mom when that blessed event arrives. I am waiting for the first Republican to come to the floor and say that is a bad idea too.

Incidentally, health insurance policies used to discriminate against certain groups, particularly women. We said that is over. You cannot discriminate against women and treat them differently. You have to be fair in the allocation of this risk and you cannot use gender as a basis for increasing the cost of a policy. The Republicans want to repeal that. I am waiting for the first Republican Senator to come to the floor and say health insurance policies, because of the free market, should be allowed to discriminate against women. That is a reality.

The other provision we provide in the Affordable Care Act, finally, is families with children coming out of college, looking for a job, can keep their kids on their health insurance policies to the age of 26. We do not know exactly how many are helped by this. Some estimate 300,000-plus young people still on their families' policies. Why is it a good thing? Because a lot of young people coming out of college do not find a job right away, and some that do may not have a full-time job or benefits. If you have ever been a mom or dad—and I have been in that circumstance as a father, where I called my daughter and I said: Jennifer, do you have health insurance? Dad, I don't need it; I am healthy. Those are things that keep you up at night. The Affordable Care Act provides additional protection for these young Americans who are just starting out in life and trying to find a job. The Republicans want to repeal it. I am waiting for the first Republican Senator to come to the floor and make that case. Oh, we should make sure young people in their twenties do not have health insurance. That is the result if you repeal the Affordable Care Act.

What about senior citizens? Medicare Part D provides prescription coverage so senior citizens can stay healthy, independent, and strong for as long as possible. The problem we had, of course, was something called the doughnut hole. It meant out-of-pocket expenses seniors had to pay for those prescriptions. We are closing and filling the doughnut hole so seniors are not giving up their life savings in order to have the prescription drugs they need for a healthy life. They want to repeal that. They want to repeal the Affordable Care Act. I am waiting for the first Republican Senator to come to the floor and say seniors ought to pay more for the prescriptions they need under Medicare, because that is the result of repealing the Affordable Care Act.

Let me also say this. Life experience tells us several things. First, premiums on health insurance go up with some frequency. We are trying to slow down the rate of growth, but they have been going up for a long time. In some markets, for example, when it comes to individual policies people are buying, those have gone up rather dramatically, sometimes 15 percent a year for a long period of time. Second, in that market of individuals buying health insurance, 67 percent of those policies are canceled every 2 years. Now they come to the floor and tell us stories about premiums going up and cancellations. Can I remind my friends on the Republican side that has been going on for a long time. Now they blame every cancellation on the Affordable Care Act. They blame every premium increase on the Affordable Care Act. That is just not factual. It is not true.

Let me tell you about some mail I have received on the subject. Here is an email from a constituent in Illinois I would like to read. Here is what this constituent writes:

> As a lifelong Republican I am absolutely appalled by the extremists who have hijacked MY party! And I am thoroughly ashamed of all the attempts to defund President Obama's healthcare act.
>
> Already, my medical costs have dropped due to early provisions of the act—and if it passes [becomes law] it appears I will be able to save $6,000 per year on the cost of my premiums!
>
> I realize that not everyone shares my enthusiasm for the healthcare bill, but I would make two comments:
>
> 1. When the act is broken down into its component parts, polls consistently show that the American people do agree with the program.
>
> 2. All I'm asking is that we give it a fair trial—[give it a fair chance]—say, two years. Of course it will need tweaking and revising.
>
> But if it doesn't work, it can be repealed then. Quite frankly, obstructionists are a public embarrassment to those of us who grew up with a different Republican party that cared about people and was not madly trying to exclude as many as possible through hateful bigotry and racism.
>
> This is TOO IMPORTANT to let it fail! I stand with the President and the Democratic Party on this issue and hope that you will do everything in your power to see that the Healthcare Act remains in force.

Take a look at what is going on around this country. There have been Senators from States who come to the floor, and I will use for example the Senators from the Commonwealth of Kentucky, both of whom came to the floor and called for the repeal of the Affordable Care Act. Let's take a look at the numbers. I believe, with a flawed startup, which I will readily concede, in the Commonwealth of Kentucky, according to the Washington Post, 76,294 people have already submitted completed applications under the new health care law; 39,207 are eligible to enroll in the plan, and as of this date, 5,586 have selected a plan. Kentucky is leading, on a per capita basis, many other States; some larger, some smaller. Kentucky is leading while its two Senators come to the floor and rail against the very health care law the people of Kentucky apparently need and want and are exercising their right to choose.

I salute Governor Beshear in Kentucky. He stood and said: Get out of the way. If you don't want to help Kentuckians to get good health care, get out of the way. We are going to give them a chance, and he is doing it. Other States, fighting the President and fighting Congress tooth and nail, they are not going to cooperate at all. We wonder why the startup has been so slow. It has to be without that cooperation, it makes it more difficult. I am not making any excuses for the Web site. It has to be improved. It has to be better—and it will be.

Take a look at that experience in Massachusetts. The Senator from California talked about that earlier. During the first month of enrollment in Massachusetts, 123 people signed up—in the first 30 days. By the end of the year, though, 36,000 had signed up. The number of uninsured young people went from 25 percent to 10 percent within 3 years. Massachusetts today, because of the leadership of Gov. Mitt Romney and the cooperation of the Democratic legislature in that State, has nearly universal health insurance coverage. However, the rollout was not without some problems, just as ours. The current Governor, Deval Patrick, said there were a series of Web site problems. He also said the Web site was a work in progress for the first few years. There were outages during peak times and problems searching for providers.

I recently met with a doctor from Boston. He is one of the best. He said people in Massachusetts cannot remember what it was like before, what it was like before people had health insurance. This doctor is an oncologist. He deals with people who are diagnosed with cancer. He had a 19-year-old woman come into his office before they had this version of the affordable health care act in the State of Massachusetts, and he said to her: We can cure you, but we have to really do this aggressively. It is going to take chemo, going to take radiation, it is going to take surgery.

This 19-year-old woman said: Please, don't tell my parents. I cannot afford to pay for this. If they hear this, they are going to mortgage their home to pay for my medical care and I don't want them to do it.

The parents learned and the parents made the decision and they mortgaged their home and their daughter's life was saved. This oncological doctor, this cancer doctor, said to me: Senator, I have never run into another case like that since Massachusetts passed its affordable health care act, since people have basic insurance and basic protection.

The life-and-death choices people make every single day should be front and center here and not the political squabbles that have become the trademark of this town. We have to understand that there are hard-working people across America who have no health insurance. There are families with people with preexisting conditions who cannot get a decent policy. They are going to be given their chance. We will be a better America for it, and I say to the Republican critics: After this is in place, after thousands, maybe even millions of Americans have signed up, you are not going to take it away. They are going to fight to keep it, and I am going to stand by them in that fight to make sure they have supporters and champions on the floor of the Senate.

Mrs. BOXER. Will the Senator yield through the Chair for a couple of questions?

Mr. DURBIN. I will be happy to yield for a question.

Mrs. BOXER. I thank the Senator. I see the Senator from Colorado is here as well. It was so interesting to see Republican Senator after Republican Senator come down here to focus on one of the problems we are having and are going to fix. Not one of them touched any of the issues my colleague spoke about or I spoke about or that the Senator from Connecticut did, which is the broad look at what we were facing when we passed the Affordable Care Act, the benefits that have gone into place that are saving our families from bankruptcy and saving lives. I know my friend was very clear.

When the Senator said that to see this become all about politics is something that is so wrong—we all know there is a time for politics. The Senator and I are into that. We understand that. There is a time and place.

There is also a time and place to put that aside and help our families. I wished to ask my friend a couple of questions. Does he not remember, as I do, that years ago as we were facing a crisis in health care in this Nation, before the Affordable Care Act, we found out from constituents over and over that their insurance company would walk away from them just at the time they got sick?

They thought they had a policy, as some of our people think they have good policies that do not meet the standards, but when they got sick—I remember constituents saying they get a call: You know, back 5 years ago you didn't mention the fact that you once had high blood pressure. We are sorry. We are canceling your policy.

Does my friend remember that? Does my friend remember learning, as I did, with shock, that being a woman was a preexisting condition? For example, if you were a victim of abuse as a woman, they said you were too much of a risk and they turned you away.

Does my friend remember just those two problems before we tackled the Affordable Care Act?

Mr. DURBIN. I thank the Senator, and responding through the Chair, there was a time, as a Member of Congress and a Senator, this was a normal request. People would call your office and say: I am at my wit's end. My health insurance company will not cover the problems my family faces. Can you make a call to an insurance executive? And we have. Almost to a person, Members of the House and Senate have done it, trying to advocate to get them to open coverage under a health insurance policy. That was the reality and, frankly, for many of these health insurance companies, any excuse would do. They would disqualify people on preexisting conditions because as an adolescent the insured had acne. Acne was deemed as a preexisting condition and subject to disqualification.

I see the Senator from Colorado is on the floor, and I want to yield time to him.

I thank my colleague from California for coming forward. I hope at some point the Republicans—who are so adamant about repealing and ending ObamaCare, as they call it, or the Affordable Care Act—would have one good idea on their own about providing affordable health insurance to the people across America. We all share that responsibility.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

DRUG QUALITY AND SECURITY ACT

Mr. BENNET. I have to say what a joy it is to see the Presiding Officer in that Chair, and welcome to the Senate.

I am here to talk about the Drug Quality and Security Act for a few minutes because at this moment of dysfunction in the Congress, we are at the brink of accomplishing something we have not been able to do for the last 25 years—the last quarter of a century.

This bill, which we are about to send to the President, reforms our drug distribution supply chain, making it more secure and safer for families. It puts us on a path to electronic interoperable tracing at the unit level for drugs.

It also raises the bar for wholesale distributors around the country and weeds out bad actors who find loopholes in the system to stockpile drugs and create shortages. This bill cannot come soon enough.

Our Colorado pharmacies fill over 60 million prescriptions every single year, and the Coloradans who take these prescriptions, just like people all over the country, expect their medicine to be safe. The sad fact is that given the current laws in place, we cannot guarantee this. Pharmacists cannot determine with any certainty where a drug has been and whether it has been secured and safely stored on its way to a pharmacy. Right now you can get more data from a barcode on a gallon of milk than you can from one bottle of aspirin two aisles over in the store.

The normal chain moves drugs from the manufacturer to a wholesaler to a pharmacy. Under the current patchwork of State laws, drugs travel back and forth across State lines among repackagers, wholesalers, and pharmacies with no real oversight by anybody.

The more times a drug goes back and forth and changes hands, the more opportunities criminals find to enter the system. In the last decade this lack of oversight has created an enormous gray market in the United States of America. Companies can stockpile drugs that are in high demand and sell them later at dramatically higher prices.

Hospitals in Colorado are bombarded by daily calls and messages from various businesses around the country offering them drugs that are on the FDA drug shortage list and unavailable through their contracted wholesaler.

According to a recent study by Premier Alliance, which includes 30 Colorado hospitals, sale prices of drugs that are in shortage are, on average, 650 percent higher than the contracted prices. These hospitals have absolutely no idea whether the businesses that are approaching them are reputable and how they can have supply of these drugs that are in shortage.

Investigations into the gray market have shown that the current law offers a huge incentive to make outrageous profits at the expense of patients, whether through selling and reselling or counterfeiting or tainting drugs.

A little over a decade ago, criminals in Florida made $46 million by counterfeiting 110,000 dosages of Epogen, a drug used to treat anemia—a side effect of chemotherapy and dialysis. These criminals sold the counterfeit drugs to pharmacies around the country. The FDA recovered less than 10 percent of the counterfeit product.

In 2009, nearly 130,000 vials of insulin, a temperature-sensitive drug to treat diabetes, were stolen and later found across the country in a national pharmacy chain. The FDA—which had been notified that patients who used some of this insulin were reporting poor control over their insulin levels—was able to recover less than 2 percent of these stolen drugs.

A few years ago $75 million worth of drugs were stolen from an Eli Lilly warehouse and later found in south Florida—becoming the largest drug heist in the country's history.

Just this year the FDA notified the public about counterfeit Avastin, a drug used to treat cancer, which was being sold from a licensed wholesaler in Tennessee.

These stories should scare any person in any State who takes a prescription. Fortunately, the practical compromise before us today will give consumers and businesses around the country peace of mind.

Over the next decade, manufacturers, repackagers, wholesale distributors, and pharmacies will form an electronic interoperable system to track and trace drugs at the unit level. The barcode on our pill bottles will soon tell us who has actually handled the medicine we take and give to our children.

Starting in 2015, the FDA will also know where every drug wholesaler is located across the country and begin to ensure that all wholesalers meet a minimum national standard.

This legislation, after 25 years, is a model of what can be accomplished through hard work and pragmatism in the U.S. Congress. This bipartisan effort has the support of business groups, such as PhRMA, GPhA, and BIO, as well as consumer groups, such as the Pew Charitable Trusts, and many others.

I cannot say enough about the leadership of Chairman HARKIN and Ranking Member ALEXANDER in driving us to get consensus on this bill. Their commitment to track and trace, as well as compounding, sets an example that I wish could be replicated many times over.

I thank Senator FRANKEN and Senator ROBERTS for their leadership on the compounding part of this bill.

Finally, I want to acknowledge the relentless—and that is the only way to describe it—effort of Senator RICHARD BURR. He has been a true advocate and outstanding partner with me and my staff. His tireless efforts, and that of his staff, helped us move this legislation into law.

While we are on that topic, and to close, I thank all of the staff who have worked on this important legislation.

I ask unanimous consent that their names be printed in the RECORD at the conclusion of my remarks.

I hope we have a strong show of support for this bill—as I know we will—on the floor of the Senate so we can get it to the President's desk. This bill will restore a sense of safety about our pharmaceutical distribution chain.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Rohini Kosoglu, Senator Bennet; Anna Abram, Senator Burr; Jenelle Krishnamoorthy, Senator Harkin; MarySumpter Lapinski, Senator Alexander; Elizabeth Jungman, Senator Harkin; Grace Stuntz, Senator Alexander; Nathan Brown, Senator Harkin; Molly Fishman, Senator Bennet; Margaret Coulter, Senator Burr; Pam Smith, Senator Harkin; David Cleary, Senator Alexander; Hannah Katch, Senator Franken; Jennifer Boyer, Senator Roberts.

Mr. BENNET. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I realize the Presiding Officer is not allowed to respond, but I want to add my words to those of the distinguished Senator from Colorado that I am delighted to see the Senator in the Chair. Again, as I did the other day, I welcome him to the Senate.

GUANTANAMO BAY

Mr. LEAHY. More than 12 years after the terrorist attacks of September 11, as we see our military presence in Afghanistan wind down, it is time to take a hard look at our counterterrorism policy. We need to consider which of our policies are working and which, while perhaps well-intentioned when they were adopted in the highly charged weeks and months after 9/11, are not making us safer. There is ample evidence that the status quo is unsustainable.

As recent revelations have made clear, we need a careful review of our surveillance activities. For example, this summer many Americans learned for the first time that Section 215 of the USA PATRIOT Act has for years been secretly interpreted to authorize the collection of Americans' phone records on an unprecedented scale.

Despite the massive privacy intrusion of this program, the executive branch has not made the case that this program is uniquely valuable to protecting our national security, and that is why I introduced the bipartisan USA FREEDOM Act with Congressman SENSENBRENNER. We want to end this dragnet collection and place appropriate safeguards on a wide range of government surveillance authorities.

We also must close the detention facility at Guantanamo Bay. In the coming days the Senate will take up and debate the National Defense Authorization Act for Fiscal Year 2014. That act contains many provisions that are central to our national security, and many of those provisions will help our allies around the world.

Among the most important are provisions that would help make it possible to close the facility at Guantanamo. As long as Guantanamo remains open, it doesn't protect our national security. It serves as a recruiting tool for terrorists, it needlessly siphons away critical national security dollars, and discredits America's historic role as a global leader that defends human rights and the rule of law. As a United States Senator, I feel that this is not the face of America I want the world to see.

Currently, 164 individuals remain detained at Guantanamo. Most of them have been there for more than a decade. More than half—84—have been cleared for transfer to another country, but efforts to do so have stalled largely due to irrationally onerous restrictions imposed by Congress. These unnecessary and counterproductive hurdles have made it all but impossible to close Guantanamo, and they have also severely damaged our credibility when we criticize other governments for their use of indefinite detention. We used to be able to do that. Now they look at us and say: How can you speak?

Provisions in the 2014 NDAA would ease these restrictions. While they are incremental, they would streamline procedures for transferring detainees to other countries, and, where appropriate, allow them to be transferred to the United States for trial or detention. These are common sense changes and they are necessary if we are serious about putting an end to what I believe is an ugly chapter in our history.

There are some who will come to the floor of this Chamber over the next several days to tell us how dangerous and irresponsible it would be to close Guantanamo. I would answer that the facts are simply not with them. The bottom line is that Guantanamo hurts us; it does not help us.

Guantanamo does not make us safer. We are all committed—all of us in this body—to protecting the national security of the United States and the American people, but Guantanamo undermines those efforts. Our national security and military leaders have concluded that keeping Guantanamo open is itself a risk to our national security.

The facility continues to serve as a recruitment tool for terrorists. It weakens our alliances with key international partners.

Guantanamo does not hold terrorists accountable. The military commission system for trying these detainees does not work. Federal courts have recently overturned two Guantanamo convictions in opinions that will actually prevent the military commission prosecutors from bringing conspiracy and material charges against detainees—a fact acknowledged by the lead military prosecutor at Guantanamo.

These charges, however, can be pursued in Federal courts where our prosecutors have a strong track record of obtaining long prison sentences against those who seek to do us harm. Since 9/11, Federal courts have convicted more than 500 terrorism-related suspects, and they remain securely behind bars.

Guantanamo is also diverting scarce resources from critical national security efforts at a time when the Department of Defense faces deep and ongoing cuts. Most Americans would be surprised to know how much it costs to maintain Guantanamo. It costs about $450 million a year to house 164 individuals. That means we are spending about $2.7 million per detainee every year—every year—year in, year out, and some have been there for more than a decade.

In Federal prisons, it costs less than $80,000 a year to hold an individual, compared to $2.7 million at Guantanamo. So $80,000 at our most secure Federal prisons, which have housed hundreds of convicted terrorists for decades. There has never been an escape. And, despite the fact the Pentagon rejected a request earlier this year to spend hundreds of millions of dollars to overhaul the aging compound, House Republicans included this spending in their version of the National Defense Authorization Act.

We can't get money for school lunches for our children, we can't get money for the Women, Infants, and Children Program, but we can continue to spend hundreds of millions of dollars more for Guantanamo. Our priorities as Americans are upside down.

The money squandered on this long-failed experiment would be better served helping disabled veterans returning home from war and soldiers preparing to defend our Nation in the future. We don't have enough money to do that, but we have enough money to keep Guantanamo open. Come on. This waste must end.

Guantanamo has undermined our reputation as a champion of human rights. Countries that respect the rule of law and human rights do not lock away prisoners indefinitely without charge or trial. We condemn authoritarian states that carry out such practices and we should not tolerate them ourselves, even for our worst enemies. We are a better people than that.

The status quo at Guantanamo is untenable and I appreciate President Obama's renewed vow to shutter this unnecessary, expensive, and counterproductive prison. But in order for the President's plan to be successful, Congress has to do its part.

We have to pass common sense provisions in the National Defense Authorization Act. I thank Senator LEVIN for his leadership on this issue as chairman of the Senate Armed Services Committee. I stand solidly with Senators FEINSTEIN, DURBIN, and others who have long recognized that it is in our national security interest to close Guantanamo. It is the fiscally responsible thing to do, it is the morally responsible thing to do, and, above all, it will actually make our country safer.

For over a decade, the indefinite detention of prisoners at Guantanamo has contradicted our most basic principles of justice, degraded our international standing, and harmed our national security. It is shameful we are still debating this issue. The status quo is unacceptable. Close Guantanamo.

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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DRUG QUALITY AND SECURITY ACT

Mr. REID. Mr. President, what is the matter before the body?

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3204) to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

AMENDMENT NO. 2033

Mr. REID. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2033.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2034 TO AMENDMENT NO. 2033

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2034 to amendment No. 2033.

The amendment is as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

MOTION TO COMMIT WITH AMENDMENT NO. 2035

Mr. REID. Mr. President, I have a motion to commit H.R. 3204 with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Health, Education, Labor and Pensions with instructions to report back with the following amendment numbered 2035.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2036

Mr. REID. Mr. President, I have an amendment to the instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2036 to the instructions of the motion to commit H.R. 3204.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2037 TO AMENDMENT NO. 2036

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2037 to amendment No. 2036.

The amendment is as follows:

In the amendment, strike ''4 days'' and insert ''5 days''.

EXECUTIVE SESSION

NOMINATION OF ROBERT LEON WILKINS TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 381.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. REID. Mr. President, I sent a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant 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 Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Tom Udall, Mark Begich, Brian Schatz, Al Franken, Barbara Boxer, Richard J. Durbin, Christopher A. Coons, Tammy Baldwin, Debbie Stabenow, Benjamin L. Cardin, Sheldon Whitehouse, Patty Murray, Barbara A. Mikulski, Kirsten E. Gillibrand, Tom Harkin.

Mr. REID. Mr. President, I ask unanimous consent the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

DRUG QUALITY AND SECURITY ACT—MOTION TO PROCEED—Continued

Mr. REID. If I understand, H.R. 3204 is now the pending matter.

The PRESIDING OFFICER. The Senator is correct.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion with respect to the bill, which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant 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 H.R. 3204, an Act to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Harry Reid, Tom Harkin, Patrick J. Leahy, Jack Reed, Angus S. King, Jr., Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tim Kaine, Christopher A. Coons, Tom Udall, Sheldon Whitehouse, Joe Manchin III, Bill Nelson, Mark R. Warner, Debbie Stabenow, Amy Klobuchar.

Mr. REID. Mr. President, I ask unanimous consent the mandatory quorum under rule XXII be waived.

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to calendar No. 91, S. 1197.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to consider Calendar No. 91, S. 1197, a bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant 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 motion to proceed to Calendar No. 91, S. 1197, a bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Harry Reid, Carl Levin, Jack Reed, Angus S. King, Jr., Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tim Kaine, Christopher A. Coons, Tom Udall, Sheldon Whitehouse, Bill Nelson, Joe Manchin III, Mark R. Warner, Debbie Stabenow, Amy Klobuchar, Richard J. Durbin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business until 5 p.m. today with Senators permitted during that time to speak for up to 10 minutes each.

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

The PRESIDING OFFICER. The Senator from Kansas.

DRUG QUALITY AND SECURITY ACT

Mr. ROBERTS. Mr. President, I come to the floor today to speak in support of the Drug Quality and Security Act, H.R. 3204. Getting this bill to where it is today—and I thank the leader for just making that possible, along with our minority leader—has been a long and sometimes very difficult road, one on which I have been working for over a decade—yes, 10 years.

This is an issue that hit far too close to home in Kansas. Several years ago, a pharmacist in Kansas City, Robert Courtney, was found to be diluting cancer drugs for his patients. Unfortunately, over 4,000 patients were affected before authorities could stop him. Senator Kit Bond at that time and myself worked together to hold the first Health, Education, Labor and Pensions Committee hearing on pharmacy compounding.

Since that time I have continued my interest in the compounding-related issues. Unfortunately, last September, over a year ago, the tragic meningitis outbreak began. This outbreak was the result of contaminated compounded medications produced by the New England Compounding Center.

Of the 751 people who became ill, 64 people lost their lives. Many of those who became ill are still suffering and have experienced painful relapses in their condition. Unfortunately, that is not the only occurrence in the last 10 years. Without proper safeguards and clear authority, I fear that these tragedies would only continue.

We acknowledged then that we had to buckle down and really get something done. Since that time, I have been working with my colleagues to draft the pending legislation before this body, the Drug Quality and Security Act, with the desire to protect patients and improve regulation of the pharmacy compounding industry.

I think that we have finally achieved what we all intended from the beginning, which is a bipartisan, bicameral product that is supported by a majority of the stakeholder groups and a variety of those groups. This legislation has the support of the pharmacists led by the National Community Pharmacists Association and the American Pharmacists Association. It has the support of the patient advocacy groups such as the Cancer Leadership Council and of industry groups such as the Pharmaceutical Distribution Security Alliance. In fact, this is quite a long list. I will not take the Senate's time to go over that list. But I would ask unanimous consent that this list be printed in the RECORD at this point in its entirety.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPPORTERS OF H.R. 3204—DRUG QUALITY AND SECURITY ACT

Abbvie (PDSA), Academy of Nutrition and Dietetics, Actavis (PDSA), Allergy and Asthma Network Mothers of Asthmatics, American Medical Student Association, American Pharmacists Association, American Public Health Association, American Society for Radiation Oncology (CLC), American Society for Reproductive Medicine, American Society of Clinical Oncology (CLC), American Society of Health System Pharmacists, American Women's Medical Association, AmerisourceBergen (PDSA), Annie Appleseed Foundation.

Association of State and Territorial Health Officials, AstraZeneca (PDSA), Bayer (PDSA), Biotechnology Industry Organization (PDSA), Bladder Cancer Advocacy Network (CLC), Blue Ribbon Advocacy Alliance, Boehringer Ingelheim (PDSA), Cancer Action Network (CLC), Cancer Leadership Council (CLC), Cancer Support Community (CLC), CancerCare (CLC), CAPS—Central Admixture Pharmacy Services, Cardinal Health, Caregiver Action Network.

Center for Medical Consumers, Center for Science and Democracy, Union of Concerned Scientists, Chamber of Commerce of the United States of America, The Children's Cause for Cancer Advocacy (CLC), Community Catalyst, Connecticut Center for Patient Safety, Covectra, CreakyJoints.org, DSC/HC (PDSA), EMD Serono, Federation of American Hospitals, Fight Colorectal Cancer (CLC), Friends of Cancer Research, Generic Pharmaceutical Manufacturers Association (PDSA).

Genentech (PDSA), Global Healthy Living Foundation, Grifols (PDSA), Healthcare Distribution Management Association (Big Drug Wholesalers) (PDSA), HIDA (PDSA), Institute for Nurse Practitioner Excellence, International Myeloma Foundation (CLC), International Warehouse Logistics Association (PDSA), Johnson and Johnson (PDSA), Kidney Cancer Association (CLC), Eli Lilly (PDSA), The Leukemia & Lymphoma Society (CLC), LIVESTRONG Foundation (CLC).

Lymphoma Research Foundation (CLC), McKesson Corporation, MD Support, Medline (PDSA), Men's Health Network, Merck (PDSA), Mylan (PDSA), National Association of Chain Drug Stores (PDSA), National Association of County and City Health Officials, National Coalition for Cancer Survivorship (CLC), National Community Pharmacists Association (PDSA), National Lung Cancer Partnership (CLC).

National Patient Advocate Foundation (CLC), North American Menopause Society, Novartis (PDSA), Ovarian Cancer National Alliance (CLC), Pancreatic Cancer Action Network (CLC), Perrigo (PDSA), Pfizer (PDSA), Pharmaceutical Distribution Security Alliance, Pharmedium, PhRMA (PDSA), Premier Healthcare Alliance, Prevent Cancer Foundation (CLC), Prostate Cancer Education and Support Network (CLC), Richie's Specialty Pharmacy, Sarcoma Foundation of America (CLC), Society for Women's Health Research, StopAfib.org, Susan G. Komen Advocacy Alliance (CLC), Takeda (PDSA), Tennessee Pharmacists Association, Terri Lewis, Meningitis Outbreak FB Community Manager, The Pew Charitable Trusts, Trust for America's Health, UPS (PDSA), Us TOO International (CLC), Walgreens (PDSA).

Mr. ROBERTS. Title I of the Drug Quality and Security Act addresses the oversight of compounding pharmacies, and Title II provides a mechanism for securing our pharmaceutical drug supply chain. Together, we are making patients safer and ensuring that they can better trust the drugs that they take.

This took a significant amount of time and effort. I especially thank Chairman HARKIN, Ranking Member ALEXANDER, Senators BURR, BENNETT, and FRANKEN for sticking with it. This is a true bipartisan effort. Personally, I thank my staffer Jennifer Boyer for her determined dedication and the many hours of work to get this job done.

In September, with the leadership of Mr. UPTON and Mr. WAXMAN in the other body, this legislation was passed by the House by a voice vote. I am hoping we can see a similar outcome in the Senate. I urge my colleagues to support this legislation and encourage its swift passage and the signature by the President of the United States.

I yield the floor.

Ms. MIKULSKI. Mr. President, I am here today to talk about the Drug Quality and Security Act. This legislation does two things. First, it improves the regulation of compounding pharmacies, and second, it strengthens the security of our drug supply chain. This legislation has been in the works for quite a while and I am so pleased that the HELP Committee came together on a bipartisan basis and put together legislation that will truly save lives—across the country and in my home State of Maryland.

This bill has been through regular order. We had multiple hearings in the HELP committee, we had working groups, of which I was a member, and we held a bipartisan markup. Our counterparts in the House did the same. And here we are today. This bill has passed the House and it is my hope that it will pass the Senate and be signed into law by the President.

Let me first talk about the Compounding Quality Title of the bill and why it is so important. Last year, our Nation was devastated by a meningitis outbreak that sickened 751 people and killed 64 people. In Maryland, 26 people fell ill and 3 people died. As the HELP Committee looked into this outbreak, we quickly learned two things. First, these illnesses and deaths were caused by contaminated compounded drugs from the New England Compounding Center, NECC, located in Massachusetts. And second, these illnesses and deaths were entirely preventable.

Hospitals, doctors, and patients are increasingly relying upon compounded drugs, which are supposed to be made on an individual basis to respond to a patient's unique health needs. For instance, if a patient is allergic to a certain ingredient in a drug, a compounding pharmacy can make the drug without that ingredient. Or if a child needs a smaller dosage strength, a compounding pharmacy can do that. Today, 1 to 3 percent of the U.S. prescription drug market is made up of compounded drugs.

But the problem we have is twofold. The first problem is that where there is need, there is greed. Compounded drugs are supposed to be made on an individual basis for an individual patient and provided only with a prescription from a doctor. What the HELP Committee learned was that certain compounding facilities were blatantly and flagrantly violating these rules. Not only was NECC mass producing drugs and dispensing them across State lines without prescriptions, NECC also knowingly disregarded sterility tests and prepared drugs in unsanitary conditions. And why? To make a profit.

The second problem is that our existing regulatory framework is insufficient. NECC made drugs in unsanitary conditions, mass produced drugs, and provided medicines without prescriptions. And our regulatory framework was ill-designed to catch problems and prevent the outbreak.

We cannot undo the tragedy caused by NECC's actions, but we can and must find a way to prevent this from happening again, and that is where this legislation comes into play. The bill before us makes two major changes, which will help prevent another NECC-like tragedy. First, it gives the FDA the authority to regulate large-scale compounding pharmacies. Compounders who wish to make large volumes of these drugs will be regulated by FDA, will be required to register with FDA, will be required to report adverse events to FDA, and will be subject to risk-based inspections by FDA. Smaller traditional compounding pharmacies will continue to be regulated by State boards of pharmacy.

Second, this legislation will ensure that patients and providers have better information about compounded drugs. The FDA will post online a list of compounding facilities they regulate, detailed labeling will be required on compounded drugs, and false and misleading advertising will be prohibited.

Let me now talk about the Drug Supply Chain Security Title of the bill. This deals with all drugs, not just compounded drugs. Today, we have a patchwork of 50 different State laws that govern drug distribution in our 50 different States. What this means is that if we become aware of a contaminated drug in our supply chain, there is no uniform way to track that drug back to its source and get it off the market quickly.

This bill will improve patient safety by replacing today's patchwork of product tracing laws with a strong, uniform standard that will ultimately lead to an electronic, interoperable product tracing system for the entire country. This is commonsense legislation that has been long in the making.

These issues are particularly important to me, not only because ensuring the safety of our Nation's drug supply is of the utmost importance but also because I have the distinct honor of representing Maryland, which is home to the FDA.

The FDA is our Federal agency tasked with ensuring the safety of our

Nation's drugs, through the more than 14,000 dedicated, talented, hardworking employees who work there. Fifty-five percent of FDA's employees were furloughed during the recent government shutdown. I would like to take this opportunity to remind my colleagues why the work that the FDA does is so important. If we want our drugs to be safe, if we want our food to be safe, if we want our medical devices to be safe, we cannot furlough our FDA staff and we cannot pursue cuts to FDA in coming years.

This bill was done the right way. We had hearings, markups, and working groups in both the House and Senate and we had input from both Republicans and Democrats. I want to thank Chairman HARKIN and Ranking Member ALEXANDER for all of their work to get us here. I urge my colleagues to support this bill, which will improve drug safety and save lives.

Mr. COBURN. Mr. President, it has now been about 1 year since the fungal meningitis outbreak last fall associated with the tainted sterile compounded drugs from the New England Compounding Center. This week on the floor of the Senate, we have a bill that is, in many senses, Congress's response to the lack of policy clarity that many have suggested failed to prevent that tragedy.

As I have watched the Senators and their staff who have been working on this bill over the past several months, I applaud the bipartisan manner they have used in creating legislation that could help prevent similar tragedies in the future.

I am planning on voting for this legislation because I do think Congress needs to legislate. The courts have not been clear. However, I want to note that, despite the strong bipartisan collaboration, this legislation leaves some regulatory oversight concerns outstanding that I want to comment on and make clear today.

There has been a lot of concern that by reaffirming section 503(a) of the Food, Drug and Cosmetic Act, office use of compounded drugs is not recognized as permissible compounding activity. Therefore, I want to make clear that this legislation does not change current State law or authority over the dispensing or distribution of medications by pharmacists, compounded or manufactured, for a prescriber's administration to or treatment of a patient within their practice.

Currently, the compounding and dispensing of prescription drugs for in-office administration by a prescriber to their patient is governed by State boards of pharmacy, and States have determined what is best for their State regarding office use. In fact, more than 40 States have passed laws over the last 15 years related to current practices of using compounded drugs in the office context.

The issue of office use, indeed all of pharmacy practice regulation, is best left to the States. So the omission of office use from 503(a) should not signal to the FDA that it has the authority to encroach upon State authority to regulate office use.

In addition, there have been concerns whether the provisions within the legislation that grant authority to the FDA to set up systems of procedure for the direct communication between State boards of pharmacy and the FDA will give FDA more authority over compounded prescriptions shipped across State lines. I want to also take this opportunity to make clear that these provisions within the legislation require ''appropriate investigation'' on complaints and other issues that arise by the FDA and in no way provide some new expansive authority to the FDA to restrict interstate commerce or regulate intrastate commerce.

Finally, the legislation does not change the ability of ophthalmologists to administer drugs in their office to individual patients for the purposes of reducing macular degeneration. Under this legislation, physicians retain the ability to use compounding drugs in their office for their patients. This is a practice-of-medicine issue, so the art and science of medicine should not be impeded by the FDA.

I will continue to monitor the implementation of section 503(A) in consultation with physicians, medical professionals, and pharmacy professionals. I also strongly encourage the FDA to ensure that these provisions are not used to restrict office use and restrict interstate sales of compounded pharmaceuticals within all applicable laws and regulations.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS

Mr. REID. Madam President, it is my understanding there is an order in effect that we would recess starting at 1 p.m.

The PRESIDING OFFICER. That is correct.

Mr. REID. Madam President, I ask unanimous consent that time be advanced and we begin recess now.

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

Thereupon, the Senate, at 12:40 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

UNANIMOUS CONSENT REQUESTS

Mr. VITTER. Madam President, I come to the floor again to try to achieve what I think is a very simple and straightforward but important objective: to get a clear up-or-down vote on a pure disclosure proposal I have. This proposal would say that the elections all of us make as Members of the Senate and all of the House Members make with regard to how our offices go to the ObamaCare exchange as mandated by statute do not go through this end runaround of the OPM rule. That is simply public information. How each office handles the situation is public information.

Whatever we believe about the Washington exemption from ObamaCare, whatever we believe about that debate and that exemption and that subsidy, it should be a no-brainer, not partisan debate, how each of us and how each of our offices handle whether this election is public information. Right now it is not. A lot of Members, including me, have explained what they are doing, but certainly not all have, and that is not public information. This amendment which I am proposing would simply produce full disclosure and have that be public information.

I am open to any way to get a clear vote on that this calendar year, so I am completely flexible on how that happens—on this bill before us—and I would certainly like to expedite consideration and passage of this bill; or an amendment on the Defense bill next week—that would be another possibility; or a quick debate on my freestanding bill—that would be a third possibility. None of those would take significant time in the Senate. In fact, all of those would expedite Senate business, including leading to the passage of the bill now on the Senate floor right now, today. So it would actually expedite the process and expedite consideration.

With that, Madam President, I ask unanimous consent that my amendment No. 2024 be called up, that a Democratic side-by-side amendment be in order to be called up, and that those be the only amendments in order other than those currently pending; that both those amendments be subject to a 60-vote affirmative threshold for adoption; I further ask that there be a total of 2 hours of debate equally divided on both amendments and that upon the use or yielding back of that time, the Senate proceed to a vote on the Democratic amendment, followed by a vote on my amendment; that following the disposition of the amendments, the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, I have made statements over the past many weeks about why I object to this. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Madam President, reclaiming the floor, again I am open to any reasonable way to get a simple

vote on a pure disclosure provision anytime this calendar year. In that spirit, I have an alternative.

I ask unanimous consent that all remaining time on the motion to proceed to H.R. 3204, the compounding bill, be yielded back; that the Senate proceed to H.R. 3204; that the bill be read a third time and passed right now and the motion to reconsider be considered made and laid upon the table; I further ask that the Senate then proceed to the consideration of S. 1197, the Defense authorization bill; that my amendment which is at the desk be called up and that a Democratic side-by-side amendment be in order to be called up; that notwithstanding rule XXII, those amendments remain in order and that both amendments be subject to a 60-vote affirmative threshold for adoption.

The PRESIDING OFFICER. Is there objection?

The majority leader is recognized.

Mr. REID. Reserving the right to object, the Senator from Louisiana has been holding up things in the Senate for weeks. What he has now requested of the Senate is that every other Senator take second fiddle to him. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Madam President, again, I am open to any reasonable path forward that would produce this one, simple, straightforward vote on pure disclosure, information that I think should clearly be public information. So as a third alternative, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of S. 1629 and the Senate proceed to its immediate consideration; I further ask consent that there be 60 minutes of debate divided in the usual form; that upon the use or yielding back of time, the bill be read a third time and the Senate proceed to a vote on passage of the bill; and that a 60-affirmative vote threshold be required for passage.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Madam President, reclaiming the floor and wrapping up, I continue to find that very unfortunate and, frankly, really unreasonable. We, each of us as Members of the Senate, made an important election about how to handle this ObamaCare exemption issue. Some folks have classified a good part of their staff as not official staff—magic wand, somehow. They work here, they get a paycheck, they are on government property, they do official business, but they are not official staff. This is a charade, and at a minimum I think the public should know how each office and each Member is handling that situation. That is the only thing my disclosure proposals, which I have been asking for a vote on, would require. That is the only thing I am asking for a vote on this calendar year. I think offering these three unanimous consent routes to that is very reasonable and would also expedite consideration of many other matters, including the bill on the Senate floor right now. It is unfortunate that that reasonable route forward was not chosen and blocked in multiple ways, but I will certainly continue pursuing this important objective.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. I thank the Chair.

(The remarks of Senator BLUMENTHAL pertaining to the introduction of S. 1714 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BLUMENTHAL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HEALTH CARE REFORM

Mr. NELSON. Madam President, I think the President did the right thing today. The whole idea of health insurance reform was to get people into health insurance that do not have health insurance. The idea was not for those who had insurance, unless they wanted to improve that insurance or they did not have the insurance they needed.

The idea, certainly, was not that if they had insurance they were satisfied with, that they were not going to be able to keep that. That is what the President had said. That is what the President reaffirmed today. I think the President did the right thing.

Insurance is a very complicated subject. In all that we are hearing about in the setting up of those different health insurance exchanges in each of the States, you are creating a new pool of people, both young and old, both sick and healthy, and you spread that health risk over a larger number of people. If it is a typical population of young and old, not just all old, and not just all sick, the more you can spread that health risk over an average population, the more you can bring down the cost of that health insurance. That is basically the principle of health insurance.

So, unless we can get the young and healthy people who need health insurance—by the way, they may think they are invincible, but they may also have an accident. Instead of them ending up in the emergency room at the time that they have the accident, or when they really get sick and they do not have health insurance, and they do not pay—guess who pays. All the rest of us pay in our health insurance premiums.

So the whole idea is to reform this by getting as many of the 45 million people that do not have health insurance into the health insurance system. That is what these 50 State insurance exchanges are designed to be. So the issue today did not directly affect that, but for the fact that if those who have health insurance, and they say that they are happy with it, but they are really not because it is a subpar health insurance policy—I call them dog policies. If they realize they have a dog policy, then they see what they can really get in the exchange in a comprehensive policy that will cover maternity and all of the other things, on top of the guarantees that an insurance company cannot cancel them, on top of the guarantees that if they had a preexisting condition, their insurance is not only not going to be canceled but that they will, in fact, be able to get insurance.

What I have described—guess what it is. It is the Affordable Care Act. It is the ability to have health insurance when a big part of our population—45 million people in this country—has not been able to have it.

The narrow little issue addressed today by the President was that some people have health insurance that they like. They ought to be able to keep it. Some people who have health insurance don't realize how much better it could be with much more comprehensive coverage. Once they see the difference, those folks who the President said today can keep those subpar policies are going to want to go into the health insurance exchange. That is what this is all about.

Unfortunately, this has become all balled up in politics. It is a complicated subject. Most of us don't even want to think about it. We want to leave it to our insurance agent, someone who is skilled.

Now, as we are making our own individual choices, which we are able to do by going on a Web site and designing a policy for ourselves, we are empowering ourselves to have the health care coverage we want. In the meantime, we have a lot of turmoil, a lot of strife, and a lot of politics.

Give it some time. And this is a former insurance commissioner speaking, and I know most of the tricks the insurance companies will pull. But give it some time. Down the road, with the insurance companies I have seen, as I have talked with the CEOs, they want to cooperate because they realize this is good for their business as well because now they will be able to offer so

many more policies to people who, in fact, do need that health coverage. Give it a little time. It is going to work. There will be a few twists and turns. We are not going to get rid of the politics because it is the nature of the beast these day, but give it a little time and it will all work out.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

(The remarks of Mr. COONS pertaining to the introduction of S. 1709 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. COONS. I yield the floor.

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.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent to speak for such time as I may consume.

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

MILITARY JUSTICE IMPROVEMENT ACT

Mrs. GILLIBRAND. Mr. President, I rise today to talk about an amendment I plan to introduce to the National Defense Authorization Act next week. This is an amendment known as the bipartisan Military Justice Improvement Act.

I thank my colleagues on both sides of the aisle for their leadership in this effort. As we have said from the beginning, this is not a Democrat nor a Republican idea. It is good, plain old common sense. It is the right idea necessary to protect the men and women who fight for our country and our values in uniform every single day. So I thank the broad coalition of supporters for their leadership—former generals and commanders, veterans, advocates—who are making their voices heard so that they know these horrible crimes aren't going to happen to someone else; that the justice system we build is one of which they are deserving. They are urging Congress to use its responsibility of oversight and accountability, to use their role head-on, by finally creating an independent military justice system which gives survivors of these horrific acts of violence a fair shot at justice—a system free of inherent bias and conflicts of interest that currently exists within the chain of command, that will enable survivors to come forward and to hold their perpetrators accountable.

The strong and growing bipartisan coalition of Senators, survivors, veterans, retired generals, commanding officers, and advocates is showing this is not only free from partisan politics and ideology, but it is a promilitary piece of legislation which actually strengthens our military readiness, strengthens unit cohesion, and strengthens good order and discipline.

This week began with all Americans saluting our veterans, honoring our solemn commitment to the brave men and women who join the Armed Services for all the right reasons: To serve our country, defend all that we hold sacred, and make America's military the best the world has ever known.

These men and women put everything on the line to defend our country. Each time they are called to serve, they answer that call. But too often these brave men and women find themselves in the fight of their lives—not on some foreign battlefield in another place against an unknown enemy but within their own ranks, on this soil, among men and women with whom they serve. They are victims of horrific acts of sexual violence.

Sexual assault in the military is not new, but it has been allowed to fester. It has been festering in the shadows for far too long, and when our commanders for the past 25 years have said there is zero tolerance for sexual assault in the military, what they really meant was there is zero accountability—and that is the problem we are facing—going back to the Secretary of Defense under Dick Cheney in 1992. He uttered those words: ''Zero accountability.'' Every Secretary of Defense has since that time said ''zero accountability.'' But our system of justice in the military is broken, and our commanders are the ones who hold all the cards about whether these cases can go forward.

There are those who argue that moving these decisions to independent military prosecutors will somehow undermine good order and discipline. If you had 26,000 cases of unwanted sexual contact, rape, and assault in the military last year alone, you do not have good order and discipline.

Our allies with whom we fight side by side in every conflict—Israel, the UK, Canada, Australia, the Netherlands, Germany—have all already made this decision to say serious crimes deserve the objective review of trained military prosecutors. They should not rest in the chain of command. They should not rest where bias is possible, where conflicts of interest are rampant. It should not be there because the scales of justice are blind. That is the whole point of the American justice system: Blind justice. Not tipped for the defendant, not tipped for the victim. Blind, objective.

We have a Defense Department panel that is actually taking up evidence on this issue. They had a hearing. They asked members from our allies to come and testify about when they made this change. When you took this decision-making out of the chain of command, what happened? Did you have a falling off of good order and discipline? They testified no. The director-general of the Australian Defense Force Legal Service, Paul Cronin, said that Australia had faced the same set of arguments from their military leaders in the past.

> It's a bit like when we opened up to gays in the military in the late 1980s. There was a lot of concern at the time that there would be issues, but not surprisingly there haven't been any.

There are those who argue that somehow our commanders would no longer be accountable. Let me be clear about this. There is nothing in this bill that takes commanders off the hook. They are still responsible, solely responsible, for maintaining good order and discipline, for setting the command climate, for saying these rapes are not going to happen on my watch and, if they do, victims can come forward and know they will be protected. They are responsible for making sure there is no retaliation.

But you know what. Last year alone, of those 3,000 brave survivors who did come forward and report what happened to them, 62 percent were retaliated against—62 percent. That means those command climates failed to protect victims telling their commanders I have been raped; I have been sexually assaulted; I have been brutalized, and justice has to be done.

What does retaliation look like? Commanders saying things such as: It is your own fault; you are to blame; you are the problem. If you report this crime, I am going to write you up on drinking or adultery. Do you really want your military career to end?

For so many victims, that is what happened; they are forced out of the military. All they want to do is serve our country, some of our best and brightest. We are losing them because justice is impossible for them.

Some opponents say this reform will cost too much money. One estimate is that if you had enough lawyers to do all this legal work, it might cost you $113 million, $4,000 a victim. That is an absurd argument. Are you really telling me it costs too much to prosecute rapists in the military? Are you really telling me it costs too much to have enough lawyers to take these cases to trial? Are you really telling me it costs too much to have a criminal justice system that honors the men and women who serve in this military? You cannot possibly be saying that. You cannot possibly be saying that.

It is also an argument that makes no sense. Do you know how much it costs our military to have 26,000 sexual assaults, rapes, and unwanted sexual contacts every year in our military? Do you know what that costs? The RAND Corporation actually did an estimate. They said having this kind of rampant sexual assault, rape in our military, cost the military—because they lose so many of these good men and women there have to be new people retrained—$3.6 billion last year alone. That is the cost. That is a cost we should not be willing to pay.

Last argument. Our opponents say that commanders will actually move

more cases forward that prosecutors wouldn't. That is not true because, again, if you have 23,000 cases that are not being reported and you create an objective criminal justice system, you are going to have more reporting. With more reporting, you are going to have more cases going to trial, many more cases than any argument that there might be an aggressive commander here or there. Many more cases will go to trial and end in conviction if you create an objective system.

Every single year the DOD does estimates; they estimate what is actually the incident rate of sexual assault in the military. Last year they had confidential surveys men and women filled out. Based on that confidential survey, they estimated there were 26,000 cases last year alone, sexual assault, rape, unwanted sexual contact. Of that number, only 2,558—that is the 1 in 10—sought justice by filing unrestricted reports. Of those 2,500 cases, 300 went to trial. So you are really talking about 1 in 100 cases end in justice. That is an abysmal record. We owe so much more to the men and women who serve in our military, so much more to those who will even die for this country. A chain of command oriented system that produces only 302 convictions of 2,558 actionable reports is simply not holding enough alleged assailants accountable under any standard. One in one hundred cases ending in conviction is not good enough under any standard.

Further, an independent system will protect not just the rights of the victim but an accused who may well be innocent, because when a commander is the only decisionmaker and they may know the victim and they may know the perpetrator or the accused and they have a reason to deal with this case in a way that is reflective of his or her bias, what you are creating is an unjust system. Justice must be blind.

I have not come to this conclusion for this fundamentally needed reform lightly. But if you listen to the survivors, if you listen to what happened to them, where the breach in the system is, where the failure of trust occurred, there is no possible reform that does not include taking it out of the chain of command.

What I would like to do, as my colleague Senator GRASSLEY has just joined me on the floor—Senator GRASSLEY is one of our greatest champions on this bill. He has looked at this problem from the perspective of common sense. He has looked at this problem and said you cannot possibly have a system rife with bias and conflicts of interest and expect justice will be done. I am going to yield to my colleague when he is ready. He wants to address another issue.

I yield to my colleague.

The PRESIDING OFFICER. The Senator from Iowa.

HEALTH CARE

Mr. GRASSLEY. Mr. President, Webster's dictionary defines the word success as ''the correct or desired result of an attempt.'' I want to discuss the definition of the word success as we consider the Affordable Care Act.

On the day the bill was signed into law, President Obama said the following:

> Today we are affirming that essential truth, a truth every generation is called to discover for itself, that we are not a nation that scales back its aspirations.

Such grand words for where we are today on that piece of legislation. Today the success of the law that now bears his name, ObamaCare, is defined in much more meager terms. Today success is when the folks at Health and Human Services got up this morning, ObamaCare had not shut down, and when the folks at HHS go to sleep tonight, their day will have been a success if ObamaCare did not have to shut down.

Think of all that, think of all that we have been through to this point after 4 years, the fight over the bill and the extreme legislative means used to pass it through Congress. Then think about the 2010 and 2012 elections. Think about the Supreme Court decision that effectively repealed half of the law's coverage. Think of all the changes made to the law through regulation to make sure ObamaCare launched. Think of the postponing of the employer mandate. Think of the postponing of lifetime limits. Think of the impact this law has had on our economy. It has had quite an impact on the economy—people losing jobs, people losing health insurance they currently have, because if you like what you have you may not be able to keep it. Let's talk about that issue for a minute.

''If you like what you have, you can keep it'' was the promise the President made to the American people on at least 36 separate occasions. It is a great sound bite. It is easy to say. It rolls easily off the tongue.

It is also not true. It was never true. It was obviously not true when the law was written. It was obviously not true when the first proposed regulation came out. This is what I said on the Senate floor September 2010. Quoting myself:

> Only in the District of Columbia could you get away with telling the people if you like what you have you can keep it, and then pass regulations 6 months later that do just the opposite and figure that people are going to ignore it.

It is not that I have some magic crystal ball. Simple—we all knew it. The administration certainly knew the day would come when millions of people would receive cancellation notices of their insurance policy. Now my constituents clearly know it. I have heard from many Iowans who found out the hard way that the President made a bunch of pie-in-the-sky promises that he knew he couldn't keep, constituents such as this one from Perry, IA, saying:

> My husband and I are farmers. For 9 years now we have bought our own policy. To keep the costs affordable our plan is a major medical plan with a very high deductible. We recently received our letters that the plan was going away.
>
> Effective January 1, 2014, it will be updated to comply with the mandates of ObamaCare. To manage the risk of much higher premiums, our insurance company is asking us to cancel our current policy and sign on to a higher rate effective December 1, 2013 or we could go to the government exchange.
>
> We did not keep our current policy. We did not get to keep our lower rates. I now have to pay for coverage that I do not want or will never use. We are not low-income people that might qualify for assistance. We are the small business owner that is trying to live the American dream. I do not believe in large government that wants to run my life.

Or a constituent living in Mason City, IA:

> My wife and I are both 60 years old and I have been covered by an excellent Wellmark Blue Cross/Blue Shield policy for several years. It is not through my employer. We selected the plan because it had the features we wanted and needed . . . our choice. And because we are healthy we have a preferred premium rate. Yesterday we got a call from our agent explaining that since our plan is not grandfathered, it will need to be replaced at the end of 2014. The current plan has a $5,000 deductible and the premium is $511 per month. The best option going forward for us from Wellmark would cost $955 per month—a modest 87 percent increase—and have a $10,000 deductible.
>
> And because we have been diligent and responsible in saving for our upcoming retirement, we do not qualify for any taxpayer-funded subsidies.

These are just two of many letters, emails, and phone calls I have received from Iowans. Thousands have contacted me asking what can be done now that we clearly see that what the President sold the American people was a bag of Washington's best gift-wrapped hot air.

I ask the President, I ask my colleagues here in the Senate, to look at all we have been through as a country, all the grandiose talk about the importance of this statute, and what we ultimately have is an optional Medicaid expansion with a glorified high-risk pool and a government portal that makes the DMV look efficient.

Americans deserve better. They voted for better. But this administration will somehow trudge ahead; keep the doors open; thousands of people enrolled instead of millions. They just released a number this week for the 36 States using the malfunctioning Federal exchange: fewer than 27,000 people. Including people who have not actually committed to purchase the plans—those who have put it in their shopping cart—less than 27,000 people. That is about 19 people per day per State. So the administration will limp along with this pitiful signup process hoping to get people properly assigned to health plans.

If the assignment of individuals to plans fails miserably on January 1, the administration will dig in and sort it out. If the risk pools are a disaster, the administration will use extraregulatory—by any means necessary—tools to keep this program afloat. Because for all the talk of this

bill being—as we saw and heard the Vice President on TV—a big expletive deal, success is not defined in the desires of 2010 but in making sure ObamaCare exists in some form or fashion on January 20, 2017.

We saw more of this digging in and sorting out on this very day when the President spoke. Insurance companies sent 4 million cancellation notices to comply with the President's law. They did it to comply with the law. Let's be clear about it. In other words, these insurers read the law, and then do you know what they did. They did what every company ought to do: Follow the law. Unfortunately for them, the President did what he has been doing for 3 years: He has taken out his pencil and eraser and rewritten or delayed his law on the fly when it is not working.

So what does it now mean for insurers who were simply trying to follow the law as written, as you would expect them to follow the law? Let me tell you what one insurance company had to say:

> This means that the insurance companies have 32 days to reprogram their computer system for policies, rates, and eligibility, send notices to policyholders via US Mail, send a very complex letter that describes just what the differences are between specific policies and ObamaCare compliant plans, ask the consumer for their decision—and give them a reasonable time to make that decision—and then enter those decisions back into their system without creating massive billing, claim payments, and provider eligibility list mistakes.

That was a quote from the consultant who was commenting on what the President did today by delaying or by making sure you could keep your program.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent for 4 more minutes.

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

Mr. GRASSLEY. So the only thing the President has accomplished with his announcement today is that he is delaying his broken promise for another year. I have to wonder: What will it take for him to admit his law is not working and at least call for a full delay?

Remember how all these big health insurance companies back in 2009 got behind the President's program for nationalizing our health insurance program. They put up a lot of money to sell it. Their lobbyists lobbied for it. What they ought to do is tell the American people what a big mistake they made because they are getting stuck with it right now—as I just quoted from this consultant from an insurance company.

It is time for us to admit that ObamaCare has not achieved the correct or desired results of an attempt—in other words, the definition of success as I stated earlier in my remarks. It has not been a success by any measure, unless, of course, you lower your standard to the point that the mere act of keeping the doors open is a success. How sad is it that after all we have been through—and we have been through a lot. Maybe, just maybe, it is time to admit that the massive restructuring has failed. It may be that partisanship has failed. Perhaps it is time to sit down and consider commonsense, bipartisan steps we could take to lower costs and improve quality. Perhaps we could enact alternative reforms aimed at solving America's biggest health care problems, such as revising the Tax Code to help individuals who buy their own health insurance; allowing people to purchase health coverage across State lines and form risk pools in the individual markets; expanding tax-free health savings accounts; making health care price and quality information more transparent; cracking down on frivolous medical malpractice lawsuits; using high-risk pools to insure people with preexisting conditions; giving States more freedom to improve Medicaid, such as Rhode Island got a few years ago and which seems to be a success; and using provider competition, consumer choice to bring down costs in Medicare, throughout the health care delivery system. The American people need to know this failed program is not the only answer.

I yield the floor.

I thank the Senator from New York for yielding to me. I forgot to say that earlier.

The PRESIDING OFFICER. The Senator from Connecticut.

MILITARY JUSTICE IMPROVEMENT ACT

Mr. BLUMENTHAL. Mr. President, my purpose in being here today is to support the Military Justice Improvement Act and the very urgent need to include its worthwhile and comprehensive provisions in the National Defense Authorization Act for Fiscal Year 2014, either by way of amendment or whatever measure may be appropriate, and to support the very eloquent remarks made by the Senator from New York. She has been a steadfast and strong advocate of necessary changes in the Military Code of Justice and has acted as chairman of the Subcommittee on Personnel of the Senate Armed Services Committee to approach this issue—a very difficult issue—in strengthening the system of justice for our men and women in uniform with care and caution as well as vigor and bravery.

I know how different the views may be in this body among our colleagues, and I have listened to people on both sides of this argument very carefully before reaching my own conclusion.

One statistic that strikes me as perhaps paramount in importance is the gap between the number of victims, which is estimated to be close to 30,000, or perhaps more. We don't have a precise number, but the estimates from the military indicate that there are tens of thousands, and very likely more than 30,000. The number of reported cases is around 3,000, or perhaps 2,500, who have sought justice for sexual assault in the military. By the way, only about 300 go to trial every year. At least that was the number for last year.

My view is that we must remove any concerns about undue command influence on the process so that more victims will seek justice. The only way to deter this heinous, horrific crime is to encourage more reporting so there can be more prosecution and enable more deterrents through strong and swift justice. The goal is justice. The goal is not necessarily punishment for its own sake but justice.

I have listened to my colleagues who feel that the act as written or as amended should keep prosecuting authority with the commander. I have listened carefully to them, and I believe their sincerity and respect for victims is unquestionable. This is not about who respects victims or cares for them the most, it is about what system will best seek justice and deter the epidemic—the spreading numbers of these horrific crimes.

I have also listened to military professionals who have come before Senator GILLIBRAND's subcommittee, as well as the committee as a whole. I have questioned them repeatedly in public and in private, and I am convinced beyond any doubt that they are as outraged and find this crime as abhorrent and antithetical to their profession as anyone in this body. Yet, for years and years, we have heard that the military has zero tolerance. Their renewed vigor is welcomed but in my view has to be matched by reforms in the process which will make sure that that commitment is real and realized in real life.

Most importantly, I have listened to the victims who have come, both publicly and privately, to the Armed Services Committee, where I serve, and have told their stories. They have told their stories also in writing and in documentaries, such as ''The Invisible War''—a very powerful and compelling argument for reform.

I have listened to them as they have expressed to me that what matters to them is the fear of retaliation and adverse effect on their careers from the present structure of prosecuting authority. I believe that prosecuting authority should be made the responsibility of an independent, experienced, objective, and trained professional.

I recognize and I understand that there is immense power in the present system given to any commander who sends men and women under his power potentially to give their lives for their country. Their argument and feeling is that they should hold the same power over punishment for crimes that those men and women may commit under their command.

Good order and discipline, I recognize, is a profoundly important goal, and a paramount, irreplaceable, and

undeniable goal. Good order and discipline is hardly well served by acts of sexual assault in the military, which is why those professionals say they have zero tolerance for this heinous crime. I have listened to them about why they feel the present system should be continued.

We need a military justice system that works as well in Camp Leatherneck as it does in Camp Pendleton or Camp Lejeune, and we need a justice system that works well not just in one season or another, politically, but in all seasons at all times for all men and women. I think the approach best suited to reach that goal is the one that embodies legislation that has been introduced by the Senator from New York, Mrs. GILLIBRAND. Of course, in listening to all of those sources of insight and perspective on this issue, I have also utilized my own experience as a prosecutor. I would say the most difficult decisions I made as a U.S. Attorney prosecuting under Federal law, and as State attorney general, largely with civil authority, was whether to charge and what violations of law to charge, because, as a practical matter, the charge can ruin a life, and often does. It can ruin a career, ruin a family, and ruin an individual's standing in society. Even if that individual is eventually found not guilty at trial, the charge stands forever. I found that the decision of whether to charge was often the most difficult decision I had to make not only because of the consequences to the individual, but the difficulty of making a decision about whether a fact finder—whether a court or a jury—would conclude that every element of the crime as charged was proved beyond a reasonable doubt. That is the responsibility of the jury or the judge, depending on who is trying the case and who the fact finder is. There are instances where these decisions are air tight and easy, but in many cases, and most particularly in cases involving sexual assault, they are sometimes difficult to make. There is forensic evidence, there are metrics, there are precise scientific measures, but there is also a judgment to be made about whom to believe when there are conflicting versions of an incident.

That is why I believe these decisions should be made by professionals who have experience, who know how to prove cases, how to try them and how to bring them to court, and who are capable of making decisions that will not only be fair and objective but will be seen as fair and objective, because in the criminal justice process often perception is as important as reality when it comes to a victim coming forward to put his or her life on the line and complain, particularly in a system such as the military, but often in society in general. Sexual assault as a crime in society is often underreported and underprosecuted because of the fears, correctly and understandably, on the part of victims.

We have made progress in encouraging victims to come forward in civilian life and in the military, but there is much more to be done. I believe the reforms offered by the Military Justice Improvement Act are important and essential to that goal.

The National Defense Authorization Act in title V has 14 specific revisions to our military justice system that will help ensure a more just process and a more just outcome for cases involving sexual assault. These changes to our current system were drafted in a bipartisan manner that defines so often—in fact, almost uniformly—the work of the Armed Services Committee under the leadership of Chairman LEVIN and Ranking Member INHOFE, and I wish to express my appreciation for their leadership. Those reforms are important to ensure a crime victim's rights are acknowledged under the Uniform Code of Military Justice and that victims receive a special victims advocate, and that those found guilty of sexual assault will receive a mandatory discharge. These reforms, which were initially proposed by myself and others, will help improve this system. They are a telling refutation of anyone who says, in testimony before our committee or otherwise, that the UCMJ is serving its intended purpose of justice when it previously dealt with cases of military assault.

These reforms are necessary and necessary now, and I support them. Yet, as I look at the totality of what is now contained in this bill, it seems insufficient. I am left with the conclusion—it is an uneasy conclusion but a very strong one—that we have not yet achieved what we need to accomplish, namely, a system of justice that has the full confidence and trust of victims and all parties, that has the confidence and trust of survivors. They are indeed survivors. It is vital to encourage reporting of this crime and building the evidence that is necessary for those trained and experienced prosecutors to decide whether to pursue charges, against whom, and what kind of charges.

I believe we can strike a balance and achieve justice and not only maintain good order and discipline but, in fact, enhance them. I think, if this reform is adopted, future military commanders will thank the Senate and the Congress for enabling them to pursue what they know best professionally—what is their calling and their mission—which is to make this Nation's national security and defense the best in the world, as it has always been. They are to be thanked, and we all thank them for their commitment and their professionalism in the service of that goal.

I am joined in supporting these reforms in the Military Justice Improvement Act by the Defense Advisory Committee on Women in the Service, which last month recommended that ''decisions to prosecute, to determine the kind of court martial to convene, to detail the judges and members of the court martial, and to decide the extent of the punishment, should be placed in the hands of military personnel with legal expertise and experience and who are outside the chain of command of the victim and the accused.''

That is also the view of Jeh Johnson, the President's nominee to head the Department of Homeland Security and former Pentagon general counsel who was asked whether there are shortcomings in the military justice system, and he replied, ''I have recently come to the conclusion that the answer to that question is yes.''

He went on to say:

> Last year Secretary Panetta raised the initial disposition authority for how these cases should be handled to the 06 colonel captain level, and the problem, I believe, has become so pervasive, the bad behavior is so pervasive, we need to look at fundamental change in the military justice system itself.

We are joined in this view also by the Vietnam Veterans of America, an organization that stands in favor of the Military Justice Improvement Act because ''far too many victims fail to report or choose restricted reporting primarily for two reasons: Retaliation and total lack of faith in fair just treatment within the chain of command.''

So despite my deference to our military leaders and my respect for them and my feeling that they are entitled to deference in issues that affect good order and discipline, I believe we have a responsibility in this Congress to fix this system, to repair it and reform it, and do it in ways that vindicate the rights of victims, survivors, as well as the accused, to make sure we do justice. Our responsibility under article I, section 4, clause 14 of the Constitution is ''[t]o make Rules for the Government and Regulation of the land and naval Forces.'' That is why the Uniform Code of Military Justice was adopted by Congress, and we will be held rightfully responsible and accountable if we fail to act and make effective reforms and if we fail to put an end to sexual assault in the military.

Our military system has some of the most dedicated, our best and our bravest, of this generation, just as has been true in past generations. I am proud to say two of my sons currently serve in the military. We need a system of justice that matches their excellence, that keeps faith with their dedication and sense of duty, that is as fair and just as they are strong and capable in protecting this country. We owe our freedom, we owe our own justice system in this country, and all of our rights and liberties to the defense they have provided decade after decade, war after war, to this Nation.

So I urge my colleagues to come together—and I know they are working on a bipartisan basis—to finish the work of reforming our system of military justice. I look forward to the day of realizing a very simple ideal—that every servicemember who is a survivor, a victim of sexual assault, is entitled to an independent arbiter and an objective prosecutor with the knowledge that the victim will be embraced and

supported by the system, and welcomed back into the ranks, even as they face the grueling and painful task of being involved in a prosecution. I look forward to the day also when any perpetrator knows, without question, that they will be separated from service and punished if they are found guilty. These ideals are as much engrained in our military as the ideals of valor, honor, and tradition. These changes will help our bravest and finest members who contribute and put their lives on the line to reach those ideals. These changes are necessary and I look forward to accomplishing them, working with my colleagues.

Mr. President, I thank the Chair, and I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH.) Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for such time as I may consume.

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

TAX EXPENDITURES

Mr. WHITEHOUSE. Mr. President, I am here because I serve on the conference committee that is charged with negotiating a bipartisan budget deal. The Democrats have come to the table with a Senate-passed budget. The Presiding Officer will remember the long all-night ordeal of that budget.

Our budget replaces the dumb and harmful sequester cuts with balanced deficit reduction. If fact, you do not get much more balanced than the Democratic program. It is half from spending cuts and half from closing loopholes in the Tax Code. Our proposal would add almost $2 trillion more of deficit reduction to the $2.5 trillion we have already done so far.

Let's look at what we have done so far. Of the $2.5 trillion in deficit reduction to date, about $1.5 trillion has come from cuts in what we call discretionary spending; the spending that Congress approves each year that funds most government operations including our military. This is the $1.5 trillion in cuts out of all of the $12.6 trillion in spending.

We got another $600 billion in revenue, mostly from letting the Bush tax cuts expire for very high-income taxpayers. So this thin red line is the additional $600 billion in revenue compared to the existing revenue of the country. As you will see, we have cut far more in spending than we have added in revenues going into this budget discussion.

The remainder of the $2.5 trillion comes from the interest savings that are associated with those, just to make the numbers true up. This circle is here to demonstrate that to date we have yet to touch one dime in the other big budget item, which is loophole spending in the Tax Code.

This is a pretty good-sized chunk of annual spending, about 12 percent of the levels projected in 2010. The fiscal cliff bill that restored the Clinton-era rates to families making over $450,000 added about 2 percent to other revenue projections, to the loophole category which is worth at least $14 trillion, conceivably a lot more, because some of the loopholes are so wide you do not even know what is going through them. The money just shows up in the Cayman Islands. We do not know what we have lost. That remains totally untouched.

What we want to do is take just 7 percent, a tiny slice of this loophole revenue, and bring it back and use it for deficit reduction. That touching the loophole nerve is what has brought the Republicans to a screeching halt. In contrast to our exactly balanced approach—50 percent spending, 50 percent loopholes—Chairman RYAN's budget would 100 percent go after the programs on which low-income and middle-class Americans rely, without touching a single Tax Code giveaway—no balance at all.

But, of course, unbalanced is the Republican way in budgets. For instance, the Republican budget changes Medicare into a voucher program. That is not very balanced. That is not what the American people want. The Republican budget cuts nondefense discretionary spending to levels lower than anything the American public has ever seen since OMB started keeping track. That is an extreme budget and not a balanced approach.

The Republican budget would set annual domestic spending levels below 1962. If you think back to what America was like in 1962, there were no Pell grants. So if any of the pages were thinking of someday getting a Pell grant, that is gone. It did not exist in 1962. In 1962, 30 percent of American seniors lived in poverty. That is the level of spending the Republican budget would take us back to.

The rhetoric has been just as unbalanced as the proposals. Speaker BOEHNER has said talk about raising revenue is over—over. We have not even started and he says it is over, zero percent out of loopholes. He says the conversation is over. I do not think so. The conversation has not even begun.

But true to the Speaker's rhetoric, the Republican budget puts the burden of deficit reduction back onto Americans who can least afford it, while preserving for corporations and for the people who get the benefit of Tax Code giveaways every single dollar. In his conference committee opening remarks, Chairman RYAN said: If this conference becomes an argument about taxes, we are not going to get anywhere.

Let's take a look at the so-called taxes in this loophole area that Democrats would like to discuss. By the way, we get $975 billion out of that, which is a slice slightly larger than this one and considerably smaller than that one. So where do we get it from? We go to what I refer to as the Republican treasure trove. We go to their Ali Baba's cave of treasure carved aside and saved for corporations and the rich.

We go to the tax earmarks and the special deals, the special interests which year after year have been squirreled away into the Tax Code through their lobbyists and through their numbers. How big can Ali Baba's cave be? Seriously? How much money goes out the backdoor of the Tax Code through these loopholes and deductions? I will show you.

This bar represents $1.13 trillion, which is the amount of revenue collected by the government through the individual income sections of the Tax Code. That is what goes into Uncle Sam's pocket from the Tax Code. Here is what goes out the backdoor in loopholes and deductions: $1.02 trillion. So for every $1 that actually gets collected under the individual income tax, 90 cents goes out the backdoor through the loophole circle.

That is off-limits? Oh, I do not see why. It is a grand total every year of more than $1 trillion. Do not tell me we cannot touch it at all. By the way, when you are talking budget numbers, you multiply by 10. So $1 trillion over 10 years becomes $10 trillion. That is talking some pretty serious money, to pretend, as Chairman RYAN said: If we are going to have an argument about taxes, we are not going to get anywhere. You are not even going to look at $10 trillion and not get anywhere?

On the corporate side, for every $1 in revenues the United States collects, here it is, $242 billion that we actually collect, that goes into Uncle Sam's pocket from corporate income tax revenue, here is what goes out the bookdoor of the corporate Tax Code: $148 billion.

So like individual income, when it comes to corporate income, for every $1 Uncle Sam actually gets in revenues through the Tax Code, 60 cents-plus goes out the bookdoor through loopholes and deductions and other tax gimmicks. So, again, we budget for 10 years. So $148 billion becomes pretty close to $1.5 trillion. That is big bucks. If you add the two together and do it for 10 years, which is what we do in the budget world, and account for modest growth over those 10 years, we are talking about $14 trillion.

We need to do $975 billion in deficit reduction out of loopholes from a $14 trillion number. Do not tell me we cannot find it there. Of course, the $14 trillion does not even count the billions of dollars that corporations and wealthy tax avoiders hide offshore. They do not even go through the gateway of the Tax Code and then out the backdoor.

They do not even get counted in the first instance. They go off to the Cayman Islands, to tax havens, they get hidden in Swiss bank accounts, who knows what, but they do not get subjected to American taxation.

By the way, that is pretty big business. Chairman Conrad, who was our predecessor chairman on the Budget Committee, used to have a slide he would show that showed a picture of a rather bland-looking four- or five-story building, the building in the Cayman Islands that did not look like much, not very big. You could drive by it, you would not particularly notice it. But he would point out in that little building over 18,000 companies claim to be doing business.

He would point out that the kind of business they were doing was monkey business with the Tax Code because nobody could put 18,000 businesses in that little building. None of that stuff gets counted in the $14 trillion, the stuff that goes through the front and then out the backdoor.

So the spending—the earmarks—that gets done through the Tax Code is a very big treasure trove. While much of this tax spending helps low-income and middle-class families, too much of it goes to high-income taxpayers who do not need it but who are clever and connected enough to get special deals, to get their tax earmarks into the Tax Code.

But, of course, the Republicans do not want us to look into their treasure trove. Ali Baba's cave of tax tricks is where the juicy earmarks are for the special interests. If you remember back to the last Presidential campaign, it became public that Mitt Romney had to fiddle his taxes in order to get his tax rate up to a 14-percent tax rate.

Some people gimmick their taxes to try to get their rates down. The rates for people such as Mitt Romney are so low to begin with that he had to play tax games to get his rates up to 14 percent so he would not look too bad as a Presidential candidate. Fourteen percent is a lower tax rate than a solitary hospital orderly pays. The guy who is walking down the linoleum hallways of Rhode Island Hospital at 2 o'clock in the morning delivering supplies pays a higher tax rate than that.

We cannot do anything about that? That is a tax question we cannot discuss? How do Romney and the hedge fund billionaires get away with that? Look in Ali Baba's cave of tax treasures for the carried interest exception. If you want to know where ExxonMobil, which is one of the richest and most profitable corporations in the history of the world, gets its hands into the American taxpayer's pockets and pulls out oil and gas subsidies, look for those Big Oil subsidies in Ali Baba's treasure cave.

Do you want to know why Amazon, Boeing, Carnival Cruise Lines, Duke Energy, PG&E, all companies making billions of dollars in profits per year, pay effective tax rates well under 10 percent? Look at the $150 billion in corporate tax giveaways there in Ali Baba's treasure cave.

Do you want to know how it is that corporate jets get special favored tax treatment compared to the commercial jets that ordinary mortals fly around in? Look at the accelerated corporate jet depreciation schedules in Ali Baba's tax treasure cave.

When the Speaker says that talk about raising revenue is over, look at what he is protecting? The Republican treasure trove of corporate and special interest earmarks heaped up like gold and jewels in the old illustrations in Ali Baba's cave of tax treasures.

We Democrats are knocking at that door. We are saying: Americans pay in deficit reduction $1.5 trillion already. We are offering another $975 billion on top of that.

We are saying that $600 billion came out of tax increases. What about loopholes?

Now we want to go into the cave. The Republicans are getting very anxious. The alarms are ringing at the special interests, and our colleagues are rushing to the trenches to defend the special interests and to defend their cherished tax earmarks. That is why they want to keep revenue—loophole closing—out of the debt and deficit discussion. They know that once we start taking a real look into Ali Baba's cave, some of that stuff will be impossible to defend to the American people.

It wasn't fair when it first went in, it has never been fair through its sordid history in the Tax Code, and it is not fair sitting in the Tax Code now. These are things we should get rid of even if we didn't need it for the debt and deficit. This is special interest crony capitalism at its worst. We intend to have a look at it in these discussions.

If we listened in the Budget Committee, the Republicans said it plainly: Not a penny of tax loopholes can go for deficit reduction. They have said they are willing to move the treasure around a little bit in Ali Baba's cave as long as it all still gets used for corporations and the wealthy. That is not a guess; that is the way the Republican budget is structured. Those are their budget numbers, all of it to lower tax rates for corporations and the rich. They are willing to spread the wealth around as long as it stays in the same hands.

We are at the gates of Ali Baba's cave, this special treasure trove of Tax Code special deals and earmarks for the rich and well connected. We are at the place where the lobbyists wheel the sweet corporate tax deals. We are knocking on the door of the $14 trillion in tax spending that has been left completely untouched in the deficit reduction so far. Our Republican colleagues are getting a little twitchy.

Come on, fellas. Out of nearly $14 trillion in tax spending and earmarks, can't we put just 7 percent of it toward the debt and the deficit? Our proposal is to leave 93 percent of the treasure in the cave. That is not unreasonable. What is unreasonable, what is unbalanced is the Republican desire that not a nickel in loophole closing can go toward our debt and deficit.

I could go through innumerable comments by our Republican colleagues warning us about the dire danger of our debt and deficit, warning about the terrible injustice to future generations, warning about the threat to our national security and to our national welfare; dire, serious warnings about the epic nature of the danger of our debt and deficit and the importance of curing it. When we actually stack it up, it is less important to them than every loophole in the Tax Code.

My point is that people can't have it both ways. They can't be telling the American people that the debt and the deficit is the No. 1 threat to the well-being of our beloved country but is also less important than every deduction every lobbyist ever squirreled away for every special interest in the Tax Code. Both of those cannot be true.

We must persevere to get into Ali Baba's cave of tax treasures in the loophole side of this equation. I hope very much that we will. I think that is nothing more than reasonable, nothing more than balanced. Indeed, one could argue it is actually a lot less than balanced because we only want 7 percent and we would be letting them keep 93 percent. We would be doing far more on spending than we would on revenue and loopholes combined. It is not balanced in the even-steven sense of the word, but at least it is generally fair. The Republican proposal that it should be all spending and zero loopholes is what is unbalanced and what I object to.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARKEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Ms. HIRONO. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

MILITARY JUSTICE IMPROVEMENT ACT

Ms. HIRONO. Mr. President, since the infamous Tailhook scandal in 1991, every Secretary of Defense has proclaimed that our military has a ''zero-tolerance'' policy for sexual harassment and sexual assault. Zero tolerance is the policy our military should have, but in reality it doesn't. We

know it doesn't because we have heard too many stories from women and men in the military who have been attacked, assaulted, or raped by their peers in uniform or by their superiors. We have heard too many stories in which the assailants go unpunished. We have heard too many stories about commanding officers using their authority to set aside court-martial convictions or to decide simply not to have a trial at all. We have heard too many stories about survivors being drummed out of the service by misinformed diagnoses of mental illness or by a chain of command that ignores the assailant and instead turns around and charges the survivor with bad behavior. We have heard too many stories about survivors who are so disillusioned by this broken system that they don't even bother to report these crimes. Instead, these men and women, warriors all, are forced to live in silence and with an unjust feeling of shame.

We all agree that commanders are responsible for maintaining good order and discipline in their units. This includes creating an atmosphere of dignity and respect for everyone under their command. Commanders must create an environment where sexual crimes do not occur. Our proposed changes to the military justice system do not absolve the commander of these responsibilities. It is still their job to prevent these crimes. But when these crimes do occur, survivors should have the ability to seek justice, and the Gillibrand amendment will help the survivors do just that.

I am glad our civilian and military leaders have committed to helping the survivors of sexual assault, punishing the predators and ending these terrible injustices. When the service secretaries and chiefs tell me fixing the problem of sexual assault is a top priority for them, I believe them. I believe they care deeply about this problem. Unfortunately, incremental change has not been and is not good enough. Commanders bear the responsibility for creating a culture where these crimes do not happen in the first place.

Congress must also do its part to ensure there is a system in place that both holds people accountable and doles out punishment that actually serves as a deterrent against future sexual assaults. Over the years, Congress has passed a variety of measures intended to fix these problems, and we have many good provisions in both the House and Senate versions of the NDAA which we are considering. But I do not believe these steps are enough. We must make a major change. We owe it to the men and women who serve our country in uniform. We owe it to the families and loved ones of those who serve because the trauma of sexual assault often extends beyond the trauma experienced by the survivor. We must do all we can to provide an environment where those who put their lives on the line for our country each and every day are not sexually assaulted. And if they are, we must provide a fair system of justice where the survivor is heard and not ignored, is helped and not shunned. That requires, I believe, vesting the decision about whether or not to go to trial with an impartial experienced military lawyer and not with the commander in the chain of command who has an inherent vested interest in the case.

It is undeniable the current system does not work. According to the Department of Defense, there were an estimated 26,000 cases of unwanted sexual contact in 2012. We have heard about trainers at Lackland Air Force Base repeatedly raping new enlistees. We have heard about incidents at the Service Academies, Aviano Air Force Base, Fort Greely, Fort Hood, and too many other bases. It is undeniable that we have a problem. The incremental steps we have taken are not enough.

The story of Marine 2nd Lt. Elle Helmer is just one example of this broken system. She told her story in the documentary ''The Invisible War,'' and it has also been reported elsewhere, including a CNN interview and in the Houston Chronicle.

I ask unanimous consent to have printed in the RECORD the Houston Chronicle article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Houston Chronicle, May 20, 2013]

AFTER SEX ASSAULTS INSIDE MILITARY, WOMEN ARE VICTIMS AGAIN OF LEGAL SYSTEM

(By Karisa King)

Marine 2nd Lt. Elle Helmer woke up on a cold floor, lost and surrounded by darkness. Her body screamed with pain, her underwear had been removed and she tasted blood in her mouth. She could hear someone else in the room with her, breathing slowly.

Memories from the past few hours flashed through her mind as she crawled toward a doorway for light. On orders from her command on March 16, 2006, Helmer had joined her fellow officers for a St. Patrick's Day pub run, a night of bar-hopping that ended across the street from the prestigious Marine Barracks Washington, where she was in charge of public affairs.

A major followed Helmer out of the last bar and summoned the 25-year-old to his office. As soon as they entered the office, he shut the door and kissed her. She pushed him away and made it halfway out the door when he caught her arm and yanked her back into the room so hard she tripped and went flying forward.

The last thing she remembered was her head slamming into his desk.

PART 1: SEXUAL-ASSAULT VICTIMS IN MILITARY UNJUSTLY STIGMATIZED, BOOTED OUT

Emerging from the darkened office hours later, she noticed she was wearing the major's green running shorts. She padded barefoot down a hallway to her office, where she found herself locked out. Two Marine guards found her outside the door, crying and shaking. She was certain she'd been raped.

''Call an ambulance,'' she kept telling them, a plea she repeated to a captain and a colonel who arrived later.

Instead, the colonel warned that if she went to a hospital, she would be prohibited from making a sworn accusation of rape because she'd been drinking. She would be charged with public intoxication and conduct unbecoming an officer, he told her.

''Dust yourself off. You're tough. You're from Colorado,'' he said. ''Whatever happened, it's because boys and girls and alcohol don't mix.''

It was her introduction to a military criminal justice system that frequently grants impunity to offenders and punishes victims—the outcome of a fiercely guarded power of commanders who wield broad discretion over the handling of sex crimes in their ranks, according to a San Antonio Express-News investigation.

MANY DRUGGED FIRST

From the accounts of sexual assault survivors in every branch of the military, a stark panorama emerges: Many victims were drugged or forced to drink and were raped, attacked as they slept, beaten unconscious and coerced into sex by their superiors. They were strongly discouraged from disclosing the crimes, or forced to report assaults to commanders who are closely connected to the accused.

Few suspects face criminal punishment. Of 3,374 reports of sexual assault last year involving 2,900 accused offenders, only 302 went to courts-martial and 238 were convicted, the Defense Department says.

Meanwhile, 286 offenders received nonjudicial or administrative punishment or discharges, allowing them to dodge a criminal mark on their record. In 70 cases, suspects slated for possible courts-martial were allowed to quit their jobs to avoid charges.

Prison sentences are rare. Only 177 perpetrators were sentenced to confinement. But the most jarring statistic: about half of all convicted sex offenders were not automatically expelled from the armed services.

The military had only recommended discharge for convicted offenders, but lawmakers cracked down this year and made expulsions mandatory.

MISHANDLING OF CASE

For Helmer, the immediate response from her chain of command foretold the mishandling of her case.

On the night she reported that she'd been raped, the colonel at Marine Barracks Washington refused to grant her medical help until she argued that her head injury demanded immediate attention. He agreed to let her go, but only after arranging for her to see a doctor he knew at National Naval Medical Center in Bethesda, Md.

''Don't say anything else and come straight back,'' he told her.

She was put into a car with a captain who was supposed to drive her there. But she insisted he take her to a different hospital at Andrews Air Force Base, where no one connected to the colonel would be awaiting her arrival.

The attack in the major's office was a betrayal by a superior she had trusted. But she eventually would regard the response from her chain of command and the military justice system as the biggest betrayal of all.

For all the public outrage sparked by sexual abuses at the Navy Tailhook convention in 1991, the Army's Aberdeen Proving Ground in 1996 and the Air Force Academy in 2003, the military criminal justice system has failed to stem an epidemic of sexual assaults, reaching an estimated 26,000 last year.

BASIC TRAINING ASSAULTS

Against that backdrop last year came explosive details of young recruits who were sexually assaulted by their basic training instructors at Joint Base San Antonio-Lackland. So far, the Air Force has identified 33 instructors suspected of illicit conduct with 63 trainees.

An Air Force general's decision to throw out a jury conviction of aggravated sexual

assault ignited an uproar on Capitol Hill. Lt. Col. James Wilkerson, an F–16 pilot at Aviano Air Base in Italy, was sentenced in November by a jury of officers to dismissal and a year in jail for sexually assaulting a party guest as she slept in a spare bedroom of his house.

But in February, Lt. Gen. Craig Franklin, Wilkerson's former commander, concluded the evidence was insufficient. Against the recommendation of his staff attorney, Franklin overturned the conviction, vacated the jury's sentence and reinstated Wilkerson to full duty.

The case underscores the unchecked legal power of commanders. Although they typically have no background or training in the law and may not be impartial arbiters, senior officers like Franklin who are endowed with ''convening authority'' determine which cases go to trial, and they have the ability to overturn verdicts and vacate sentences before cases enter the appeals process.

NO REASON AT ALL

According to military law, commanders can dismiss verdicts for any reason, or no reason at all.

For Kimberly Hanks, who testified she woke up as Wilkerson was assaulting her, it was a lesson in the conflicts of interest posed by the military justice system. Hanks, a 49-year-old physician assistant from California, was a civilian contractor at Aviano when she told military authorities she'd been assaulted.

After the verdict, she discovered that Franklin and Wilkerson had once flown together in Iraq and shared friends.

Even so, Franklin's decision to throw out the conviction shocked her. ''I think the message is loud and clear. I think it tells victims: Don't bother (to report),'' Hanks said.

Air Force officials said only five verdicts have been overturned in sexual assault cases in the past five years.

In response to the case, Defense Secretary Chuck Hagel in April proposed that commanders be stripped of their ability to toss out trial convictions. But Hagel and military brass oppose efforts to remove authority over sex crimes from commanders. At the Senate hearing in March, top military attorneys argued that sexual assault cases must remain within the chain of command, and nothing less than the military's ability to wage battle is at stake.

Kelly Smith had seen enough in her first three years in the Army to know that soldiers who can't tough out physical pain and personal difficulties—no matter how agonizing—are viewed not only as troublemakers but as a danger to the safety and cohesion of the unit.

That's why she had no intention of telling anyone in February 2003 after she woke up in her bed at Fort Lewis, Wash., as a man attempted to rape her. But Smith, whose screams drove off her attacker, said she was forced to report it to military authorities because Army guards identified the man as he ran from her room.

Although her assailant admitted the attack, the case was dropped without explanation, she said. She was sent to a psychiatric unit for therapy. Days later, she was dismayed to discover Army counselors sent her assailant to join the same therapy group. She protested, but was told she was being unreasonable.

''I sat next to him in group therapy for a week,'' Smith said. ''At that point, I shut down.''

While the soldier who assaulted her was allowed to retire, Smith, who was a Korean code breaker, soon was diagnosed with bipolar disorder, a pre-existing mental illness that prompted the Army to kick her out.

''I knew it would be the end of my career, and it was,'' Smith said.

OTHER PRIORITIES

For Elle Helmer, even those assigned to help her seemed to have had other priorities.

She met the victim advocate assigned to her case at Malcolm Grow Hospital at Andrews Air Force Base. The advocate arrived with instructions to drive Helmer back to the Marine Barracks because the colonel and executive officer wanted a word with her.

Helmer was adamant that she wanted to make a statement at Naval Criminal Investigative Services, which had jurisdiction over crimes at the barracks. The advocate warned against it.

''These cases never go anywhere,'' she told Helmer.

''And she's the sexual response coordinator!'' Helmer now says. ''It felt like walking backward in time.''

Eventually the advocate reluctantly took Helmer to NCIS to make a statement.

UP ALL NIGHT

It was roughly 8 a.m. and Helmer had been up all night. She entered the NCIS offices, about two blocks from the barracks, and learned the colonel and executive officer were there waiting to speak with her. Again, Helmer refused. She tried not to make eye contact with them as she walked past the office where they waited.

She spent the morning in a conference room with five investigators who questioned her credibility. In what seemed like an endless cycle, she wrote out her statement, they questioned her, and then asked her to rewrite the statement. They decided to open an investigation but said they couldn't accept her statement because she had been drinking the previous night.

It wasn't until that afternoon that investigators arrived at the barracks to collect evidence from the major's office. By that time, the major had been left alone at the scene for hours. Eyewitness statements show he was spotted making trips back and forth from the office carrying cleaning supplies and towels.

Helmer was taken back to the barracks to be interviewed by the colonel. When she returned to work the following Monday, he informed her that the Marine command had opened an investigation against her for public intoxication and conduct unbecoming an officer.

The NCIS investigation lasted three days. Investigators closed Helmer's case on the grounds she could not recall any sexual assault.

''Her statements did not constitute an allegation of criminal activity,'' the NCIS report stated.

Investigators held out the possibility of reopening the case, depending on the results of the rape kit.

Military records show the major told a commander at the barracks that he had no sexual contact with Helmer. He said she came into the office, laid down on the floor and vomited. He left the room to retrieve cleaning supplies, and when he came back, she was gone.

Eyewitness statements contradict his account. Two Marines who saw the major wearing green shorts and cleaning up vomit had peeked through the partly open office door and reported seeing a woman's bare leg sprawled on the floor.

''This looks bad but I'll take care of the lieutenant,'' he told them.

It wasn't until about two hours later that guards encountered Helmer locked out of her office and wearing the major's green shorts. The captain who took Helmer to the hospital told investigators he went into the major's office to retrieve Helmer's ID card and found the major asleep on the couch, ''wearing a Saint Patrick's Day t-shirt and nothing else.''

NO RAPE KIT RESULTS

Helmer waited four months with no results from the rape kit.

Frustrated by inaction, she told her command that she was speaking to a reporter in Washington about her case. Although nothing was published, she was fired from her job and charged with conduct unbecoming an officer and fraternization.

She was dismissed from the Marines for unacceptable conduct in January 2007 with a ''general under honorable conditions'' discharge.

While she waited for her final dismissal papers, military authorities told her the rape kit had been lost.

Ultimately, the major faced no criminal or administrative punishment. He was allowed to remain in the Marines and later received a promotion.

''All they did was give him expertise in how the legal system works,'' she said. ''Now he knows he can get away with it.''

Ms. HIRONO. Mr. President, the Houston Chronicle article tells the following account:

Lieutenant Helmer was stationed at Marine Barracks Washington in 2006, just a few blocks from the Senate Chamber. One night, after she was ordered to go bar hopping with her colleagues, a superior officer called her into his office and attacked her. She remembers him slamming her head into his desk, and then she blacked out. When she woke up she was wearing her superior officer's shorts, and she knew she had been raped. Two guards found her outside crying and shaking. She asked a colonel to call an ambulance and, instead, the colonel warned her she would be charged with public intoxication and conduct unbecoming an officer if she reported the attack. When Lieutenant Helmer finally made it to a military hospital, the sexual assault victim advocate warned her, ''These cases never go anywhere.''

Lieutenant Helmer pressed her case anyway. But after many months, here is the only thing that happened. Lieutenant Helmer was charged with fraternization and conduct unbecoming an officer, and the superior officer who attacked her received no punishment. In fact, he was later promoted.

This story should outrage us all. This story shows that when sexual assault occurs, the current system does not work. It is time to make fundamental changes to how sexual assault cases are handled in the military.

The amendment of Senator GILLIBRAND would be a big step in the right direction. Her amendment would take the decision to go forward with a trial out of the chain of command and place it in the hands of an experienced military lawyer. This change would improve the judicial process by increasing transparency. It would also eliminate potential bias and conflict of interest because, unlike a commanding officer, the military lawyer would be unconnected to either the survivor or the accused. Just the perception of such bias or conflict of interest could

discourage a survivor from reporting a sexual assault and thereby allow the attacker to prey on others again and again.

Many survivors of sexual assault tell us the main reason they do not report these crimes is because they think nothing will happen. The current process often does not work. It is unacceptable to allow this situation to continue.

The problem of sexual assault is a scourge on our military for which there is no silver bullet. But at the very least what we need is a military justice system where a survivor feels confident that his or her case will be fairly examined and, if deemed to have sufficient evidence, be sent forward to trial.

Sexual assault in the military is something that most people don't want to talk about. We don't want to think the men and women whose service we honor on Veterans Day are being preyed upon by their colleagues or, even worse, that they themselves may be sexual predators. There is no doubt in my mind that the overwhelming majority of our military men and women serve our country valiantly and with honor, and we should take care not to tarnish them with suspicion. In fact, we owe it to them to act.

It is for these reasons that I am a proud cosponsor of Senator GILLIBRAND's Military Justice Improvement Act. I urge my colleagues to support it, and to my colleagues who are opposed or undecided, I want to say again that keeping disposition authority within the chain of command has not worked. One of the arguments I have heard against making this change is that doing so would interfere with the commander's ability to maintain good order and discipline. Good order and discipline should not rest upon a commander's ability to decide whether or not to prosecute a sexual crime.

The time has come to make a significant change, and I believe this is a change that needs to be made. I want to commend our colleague Senator KIRSTEN GILLIBRAND for her tireless efforts and courageous leadership in this effort to help survivors of sexual assault in the military.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. GILLIBRAND. Mr. President, I had the privilege of listening to my colleagues, Senator HIRONO and Senator BLUMENTHAL, who have been addressing this issue of sexual assault in the military. As both of them said so persuasively and articulately, our military justice system is broken. The sense of trust that a man or woman serving in the military today, who has been subjected to rape or sexual assault, has been broken—and not just between them and the assailants in their unit but between them and their commanders. In fact, the trust that their commander will have their back, that they will have these crimes investigated and the perpetrators brought to justice has been broken.

Even General Amos, Commandant of the Marines, said so. He said: I can see why a female marine might not report a case of sexual assault. They don't trust us. She doesn't trust the chain of command.

This is our challenge. We have to reform the system because these are some of the best men and women in the world that make our military as strong as it is. But we are subjecting them to not only these great acts of violence but then the second heartbreak, the second revictimization of having a military justice system that does not have their back or they are convinced not to report these crimes because justice will not be done or nothing will be done or they will be retaliated against for reporting.

The No. 1 reason 23,000 cases last year went unreported was because victims believed nothing would be done. They did not trust their chain of command to have these cases prosecuted. The second reason they didn't report these cases was because they feared or witnessed retaliation. That is not surprising, because of the 3,000 brave survivors who did report their sexual assault or rape, 62 percent were retaliated against. That is a huge number.

There is a failure within our military—our military that has promised for 25 years zero tolerance for sexual assault and rape in the military. As far as I am concerned, all we have had is zero accountability, because of those brave 3,000 survivors who did come forward and 62 percent were retaliated against means those commanders failed to maintain a command climate where retaliation is not taking place.

In our underlying bill we are going to fix that. We are going to make retaliation a crime, giving commanders more tools to go after perpetrators of retaliation. Retaliation has always been against good order and discipline. It has never been acceptable, but still it exists and too many victims do not come forward because they fear it.

So I wish to speak on behalf of these survivors, these advocates, these champions, these leaders in reform. They can't be on the Senate floor right this moment, but I can be here, and I can share their stories. I can tell what happened to them.

Sarah Plummer was raped as a young marine in 2003. She said:

> I knew the military was notorious for mishandling rape cases, so I didn't dare think anything good would come of reporting the rape.
>
> Having someone within your direct chain of command just doesn't make any sense, it's like being raped by your brother and having your dad decide the case.

Another survivor, Trina McDonald, at 17 enlisted in the Navy. She was stationed at a remote base in Alaska. Within 2 months, she was attacked, repeatedly drugged and raped by superior officers over the course of 9 months. Can you imagine that being your daughter? Can you imagine this young woman who literally wants to serve our country and even die for our country being repeatedly drugged and raped by her supervisor?

She said:

> At one point, my attackers threw me in the Bering Sea and left me for dead in the hopes that they would silence me forever. They made it very clear that they would kill me if I ever spoke up or reported what they had done.

Thank God Trina McDonald survived, because as I read her testimony from the Senate floor, she is being heard in this debate.

Army SGT Rebekah Havrilla, who served in Afghanistan and was raped in 2007, said reporting the crime to her commanding officer was unthinkable:

> There was no way I was going to go to my commander. He made it clear he didn't like women.

Listen to AIC Jessica Hinves, who was raped in 2009 by a coworker who broke into her room at 3 a.m. She said:

> Two days before the court hearing, his commander called me on a conference at the JAG office, and he said that he didn't believe that [the offender] acted like a gentleman, but there wasn't reason to prosecute.

Breaking into someone's room, not being a gentleman. Obviously, that commander does not understand that rape is a serious crime.

> I was speechless. Legal had been telling me this is going to go through court. We had the court date set for several months. And two days before, his commander stopped it. I later found out the commander had no legal education or background, and he'd only been in command for four days.

Her rapist was given the award for Airman of the Quarter. She was transferred to another base.

Many listening tonight may think this is just a crime against women, but one of the most disturbing facts is that more than half of these crimes are against men. It is not a gender issue. The crimes of rape and sexual assault are not of passion but are brutal crimes, crimes of aggression, crimes of dominance, crimes of control. These are not cases of dates that have gone badly.

Blake Stephens, now 29, joined the Army in January of 2001, just 7 months after graduating from high school. The verbal and physical attacks started quickly, he says, and came from virtually every level of the chain of command. In one of the worst incidents, a group of men tackled him, shoved a soda bottle up his rectum, and threw him backward off an elevated platform onto the hood of a car.

When he reported the incident, Stephens said, his drill sergeant told him, ''You're the problem. You're the reason this is happening,'' and refused to take action. Blake said:

> You just feel trapped. They basically tell you you're going to have to keep working

with these people day after day, night after night. You don't have a choice.

His assailants told him that once he deployed to Iraq, they would shoot him in the head. ''They told me they were going to have sex with me all of the time when we were there.''

If these stories aren't enough, please do listen to some retired generals, commanders, JAG officers, veterans who know from years of experience that the status quo is an injustice to those who serve, and our approach is the right way forward.

This September, three retired generals gave their public support for our proposal, including LTG Claudia Kennedy, the first woman to achieve the rank of three-star general in the U.S. Army; BG Lorree Sutton, formerly the highest ranking psychiatrist in the Army; BG David McGinnis, who most recently served in the Pentagon as the Principal Deputy to the Assistant Secretary of Defense for Reserve Affairs.

Lieutenant General (retired) Kennedy wrote me:

> Having served in leadership positions in the US Army, I have concluded that if military leadership hasn't fixed this problem in my lifetime, it's not going to be fixed without a change to the status quo.
>
> The imbalance of power and authority held by commanders in dealing with sexual assaults must be corrected. There has to be independent oversight over what is happening in these cases.
>
> Simply put, we must remove the conflicts of interest in the current system. . . . The system in which a commander can sweep his own crime or the crime of a decorated soldier or friend under the rug, protect the guilty and protects serial predators. And it harms our military readiness. . . .
>
> Until leadership is held accountable, this won't be corrected. To hold leadership accountable means there must be independence and transparency in the system.
>
> Permitting professionally trained prosecutors rather than commanding officers to decide whether to take a sexual assault case to trial is a measured first step toward such accountability. . . . I have no doubt that command climate, unit cohesion and readiness will be improved by [these] changes.

BG (retired) Lorree Sutton also wrote to me, saying:

> Failure to achieve these reforms would be a further tragedy to an already sorrowful history of inattention and ineptitude concerning military sexual assault.
>
> In my view, achieving these essential reform measures must be considered as a national security imperative, demanding immediate action to prevent further damage to individual health and well-being, vertical and horizontal trust within units, military institutional reputation, operational mission readiness and the civilian-military compact.
>
> Far from ''stripping'' commanders of accountability, as some detractors have suggested, these improvements will remove the inherent conflict of interest that clouds the perception and, all too often, the decision-making process under the current system. Implementing these reforms will actually support leaders to build and sustain unit cultures marked by respect, good order and discipline.

BG (retired) David McGinnis, who also served as a Pentagon appointee, wrote this to me:

> I fully support your efforts to stamp out sexual assault in the United States military and believe that there is nothing in [the Military Justice Improvement Act] that is inconsistent with the responsibility or authority of command. Protecting the victims of these abuses and restoring American values to our military culture is long overdue.

Retired Air Force Maj. Gen. Martha Rainville, the first woman in the history of the National Guard to serve as a State Adjunct General and served in the military for 27 years, including 14 years in command positions, wrote:

> As a former commander, endorsing a change that removes certain authority from military commanders has been a tough decision. It was driven by my conviction that our men and women in uniform deserve to know, without doubt, that they are valued and will be treated fairly with all due process should they report an offense and seek help, or face being accused of an offense.
>
> When allegations of serious criminal conduct have been made, the decision whether to prosecute should be made by a trained legal professional. Fairness and justice require sound judgment based on evidence and facts, independent of pre-existing command relationships.

That is the crux of the problem. You have commanders who have biases. Maybe they don't want women in the military. Maybe they don't believe gay members should serve openly. Maybe they need or appreciate or like the assailant more. Maybe the perpetrator has done great things in battle. Maybe he is more experienced, more important. Maybe he is more popular.

Those biases color decisionmaking. Because when the decisionmaker actually weighs evidence, one of the fundamental pieces of evidence in these cases is the testimony of the victim and the accused. If that commander doesn't value the victim because she is new, he may not believe her when he sees the perpetrator is a family man with two kids, a lovely wife: How could he possibly do that? He has been in Iraq five times. I don't believe her and I believe him. He has weighed the evidence through a colored lens.

That is not justice. That is not fairness. That is not what our democracy is based on. We believe in justice being blind. We believe in the scales of justice not being weighed for the victim or the accused. Justice is blind. It is fair. It is impartial. It is objective.

If that decisionmaker is not even a trained lawyer, how do we hope they are going to get it right, colored with biases, colored with self-interest. No commander wants to say rape is happening under their command. That is a failure. It is a failure of military readiness. It is a failure of good order and discipline. It is a failure of good command climate. Why would they want to report their own failure? Many times they don't. That is why the deck is stacked against the victims of these crimes in too many cases.

We have had a recent ruling that I think is incredibly important.

The DOD for 50 years has had a panel called the DACOWITS panel. It is a panel of advisers that have been asked by the Secretary of Defense, for the past 50 years, to please tell him what policies and proposals are most important to protect and support women in the military. The whole purpose of the committee is to look at this issue and say what is the status of women in the military, how are they faring.

This panel actually has been studying sexual assault in the military for decades. They have been focused on it, have had hearings on it, opining on it, giving recommendations for a very long time. They have looked at this proposed recommendation, studied it, and they actually recommended every piece of this legislation to be passed by this Congress. They have actually recommended the decisionmaking go outside the chain of command. The vote for that proposal: 10 in favor, 6 abstained, none against. Of the 10 in favor, 9 out of 10 are all former military, 5 of them senior officers. The one nonmilitary was a woman who was head of the Women's Law Center. They want every aspect of this reform put into law. They are the experts. Even Secretary Hagel said he looks at this group with great regard, with high authority. He regards them as the preeminent advisory panel for women in the military.

We also have a lot of support from other retired members of the military, Retired U.S. Army MG Dennis Laich, Retired Navy CAPT Lory Manning, Former JAG officer and Congressman PATRICK MURPHY, and military legal experts such as Diane Mazur and Rachel Natelson.

When the DACOWITS panel, the Defense Advisory Committee On Women In The Services, voted in support of the measure, they say they believe these are the reforms that will make the difference. They say they must implement these reforms to make sure the status of women in the military is protected. Secretary Hagel places a great premium on this panel.

We also have the support of leading veterans groups, veterans groups who actually have served. They are veterans; they understand what happens. ''We want to be clear, a vote for the Military Justice Improvement Act is a vote for our troops, and a vote for a stronger military.'' We should listen to our veterans.

I think it is time we restore trust. The military has had 25 years to deal with this problem. They have been saying zero tolerance for 25 years. They keep saying: We got this. They keep saying: We can handle this, just give us more time. If this happened to my son or daughter—how much more time do you need? How many more thousands of victims are going to be raped and assaulted in the military and have no hope for justice? How many more good men and women are we going to lose to sexual assault and rape, who are retaliated against and pushed out, being told they are the problem? How much are we going to lose in terms of military readiness, in terms of unit cohesion, in terms of troop morale, in terms of good order and discipline, to the scourge of sexual violence in the military?

I don't think we should wait another day. I don't think we should wait for another panel, another report, another study, another, another, another, another. We have boxes of studies over the last 25 years making recommendations. But until you create a transparent, accountable military justice system, you do not have a hope of solving this problem. Until you give the decisionmaking authority to an actual trained lawyer who is not biased, you don't have a hope.

All of our allies have done this, all of them. The ones we fight side by side with—Israel, UK, Canada, Australia, Netherlands, Germany—are allies. They said if it is a serious crime; let the decisionmaker be unbiased; let the decisionmaker be trained.

Did they have a fall-off of good order and discipline when they let these decisions be made by trained prosecutors? They told us no.

When we tried to repeal don't ask, don't tell, military commanders said you cannot possibly do this; this will undermine good order and discipline. When we wanted women to be able to serve in the military, they said you cannot possibly do that because of good order and discipline. When we integrated the armed services, commanders said you cannot possibly do this; it will undermine good order and discipline. We did it. We did every single one of those reforms.

Congress had an action, elected leaders had a responsibility. We provide oversight and accountability over the Department of Defense. It is an important relationship, and sometimes we may have an idea for reform that can make the difference, that can make our military stronger, that can utilize all of our best and brightest.

Don't ask, don't tell—we lost 10 percent of our foreign language speakers because of that corrosive policy. How many thousands are we going to lose to sexual assault and rape in the military? How many? How many good men and women? Losing one more is too many.

I ask my colleagues to support this bill. It is not a Democrat nor is it a Republican idea. It is a good idea. It is a commonsense reform. It makes perfect sense when people learn about the issue and want a solution. This is what this place is supposed to be about. It is supposed to be people of good will coming together to solve problems, to make a difference.

We need leadership. We do not need followers, we need leaders. We need people who will do that job and provide oversight over the Department of Defense, especially in an area where they failed so much. This reform will make a difference, and I urge my colleagues to support it.

I yield the floor. 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.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mrs. SHAHEEN. Mr. President, I am pleased to be here to join my colleague Senator GILLIBRAND in expressing my concerns about how we address sexual assault in the military.

For the past several years, we have all become increasingly aware of the prevalence of sexual assault in our military. Personally, I know I share the outrage of all Americans that one of our Nation's proudest institutions is afflicted by this level of criminal violence. In 1989, Secretary of the Navy H. Lawrence Garrett III established a policy of zero tolerance for sexual harassment and sexual assault. Two years later, the Tailhook scandal happened at a convention attended by the Secretary and the Chief of Naval Operations.

On June 2, 1992, Secretary Garrett wrote a memo to his military leaders that said:

> While each individual must be accountable for his or her own actions, commanding officers have a unique responsibility for leadership in ensuring appropriate behavior and attitudes of those under their command.

In the end, the Tailhook scandal resulted in 90 victims—83 women and 7 men—140 officers facing possible punishment and zero criminal prosecutions for incidents of assault. All of these events occurred under the same zero tolerance policy that military leaders espouse today.

The Tailhook scandal was only the beginning of our awareness of the silent crisis within the military. Since that time, there have been numerous scandals in every service. Yet 20 years later we are not only told that the system works but that the status quo, maintaining the chain of command on this issue, is vital to solving the problem. This, of course, ignores the reality of the sexual assault crisis.

In fact, according to the Department of Defense Sexual Assault Prevention and Response Office, 26,000 cases of unwanted sexual contact and sexual assault occurred in 2012, and that was an increase of 37 percent since 2010. Clearly, something must change and it must change now.

Thanks to the hard work of Senators GILLIBRAND, BOXER, BLUMENTHAL, and HIRONO, along with so many supporters on both sides of the aisle, this issue is back at the forefront of our national debate. We now have a historic opportunity not only to make additional meaningful commonsense reforms to our military criminal justice system, but I think the Defense authorization bill that we are going to take up before the end of this year, hopefully, has a number of very critical proposals to address sexual assault in our military, and I certainly support those. I was pleased those provisions got unanimous support within the committee. But I do not think we went far enough in that bill.

We also need to send a powerful message to the tens of thousands of victims, many of whom have been suffering quietly for decades, that what happened to them in our military is unacceptable. In too many of those cases it is criminal. And it will no longer be tolerated.

The Military Justice Improvement Act of 2013 addresses what victims tell us is the No. 1 problem in the current system. Victims decide not to report sexual assaults because they fear their commanding officers will not take the issue seriously and they will be retaliated against or nothing will be done.

According to the Department of Defense Sexual Assault Prevention and Response Office, 50 percent of female victims said they did not report the crime because they believed nothing would be done with their report. And 25 percent of women and 27 percent of men who received unwanted sexual contact indicated that the offender was actually someone in their own military chain of command.

Our legislation addresses the chain-of-command issue. It removes the decision of whether to go to trial from the chain of command and puts it into the hands of experienced prosecutors. This is a straightforward change. It is designed to promote transparency and accountability in the prosecution of these crimes.

It would also ensure that impartial individuals specifically trained to handle these cases determine whether they move forward, which permanently eliminates the conflicts of interest that exist in the current system. We need all victims to know that if they come forward, their cases will be handled fairly and impartially.

Several days ago in America, we celebrated Veterans Day. Many of us went home to our home States to honor the men and women who, throughout our history, have served in our military. Our military's traditions of honor and respect are too important to continue to be plagued by the issue of sexual assault. That is why I urge my colleagues to support the Military Justice Improvement Act, because we strengthen our military when victims of sexual assault have the confidence to come forward and report crimes, and when we remove fear and stigma from the process. We strengthen our military when we create a process to deliver fair and impartial justice on behalf of the victims of these crimes.

Every man and woman who wears the uniform deserves these rights, and after more than 20 years of waiting, it is way past time we come through for them.

I yield the floor.

FY 2014 BUDGET PROCESS

Mr. LEAHY. Mr. President, I once again express my strong support for the efforts of the chairwoman of the Appropriations Committee, Senator MIKULSKI, and the chairwoman of the

Budget Committee, Senator MURRAY, as they work to reach agreement with their counterparts in the House of Representatives to resolve the impasse over the fiscal year 2014 budget.

Washington today is filled with naysayers. But as broken as the budget process is, and as pessimistic as many people are, I remain hopeful about the possibility of reaching a compromise that can bring us back to some semblance of the regular order everyone claims to want.

If there ever were two Senators who could find a way through the morass, it is Senator MIKULSKI and Senator MURRAY. And they should know there are a great many of us, including some on the Republican side of the aisle, who are 100 percent behind them. I encourage all Senators to read David Rogers' piece in Tuesday's edition of POLITICO, entitled ''BARBARA MIKULSKI's fight: Protecting appropriations''. It tells the story, and in doing so, it pays tribute to Senator MIKULSKI.

I am not naïve about the obstacles ahead, not the least of which is the shortness of time. We need a top line number from the budget conferees by the end of next week if we are to complete appropriations bills by January 15 when the current continuing resolution expires.

There is no mystery about what needs to happen. There must be compromise by both sides on two key issues—increasing revenues and decreasing spending. There will not be agreement without both. But in the absence of agreement, the operations and programs of every Federal agency will be drastically reduced by the combined effects of sequestration and a full year continuing resolution.

People will lose their jobs and programs will be cut deeply or terminated altogether. Infrastructure projects will be cancelled. The American people will pay the price in far more ways than any one of us can imagine.

I want to mention a few examples of the effects that a full year continuing resolution, at the level the House proposes, will have in lost jobs and canceled infrastructure projects in this country.

Under a full year continuing resolution, the National Science Foundation would receive $542 million less than the amount in the Senate bill. The funding included by the Senate would provide funding for 1,500 more competitive grants and support 17,000 scientists, technicians and students. Under a CR, those jobs and that research would not be possible.

The $500 million included in the Senate bill to fix thousands of deteriorating and aging bridges around the country would disappear.

Under a CR, the Federal Aviation Administration would not receive the $559 million in the Senate bill to hire air traffic controllers needed to keep the skies safe. Instead, the FAA would be faced with having to impose a hiring freeze and furlough air traffic controllers and aviation safety inspectors.

Funding for agricultural research would receive nearly $242 million less than the levels included in the Senate bill and America's standing as the world leader in food production could be in jeopardy, because we simply won't be able to compete with the $4.5 billion China spends on agricultural research annually.

The EPA's funding for clean and safe drinking water would face significant cuts, putting Americans' access to clean water at risk. It would also mean 6,500 fewer American jobs.

These are just a few examples of how another long term continuing resolution will neglect the infrastructure needs of our Nation and prevent the creation of thousands of jobs.

I hope the spirit of bipartisan cooperation that put an end to the needless shutdown will enable the budget conferees to reach agreement on a top line funding level so Senate Appropriations Committee Chairwoman MIKULSKI and House Appropriations Committee Chairman ROGERS can help us get back to work and pass the bills needed to fund these essential services.

Mr. President, I ask unanimous consent that David Rogers' article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From POLITICO, Nov. 11, 2013]

BARBARA MIKULSKI'S FIGHT: PROTECTING APPROPRIATIONS

(By David Rogers)

It's not quite Wendy and the Lost Boys but it's getting close.

Indeed, a year after taking power, Chairwoman Barbara Ann Mikulski—or BAM as she's known in staff memos—is the mother-older sister the Senate Appropriations Committee never knew.

The longest-serving woman ever in Congress, and the first to lead that old male haven, the Maryland Democrat brings a style like none before her: cajoling, prodding, empowering her members to get out on the Senate floor and fight. Appropriations is her neighborhood just as East Baltimore was when Mikulski began her rise as a community organizer in the 60's. Only now it's not a 16-lane highway through Fells Point but sequestration in January that threatens her world.

The stakes are enormous.

If no budget deal is reached in the next month, Congress will surrender to another round of automatic cuts in January and risk leaving the government under no better than a stopgap funding bill through the remainder of fiscal 2014. That would be the third such 12 month CR arrangement in four years—a true breaking point for Appropriations but also a tempting tool for those seeking to frustrate President Barack Obama's second term.

In the midst of this, Mikulski can be a terror: demanding, self-centered to a point of fault. But she enjoys an invaluable alliance with Senate Budget Committee Chairwoman Patty Murray (D–Wash.) who also sits on Appropriations. And at 77, it can seem that Mikulski's whole life has prepared her for this moment: the grocer's daughter and product of grassroots Catholic social activism matched against the new grassroots anti-government forces of the Tea Party.

Obama checked the box of community organizer on his way to the top. Mikulski lived it. She can paraphrase Jesuit scholars but also pepper her floor speeches with ''Wow'' or ''Oh, boy.'' And her politics remain greatly influenced by the likes of the late Monsignor Geno Baroni, a civil rights and community organizer who was a leader of the neighborhood revival movement of the 60's and 70's.

''He was always cooking up a pot of social glue and developing social capital,'' Mikulski said in a 1994 speech honoring Baroni's memory. Nearly 20 years later that might describe too her own approach to Appropriations.

''A little bit different,'' she laughs of the change she has brought. ''Absolutely'' community organizing is part of that.

''My worst nightmare is that we get to like January 12th and 13th and we don't have anything,'' she told POLITICO. ''And we go to a year-long CR with sequester kicking in on January 15th which is government at its worst. Government on auto pilot and cuts across-the-board in that meat axe way.''

''I know a lot about a lot, but I want to be able to marshal the resources of my own committee to be able to get out there and talk,'' she said. ''The chair of the Appropriations Committee is more like head of the Joint Chiefs. My twelve subcommittee chairman enjoy not only a great deal of autonomy but they really are the ones that drill down on their respective portfolios and know it in a very granular way . . . Who better to tell the story than those who know it the most?''

Beginning with the shutdown in October, the Mikulski style has been to go to the Senate floor herself but then gin up her colleagues to follow. This proved remarkably successful last month, and after a meeting with her Democratic members last week, she's doing the same now—this time focused on sequestration and the perils of surrendering to a full-year stopgap CR.

''She wants us to be engaged with the same energy she has,'' said Sen. Jack Reed (D–R.I.) ''It can be quite effective. Instead of just her giving a speech, we follow and say 'Let me tell you specifics.' ''

''It's a new day around here,'' said Sen. Mark Pryor (D–Ark.). ''All the organization skills she can muster, we need at this point.''

That organization begins with Murray. And the dynamic of these two women—both rooted in Appropriations—is the most intriguing of the battle ahead.

It is an alliance both new and old at once.

Mikulski took over the chairmanship of Appropriations in December last year after the sudden death of Sen. Daniel Inouye (D–Hawaii.) Weeks later, Murray took the gavel at Budget, replacing North Dakota Sen. Kent Conrad, the committee's long time top Democrat and chairman who retired at the end of the last Congress.

At one level, the 63-year-old Murray is junior to Mikulski. At another, she has moved well ahead by taking on tasks in the party leadership which the matriarchal Mikulski stepped back from even as her Senate contemporary and old House mate, Sen. Harry Reid (D–Nev.) advanced.

For Reid, a veteran of Appropriations and now Majority Leader, the emergence of this Mikulski-Murray alliance is a huge asset as seen in last month's shutdown crisis.

It was popular in the press then to credit a bipartisan coalition of women—led by Sen. Susan Collins (R–Maine)—with driving the final outcome. But in fact, it was two women, Mikulski and Murray, who took the opposite stand. And inside the Democratic caucus, they proved pivotal for Reid in holding firm against the Collins plan.

''We liked the Collins effort . . . It had dignity. It had intellectual rigor,'' Mikulski said looking back. But the plan itself, which envisioned a CR through January 30, risked disaster for Appropriations. It did nothing to

stop sequestration and despite Collins' best intentions, left the door open to what Mikulski feared would be simply another eight month CR after that.

But take away gender, this Mikulski-Murray alliance is really a return to past practice for the Senate.

For most of its history, under Republicans or Democrats, the Senate Budget Committee has been led by chairs bred in Appropriations. Think back to Sens. Pete Domenici (R–N.M.), Lawton Chiles (D–Fla.) Jim Sasser (D–Tenn.) or Judd Gregg (R–N.H.).

In this context, the long tenure of Conrad, a product of the Senate Finance Committee, was more the exception than the rule—now restored by the arrival of Murray.

''She actually understands what we do and what we need to do to do our job,'' Mikulski said.

The flip side of this coin is that Mikulski must also help Murray do her job on Budget. Time and again through Senate history, budget resolution votes have been decided by Appropriations members falling in line—or crossing the aisle—in the name of moving ahead. If Murray gets a deal with House Budget Committee Chairman Paul Ryan (R–Wis.), Mikulski's support will be needed to sell it to the Senate.

Two very different pressure points are available to her.

First are the Republicans with whom Mikulski has worked on Appropriations and have their own vested interests in a budget deal. Second are Democratic liberals where Mikulski can provide political cover on tough votes given her progressive credentials and history alongside the late Sen. Edward Kennedy (D–Mass.).

Alabama Sen. Richard Shelby, the ranking Republican on Appropriations, was still a Democrat in the House in the 80's when he and Mikulski served together on the Energy and Commerce Committee. They came over together to the Senate in 1986 and are their own Mutt-and-Jeff pair, taking alternative turns running the Commerce, Justice and Science subcommittee.

''We've got a history,'' Shelby said. ''We both would like a [topline] number being appropriators. When I was down at the White House with the president, I told him the reason we're here mainly is because we've had an appropriations breakdown.''

Given Republican politics, Mikulski knows that Shelby can't be as outspoken as she is for a budget deal. But she was worked to enlist him and House Appropriations Committee Chairman Hal Rogers (R–Ky.) to keep the pressure on for a swift conclusion to the budget talks.

''I asked him if he would encourage the timeline of sooner rather than later,'' Mikulski said of Shelby. In the same vein, she signed onto a recent letter with Rogers that urged negotiators to have an answer by Thanksgiving—leaving time for Appropriations to have an omnibus bill in place by early January.

''What [Rogers] and I share is sequester,'' Mikulski said. ''If we go to sequester, we're cooked.''

But Ryan will want Democratic pain to get to a deal. And the day may come when Mikulski has to choose between more chaos for her committee or a compromise that entails savings from sensitive areas like Medicare or federal workers.

''I've got to see what's exhausted before I go down that road,'' she says, quickly ducking any commitment. ''Do you mean to tell me there is not one loophole [Republicans] are willing to close?

''I'm convinced that Patty can still have room for a deal . . . I don't want to speculate on the array of things that she has to take to the table. It's premature.''

Kennedy's memory is important here. Mikulski has no pretensions of having the same status as her late friend. But their history is rich, and just as Kennedy could be a swing vote for the left, she may also have to play that role.

At the 1980 Democratic convention—having lost the nomination battle to President Jimmy Carter—Kennedy tapped Mikulski, then a young congresswoman, to introduce him before his ''Dream Shall Never Die'' speech.

''You know what: I kept the dress,'' Mikulski said. ''I told him I would keep it until he was president. It became a standard joke. I told him I looked at it longingly.''

''And he said 'Because you would like to see me as president?'" Mikulski said. ''And I said, 'No cause I want to be able to fit into the damn thing.' ''

Mr. JOHNSON of South Dakota. Mr. President, Congress is facing two fast-approaching budget deadlines: December 13 for a budget deal and January 15 for a funding bill to avert another government shutdown. Given the complexity of the issues, the brief window of opportunity, and the upcoming holiday season, meeting those deadlines will be a challenge. But it is a challenge Congress must meet. If we don't get a budget deal, we don't get a budget topline; we don't get any relief from sequestration; we can't write the 2014 appropriations bills, and we default to a year-long CR. That is a nightmare scenario.

A long-term CR is the worst way to fund the government. It merely recycles last year's funding levels to meet this year's funding priorities. That makes as much sense as using last year's canceled checks to pay this year's bills.

The military construction Program is the poster child for everything that is wrong with a CR. The 2014 Senate MILCON-VA bill includes $4.8 billion for the construction of hundreds of new-start MilCon projects throughout the United States. The 2013 bill—which sets the funding levels for the CR—funded a totally different set of MILCON projects, and the funding does not align with the 2014 program.

For example, the Army needs $½ billion less for MILCON in 2014, and the Air Force needs $800 million more. A CR written at 2013 levels would not reflect those requirements, meaning the Air Force would come up short while the Army would be awash in MILCON dollars it does not need. This would be a devastating blow for the Air Force because it took a pause in its MILCON Program last year. As a result, a CR at the 2013 level would fund less than 30 percent of the 2014 Air Force MILCON Program.

All of which could be moot because a CR also prohibits new starts. Without relief from that provision, 96 percent of the major MILCON Program would be on hold.

The MILCON bill funds mission-critical training and operational facilities, schools, hospitals, troop and family housing, and myriad other programs crucial to the work and well-being of our service members and their families. The 2014 Senate bill funds more than 200 new major MILCON projects in 39 States. And that does not include overseas MILCON or follow-on phases of ongoing projects.

Hundreds of thousands of Americans across the Nation go to work every day for contractors building MILCON projects. Government construction—whether it be MILCON, VA hospitals and clinics, or Federal roads, highways and bridges—is a major job generator. The Association of General Contractors estimates that every $1 billion in nonresidential construction generates 28,500 jobs.

For the 2014 slate of major MILCON projects alone, that amounts to nearly 137,000 new jobs. Multiply that by the annual Federal Government investment in nationwide construction projects, and it is clear that a robust government construction program is a wise economic investment on all fronts.

Even if the new-start prohibition were lifted, the 2014 sequester remains a threat to the military construction program. DOD estimates that a second round of sequestration could cost the MILCON Program as much as $1 billion, of which about half would come from new major construction projects. Under another round of sequestration, project deferrals or cancellations are almost guaranteed. The result would be a disruption of the MILCON Program and possibly thousands of lost job opportunities.

As chairman of the Senate Banking Committee, I am well aware of the Nation's precarious economic recovery. As an appropriator, I am equally aware of the need to adequately fund both Defense and domestic government programs.

The path to responsible government funding requires both revenue increases, through such means as closing tax loopholes and sensible spending cuts. Spending cuts alone cannot close the gap without crippling the economy.

Mr. President, Congress has a responsibility to govern. In the coming weeks, we must strive to achieve at minimum a 2-year budget deal, cancel sequestration for at least 2 years, and produce a governmentwide funding bill—what is commonly known as an omnibus by January 15. With the cooperation of all parties, that is an achievable goal. The American people deserve—and expect—no less.

AFRICAN WILDLIFE POACHING CRISIS

Mr. LEAHY. Mr. President, it was not very long ago that it seemed as if the ivory trade was on the decline and that the survival of African elephants in the wild was assured. In recent years, we have seen that confidence shattered, as thousands of these magnificent animals have been systematically killed for their tusks. Similarly, the rhinoceros, already endangered, is now in great jeopardy due to the voracious appetite in China and elsewhere

in Asia for concoctions manufactured from their horn which can fetch thousands of dollars per ounce.

Large-scale poaching of these and other wildlife species has become endemic in sub-Saharan Africa. It is estimated that up to 17,000 African elephants have been killed for their tusks since 2011, and just last month poachers used cyanide to poison 300 elephants in Zimbabwe. It was only a couple of years ago that we saw the extinction of the western black rhinoceros, another victim of rampant poaching. This devastating slaughter should serve as a deafening wake-up call to the world. It has implications that extend far beyond wildlife conservation.

The international ban on ivory sales enacted in 1989 had a positive, albeit temporary impact on the protection of elephant and rhinoceros populations, but it has since spawned a black market industry in wildlife and wildlife parts. As I mentioned, some of the market is in carved ivory products and potions prized in Asia for their supposed medicinal or other properties. But this illicit revenue is increasingly being used to fund violent extremist groups in the subcontinent. The profits from this trade fuels trafficking in weapons, drugs, and humans, as well as terrorism in the Horn of Africa, the Sahel, and beyond.

Vermonters take pride in being well informed about international affairs, as well as on the impact that we as individuals have on the world we live in. The people of my State know that many of the products we buy, services we support, and actions we take have global implications, positive and negative. That is why it was no surprise when more than 300 people gathered last month in the University of Vermont's Ira Allen Chapel to view the National Geographic documentary ''Battle for the Elephants'' and discuss the grave threat that poaching poses to the world's elephant population. The consensus was that while the outlook is ominous, the fact that people are increasingly focused on this crisis is reason for hope that these animals can be saved. Vermont's own Laurel Neme, a renowned environment and wildlife policy expert, noted that technological advancements, especially in regards to tracing the origins of illegal ivory, have made encouraging strides.

The United States has moral as well as strategic interests in combatting trafficking in wildlife and wildlife products. As I have mentioned, it is not only decimating elephant and rhinoceros populations it is also funding traffickers and terrorist groups. For these reasons, the Appropriations Subcommittee on State and Foreign Operations, of which I am chairman, included $45 million for fiscal year 2014 to combat wildlife poaching and trafficking, including by training and supporting African park rangers and other law enforcement officials. The Obama administration has also recognized the need to address this crisis more forcefully and is allocating additional resources.

Ultimately, it is the responsibility of the African countries to protect and conserve their wildlife populations. But they cannot do it alone. It is imperative that we work with them and other donor governments and organizations to martial the resources to combat the black market trade in wildlife.

SUPREME COURT POLICE AUTHORITY

Mr. LEAHY. Mr. President, since the early 1980s, Congress has provided legislative authority for Supreme Court Police to protect Supreme Court Justices, their employees, and guests when they leave the Supreme Court grounds. That authority is set to expire at the end of next month and merits extension. The House voted by an overwhelming majority of 399 to 3 to pass a bipartisan bill which would extend this authority through 2019. All Democrats have cleared this bill for passage. I urge the minority to do the same so the Senate may swiftly pass this extension to ensure the continued safety of our Supreme Court Justices and their employees.

TRIBUTE TO JOHN WOOD

Mr. MCCONNELL. Madam President, I rise today to pay tribute to an American hero who is also a proud and honored Kentuckian. Mr. John Wood of Glasgow, KY, will be honored this month for his service in uniform to our country. Mr. Wood served in the U.S. Marine Corps from 1941 to 1947, was present for the December 7, 1941 attack on Pearl Harbor, and was there at the Battle of Midway Island just months after America entered World War II.

After his military service, Mr. Wood settled in Glasgow, where he worked as a radio broadcast engineer from 1949 to 1990. He is a true legend from the Greatest Generation who still has much to teach us younger folks.

This November 18, Mr. Wood will be honored at Glasgow City Hall. Also, local officials in Glasgow, Cave City, and Barren County will join with local veterans' organizations in Kentucky to proclaim November 20 as ''John Wood Day'' in Barren County. Coincidentally, on November 20, Mr. Wood will also turn 93 years old. I cannot think of a better tribute to this fine man's service than to recognize him on his birthday.

My fellow Kentuckians can turn out to see Mr. Wood when he serves as the Grand Marshal for the Cave City Christmas Parade later this year, and also as a featured guest in the Glasgow Christmas Parade. These will be wonderful community events to bring Kentuckians together to honor John Wood's service and to say thank you to all veterans in the Christmas spirit.

I know I speak for my colleagues in the U.S. Senate when I express gratitude to Mr. John Wood for his service to our great Nation. Kentucky is proud to have him in our midst. I want to wish him a very happy birthday, a happy John Wood Day, and a Merry Christmas and a Happy New Year.

Recently an article appeared in a Kentucky publication, the Sanford Herald, highlighting Mr. Wood's life of service. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sanford Herald, November 9, 2013]

MARINE VET RECOUNTS PEARL HARBOR, MIDWAY

JOHN E. WOOD REMEMBERS HIS SERVICE IN THE PACIFIC

(By Anna Johnson)

SANFORD.—When the first Imperial Japanese plane burst into a ball of fire, John E. Wood thought he saw something else fall toward the small Hawaiian island where he was stationed in 1942.

''I saw something drop from the plane,'' Wood said. ''I thought at first he had bailed out. A little closer you could tell it wasn't the pilot. It was a silver bomb.''

It was just a few seconds later when the bombs fell in unison toward the Marine Corps 6th Defense Battalion, destroying plane hangars, power stations, and a cluster of above-ground fuel tanks near Wood.

''I got half nauseated from the smoke and all of those guns being fired,'' Wood said. ''There were fuel tanks burning. The island was just, almost, engulfed with smoke. And then the planes dropped all their bombs.''

Wood, a former Lee County resident, manned a .50-caliber machine gun—''They were airplane guns, but they had mounts so they could rotate''—when the Imperial Japanese planes began to fly toward and over Midway Atoll on June 4, 1942.

''We could see them off in the distance,'' Wood said. ''Two or three planes would go down, a plume of smoke behind them. Off the shore away, you'd see a splash when one would go down We were ordered to fire when they got in range.''

One plane, tilting from damage to its left tail, came into close range near Wood, giving them a close encounter with the pilot.

''He was dressed up,'' Wood said. ''He had a white shirt and black coat and black tie. The gloves, he had white gloves on his hands. Every gun there on through the center of the island opened up on him. He was shot down.''

The Battle of Midway, a decisive victory for the United States and a turning point in the Pacific theater during World War II, came just six months after the attacks on Pearl Harbor—a battle Wood witnessed, rifle in hand.

IT WAS SOMETHING TO DO FOR A LIVELIHOOD

Wood, 92, was born in Montgomery County, near Troy. He grew up in Lee County with his parents, John Lee Wood and Nancy Phillips Wood, and two brothers, Malphus and Thomas.

''My first school was the old McIver Street School, and Edna St. Clair was my teacher,'' he said. ''When I was finished over at McIver Street, I started over at the high school and that was in 1934.''

Wood spent two years in the Civilian Conservation Corps—a public-relief program meant to relieve families who faced difficulties during the Great Depression—before enlisting in the Marine Corps in 1941.

''I really didn't have anything else to do at the time,'' he said. ''At the time I enlisted, it was something to do for a livelihood. And

I had a brother already in the Marine Corps.''

Wood joined the 4th Defense Battalion as a radio and radar operator, traveling to Cuba, Panama, and along the west coast of the United States. The day after his 21st birthday, aboard the U.S.S. *Henderson*, Wood left San Diego and arrived at Pearl Harbor on Dec. 1, 1941.

''We were there a week when the Japanese attacked Pearl Harbor and Hickam Field,'' he said.

PEARL HARBOR

Wood was stationed two miles from the entrance of Pearl Harbor at an unfinished Marine base. The battalion's rifles were still crated up when Imperial planes began to fire.

''We were still close enough to Pearl Harbor to see when the Japanese planes began to attack,'' he said. ''In Hickam Field we could see all the anti-aircraft fire being fired at the planes down in the harbor area. All the smoke and anti-aircraft fire burst around the planes.''

There were murmurs among the men about military maneuvers or exercises that quickly evaporated when the first plane burst into a fireball, streaking down, he said.

''We got the call from the harbor that we were under attack,'' Wood said. ''They tore the crates open, without any regard if you got your own rifle. They gave us a bandolier and told us to fire on anything that came into range. We got our rifles but we weren't sure where we were going.''

Only one Japanese plane, possibly taking pictures, Wood said, came near his group.

''There was one Japanese plane that circled our camp area, and he wasn't in range to be firing on,'' he said. ''But some of the boys were firing rifles at it, and we did get a machine gun, .50-caliber, and began firing at it, but the plane was still too far away. It circled and went back in the direction of Honolulu.''

There were no causalities or injures in the 4th battalion, but more than 2,000 Americans lost their lives and another 1,000 were injured. Shots were fired over their heads, Wood said, and they were forced into a nearby mess hall—a military cafeteria—to avoid the gunfire.

''It wasn't the Japanese,'' he said. ''It was our own shells from some of our guns. We didn't know where it was coming from . . . but I was lying there as close to the ground as I could get and there was another boy lying eight or 10 inches from my head. We both had our hands over our heads, and finally they did quit firing and we just laid there for a few seconds. We finally got the nerve to look up, and we raised our heads at the same time. I looked at him, and he looked at me. Neither of us spoke, but I noticed his face was white as a sheet. I just wondered to myself if my face was as white as his. That was my most uneasy moment of it all.''

The next day, Wood listened to the declaration of war from President Franklin Roosevelt and preparations began for his 15-month tour at Midway as part of the 6th Defense.

In 1943, he arrived home in Lee County sometime between 1 or 2 p.m., and said simply his parents were glad to see him.

''I was kinda glad to get back home, too,'' Wood said.

He left the military in April 1947, moved to Kentucky and worked at a radio station for more than 40 years. He married the late Glindoln and had three children.

Wood comes back to Central Carolina almost every summer for a family reunion, he said.

This Veterans Day, Wood said he'll be attending a ceremony and meeting with the Kentucky Bluegrass Chapter of the Pearl Harbor Survivors Association.

''I do think being at both of those two places, well, they are important events in the military history of our country,'' Wood said. ''I do feel a little bit of pride for being at both of those events.''

NOMINATIONS

Mrs. GILLIBRAND. Mr. President, I rise to offer my strong support for Ms. Nina Pillard to be a U.S. district court judge for the District of Columbia Circuit.

Nina Pillard is an exemplary nominee who is more than qualified to serve on the Federal bench.

She has been a tenured professor of constitutional law at Georgetown University Law Center for 15 years and is a highly accomplished litigator who has practiced law at every level of the court system, including the Supreme Court.

Nina Pillard's impressive professional background makes her superbly qualified to serve on the DC Circuit. Her sheer talent, legal prowess, and vast and varied professional career is a testament to her brilliance.

She has argued nine cases before the U.S. Supreme Court and briefed dozens of others on significant constitutional questions such as gender equality, the Family Medical Leave Act, the right to a jury trial, and free speech.

Over the course of her 25-year legal career, Ms. Pillard has argued and/or briefed landmark Supreme Court cases, including United States v. Virginia, where she successfully opened the doors of the Virginia Military Institute to female cadets.

Nina attended Harvard Law School, where she was editor of the Harvard Law Review. She began her career as a clerk for the U.S. District Court for the Eastern District of Pennsylvania for the Honorable Louis H. Pollak and served as assistant counsel for the NAACP Legal Defense and Education Fund. She then joined the office of the Solicitor General of the United States, where she briefed and argued cases on behalf of the Federal Government before the Supreme Court. In 1998, she was named Deputy Assistant Attorney General for the Department of Justice's Office of Legal Counsel.

Nina is a board member for the American Arbitration Association and is an active reader for the American Bar Association Reading Committee, which evaluated the writings of Supreme Court nominee Samuel Alito for the Standing Committee on Federal Judiciary. She also is a member of the Georgetown Law Supreme Court Institute and serves on the Board of Academic Advisors for the Georgetown Journal of Gender and the Law. Previously, she served as a member of the American Constitution Society and the Center for Transnational Legal Studies.

However, some of my colleagues are once again blocking another highly qualified and immensely talented woman. The filibuster of Caitlin Halligan, Patricia Millett, and the threatened filibuster of Nina Pillard is history repeating itself.

Some of my colleagues on the other side of the aisle have argued that the three remaining vacancies on the DC Circuit should be eliminated because the court's caseload is too low.

What they have failed to mention is that the DC Circuit Court currently has 8 active judges and 6 senior judges with an astonishing caseload total of 1,479. This outrageous argument was made just over 7 months ago, when another highly qualified female nominee to the DC Circuit, and New Yorker, Caitlin Halligan, was filibustered.

It should also be noted that in the last 19 years, the Senate has confirmed only one woman to this important court. Furthermore, the DC Circuit has only had five female judges during its entire 120-year history. In a country where women make up over half of the population, that is a disgraceful statistic and one this body can take steps to eliminate immediately.

It is absolutely necessary that the Senate confirm supremely qualified individuals such as Nina Pillard to serve on the Federal judiciary. Her experience is unmatched and her passion for the law is unquestioned. With a caseload as high as that of the DC Circuit, it is our responsibility in the Senate to act swiftly in confirming the President's nominees. We cannot continue nor can we afford to toss out highly experienced individuals, particularly such accomplished women to serve in our Federal Judiciary because of political gamesmanship. The time to act is now.

TRIBUTE TO JAMES ''BOB'' CURRIEO

Mr. MCCAIN. Mr. President, I rise today to recognize the service and contributions to the State of Arizona and the Nation of James ''Bob'' Currieo. Bob spent his life serving our country as a soldier; a leader in the veterans community; and, for the last 17 years in my office, a valued advocate for constituents and veterans. Bob, 79 years young, retires this month.

Serving the residents of Arizona is one of the great pleasures of my office. When my constituents request assistance in matters dealing with the government, I try, as all my colleagues do, to move quickly to provide a fair and effective path for them to seek redress. And, in this regard, I have been lucky to have had a constituent-advocate of Bob's experience and caliber.

The experience that Bob brought to his working with me was informed by 22 years of service in the U.S. Army, retiring with the rank of sergeant major. Following decorated service in the Korean war, a fortunate assignment to the U.S. Army Combat Surveillance School at Fort Huachuca brought Bob to Sierra Vista and introduced him to a State that he would

quickly come to love and consider home.

I first met him in 1982 while he was serving as the newly elected National Commander-in-Chief of the Veterans of Foreign Wars. He was then, and remains today, a quiet but powerful force—a man whose soft-spoken words resonate among those around him. Despite his humble, modest demeanor, his talent for leadership and dedication to our Nation's veterans is immediately evident.

In 1984, Bob was invited by the State Department to join a U.S. delegation as an observer of El Salvador's first election in 50 years. I was also on that trip, and remember a long discussion we had about veterans and politics, two of Bob's interests. In 1986, I asked him to join my Arizona staff. Ever in demand, he departed for a period to serve as an executive in the VFW in Washington, DC, where I kept tabs on him. In 1996, Bob was ready to return to Arizona and I leapt at the chance to have him back on my staff.

From that time until just recently, he devoted himself to helping me work on behalf of veterans. On my many trips back home, as I checked in with Fort Huachuca, Davis Monthan, and our veterans communities, I always heard the same message, ''You are lucky to have a man like Bob Currieo on your team.'' I wholeheartedly agree.

In the nearly 20 years that Bob served in my office, he opened more than 8,000 cases. That is 8,000 servicemembers, veterans, military spouses and families who called out for help—calls that I am proud were answered on my behalf by a man as capable and caring as Bob. I thank him for his contributions to my team, his wise counsel, and his unwavering friendship.

As the late Coach Abe Lemons once said, ''The trouble with retirement is that you never get a day off.'' I know that my friend Bob won't face that dilemma—that he will remain active with the VFW and in his community as he embarks on the next exciting chapter of his life. I wish Bob and his wife Cecilia a long and happy retirement—filled with many joyful days and beautiful Tucson sunsets together.

RESTORING THE 10TH AMENDMENT ACT

Mr. WICKER. Mr. President, today I wish to express my support for the Restoring the 10th Amendment Act—S. 1643. This legislation, which I have introduced with nine of my colleagues, represents an effort to ensure that States' rights are protected against further Federal encroachment.

Ratified and signed into law on December 15, 1791, the 10th Amendment is integral to the system of checks and balances that our Founding Fathers conceived. The Founders were right to be concerned that the Federal Government would seek to usurp powers belonging to the States. They understood that limitless Federal power was a threat to the future of our democracy.

In The Federalist No. 45, James Madison notes the difference between Federal and State power. He describes the powers that the Constitution grants to the Federal government as ''few and defined.'' He calls the powers left to the States as ''numerous and indefinite.''

Today, we can plainly see how wise our Founders were. As we enter into the second term of the Obama administration, Federal regulatory overreach has become an intrusive part of everyday life in the United States. From the President's sweeping health-care law to the extreme rulemaking of the Environmental Protection Agency, there is virtually no aspect of Americans' lives that escapes the creeping reach of Federal regulators.

The Restoring the 10th Amendment Act seeks to reverse this trend and to level the playing field by giving States a new tool to challenge Federal overreach. Specifically, it provides special standing in court for State government officials to dispute inordinately sweeping regulations issued by Federal agencies. Any rule proposed by a Federal agency would be subject to constitutional challenges if certain State officials determine that the rule infringes powers reserved to the States under the 10th Amendment. In this way, the bill would reinforce the safeguards in our existing system of constitutional checks and balances.

Americans have the right to expect the members they elect to Congress to uphold the Constitution's founding principles. It is our responsibility to ensure that the executive branch is held accountable for any overreach of its constitutionally defined powers.

This bill recognizes that the 10th Amendment is as important today as it was on the date of its ratification. It would keep the executive branch accountable and preserve the integrity of our constitutional system of checks and balances. Senators COCHRAN, GRASSLEY, ISAKSON, SESSIONS, ROBERTS, THUNE, INHOFE, CRAPO, RISCH, ENZI, and CORNYN have joined me as cosponsors.

I urge all of my colleagues to support the prompt passage of the Restoring the 10th Amendment Act.

ADDITIONAL STATEMENTS

TRIBUTE TO LEW W. CRAMER

• Mr. HATCH. Mr. President, today I wish to recognize a dedicated business man, public servant and friend for his exemplary service in my home State of Utah. Lew Cramer will retire after a distinguished career building international trade in Utah and supporting exports for the United States.

Mr. Cramer began his career earning a bachelor's and law degree from Brigham Young University in Provo, UT. It was many years later that he returned to co-found World Trade Center Utah, an organization which has been instrumental in Utah's economic success. Through the World Trade Center, Mr. Cramer connects Utah firms with new business opportunities around the world. It is thanks to the efforts of hardworking men like Mr. Cramer that, in this time of economic hardship, Utah is the only State in the Nation showing positive export growth year over year for the past decade. With the pioneering spirit of a true Utahn, Mr. Cramer has helped our companies take advantage of export opportunities creating quality, stable jobs in Utah.

Before his time in Utah, Mr. Cramer spent many years in public service. He served as Director General of the U.S. Commercial Service during President George H.W. Bush's administration, directing the activities of 1,400 commercial officers at more than 150 embassies worldwide, as well as in 65 offices throughout the United States. During the Reagan administration, he served as a White House fellow, a Deputy Assistant Commerce Secretary and as the Assistant Secretary of Commerce for International Trade.

Mr. Cramer has worked extensively in the global telecommunications and broadband sectors, including serving as vice president for MediaOne International and US WEST, where he was responsible for their international government and multilateral financial institution relations and public policy for numerous wireless and broadband investments in more than 30 countries. Mr. Cramer shares his vast experience through education. He has taught international business at Georgetown University and the University of Southern California.

I would like to wish my friend the very best in his retirement and to profoundly thank him for his exemplary record of service to Utah and to our Nation.•

RECOGNITION OF PROFESSORS OF THE YEAR

• Mr. UDALL of Colorado. Mr. President, today I wish to congratulate the four national winners of the U.S. Professors of the Year Award. Since 1981 this program has recognized outstanding undergraduate instructors throughout the country. In addition to the national winners, a State Professor of the Year was also recognized in 36 States. This year, I am very proud to say that Colorado has the exceptional distinction of being home to two of the four national winners: Ann Williams at the Metropolitan State University of Denver and Steven Pollock at the University of Colorado at Boulder.

While the prestigious Professor of the Year Awards recognizes professors from diverse institutions and fields of study, this year's honorees all share a strong commitment to the art of teaching and to their students. Recipients are proven innovators who drive their fields and their colleagues forward, through both their energy and their enthusiasm. These educators are shaping

the next generation of American leaders and should be recognized for the critical role they play in moving our country forward.

I am especially proud to celebrate the two national winners from my State of Colorado. Ann Williams is a Professor of French at Metropolitan State University and is being recognized as the Outstanding Baccalaureate College Professor of the Year. The judges noted her inspirational and innovative teaching of the French language and the cultures of French-speaking countries. She has served her campus community through leadership in her department and institution, her State through participation with a task force on academic standards, and her profession as an author and presenter on pedagogical issues, a textbook writer, a consultant to the Advanced Placement Program, and winner of an award for one of the 10 best practices courses in the country.

Steven Pollock, Professor of Physics at CU-Boulder, has been chosen as the Outstanding Doctoral and Research Universities Professor of the Year. He brings an enthusiasm to his research that stirs excitement for learning in both his undergraduate and graduate students. His innovative methods of teaching and student assessment have been widely adopted through materials he makes publically available, and he has further offered his time to help others integrate them in their courses, fields, and institutional settings. He is also the developer of the highly regarded Student Learning Assistant Program, a mentor to undergraduate physics majors, and author of two popular Learning Company video courses on physics.

Our success as a nation is in no small part due to the leadership and passion of professors like Ann Williams and Steven Pollock. These educators know that focusing on student achievement is critical to fostering the innovation and creativity necessary to make Colorado and our Nation a leader in 21st-century job creation. I wish all the winners the very best in their endeavors. Congratulations and best regards.

The four national award winners are:

Outstanding Baccalaureate Colleges Professor of the Year: Ann Williams, Professor of French, Metropolitan State University of Denver

Outstanding Community Colleges Professor of the Year: Robert Chaney, Professor of Mathematics, Sinclair Community College

Outstanding Doctoral and Research Universities Professor of the Year: Steven Pollock, Professor, University of Colorado at Boulder

Outstanding Master's Universities and Colleges Professor of the Year: Gintaras Duda, Associate Professor, Creighton University

THE 36 STATE WINNERS ARE

Alabama: Laura Stultz, Professor of Chemistry, Birmingham-Southern College.

Arizona: Amber Wutich, Associate Professor of Anthropology, Arizona State University.

California: Manoutchehr Eskandari-Qajar, Professor of Political Science and Middle East Studies; Chair, Political Science and Economics Department, Santa Barbara City College.

Connecticut: Michelle Loris, Professor of English and Psychology, Sacred Heart University.

Delaware: Harold Bancroft White, Professor of Biochemistry, University of Delaware.

Florida: Thomas Moore, Archibald Granville Bush Professor of Natural Science and Professor of Physics, Rollins College.

Georgia: Mulatu Lemma, Chair of Department of Mathematics, Savannah State University.

Illinois: Jeffrey Boshart, Professor of Art Foundations/Sculpture, Eastern Illinois University.

Indiana: Robert Palumbo, Alfred W. Sieving Chair of Engineering and Professor of Mechanical Engineering, Valparaiso University.

Iowa: Paul Kimball, Science Professor, Northeast Iowa Community College.

Kansas: Gregory Eiselein, Professor of English, Kansas State University.

Kentucky: Mark Lucas, Jobson Professor of English, Centre College.

Maryland: Gregory Wahl, Associate Professor, Department of English, Montgomery College.

Massachusetts: Susan Rodgers, Professor of Anthropology and W. Arthur Garrity Sr. Professor, College of the Holy Cross.

Michigan: Steve Wolfinbarger, Professor of Music (Trombone), Western Michigan University.

Minnesota: Brian Wisenden, Professor of Biology, Minnesota State University Moorhead.

Mississippi: William Kelleher Storey, Professor of History, Millsaps College.

Missouri: Terrence Freeman, Professor of Mechanical Engineering, St. Louis Community College at Florissant Valley.

Montana: Sara Mae Glasgow, Professor of Political Science, University of Montana Western.

Nebraska: Matthew Huss, Professor of Psychology, Creighton University.

New Hampshire: Vicki May, Instructional Associate Professor of Engineering, Dartmouth College.

New Jersey: Linda Wang, Professor, Math Department, Brookdale Community College.

New York: Curt Stager, Professor of Natural Sciences, Paul Smith's College.

North Carolina: Christopher Cooper, Associate Professor of Political Science and Public Affairs, Western Carolina University.

Ohio: John Ritter, Professor of Geology and Director of Environmental Science, Wittenberg University.

Oklahoma: Mary Phillips, Associate Professor of Biology, Tulsa Community College.

Oregon: Sammy Basu, Professor of Politics, Willamette University.

Pennsylvania: David Bartholomae, Professor of English and Charles Crow Chair, University of Pittsburgh.

Rhode Island: Cheryl Foster, Professor of Philosophy, University of Rhode Island.

South Carolina: Joe Dunn, Charles A. Dana Professor and Chair, Department of History and Politics, Converse College.

South Dakota: James D. Feiszli, Professor of Humanities and Director of Music Activities, South Dakota School of Mines and Technology.

Texas: Ceilidh Charleson-Jennings, Professor of Communication Studies, Collin College.

Utah: Joyce Kinkead, Professor of English, Utah State University.

Virginia: Scott Boltwood, Professor of English and Drama; Chair, English Department, Emory and Henry College.

Washington: Scott Linneman, Professor of Geology, Western Washington University.

Wisconsin: Victor Macias-Gonzalez, Professor of History and Women's Gender and Sexuality Studies, University of Wisconsin-La Crosse.●

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 1:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker had signed the following enrolled bills:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs with human immunodeficiency virus (HIV).

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.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

At 2:17 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 982. An act to amend title 11 of the United States Postal Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 982. An act to amend title 11 of the United States Code to require the public disclosure by trusts established under section

524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 14, 2013, she had presented to the President of the United States the following enrolled bills:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 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.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3544. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC–3545. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Removal of the Regulation for the National Low Emission Vehicle Program'' (FRL No. 9902–53–Region 3) received in the Office of the President of the Senate on November 6, 2013; to the Committee on Environment and Public Works.

EC–3546. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee; Infrastructure Requirements for the 2008 Lead Ambient Air Quality Standards; Correction'' (FRL No. 9902–65–Region 4) received in the Office of the President of the Senate on November 6, 2013; to the Committee on Environment and Public Works.

EC–3547. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Procedures for Stringency Determinations and Minor Permit Revisions for Federal Operating Permits'' (FRL No. 9902–50–Region 6) received in the Office of the President of the Senate on November 6, 2013; to the Committee on Environment and Public Works.

EC–3548. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to groups designated by the Secretary of State as Foreign Terrorist Organizations (OSS 2013–1728); to the Committee on Foreign Relations.

EC–3549. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS–2013–1730); to the Committee on Foreign Relations.

EC–3550. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS–2013–1729); to the Committee on Foreign Relations.

EC–3551. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13–0104); to the Committee on Foreign Relations.

EC–3552. A communication from the Director of the National Gallery of Art, transmitting, pursuant to law, the Gallery's Inspector General Report for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3553. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Big Valley District-Lake County and Kelsey Bench-Lake County Viticultural Areas and Modification of the Red Hills Lake County Viticultural Area'' (RIN1513–AB99) received in the Office of the President of the Senate on October 30, 2013; to the Committee on the Judiciary.

EC–3554. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Ballard Canyon Viticultural Area'' (RIN1513–AB) received in the Office of the President of the Senate on October 30, 2013; to the Committee on the Judiciary.

EC–3555. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report of a delay in the submission of the audit report for the year ending December 31, 2012; to the Committee on the Judiciary.

EC–3556. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division, and the nationwide federal law enforcement effort against public corruption; to the Committee on the Judiciary.

EC–3557. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Moon Mountain District Sonoma County Viticultural Area'' (RIN1513–AC00) received in the Office of the President of the Senate on October 30, 2013; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. Res. 292. A resolution expressing support for the victims of the typhoon in the Philippines and the surrounding region.

S. 657. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes.

S. 1683. A bill to provide for the transfer of naval vessels to certain foreign recipients, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

Michael G. Carroll, of New York, to be Inspector General, United States Agency for International Development.

*Daniel W. Yohannes, of Colorado, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador.

*Elizabeth Frawley Bagley, of the District of Columbia, to be an Alternate Representative of the United States of America to the Sixty-eighth Session of the General Assembly of the United Nations.

*Theodore Strickland, of Ohio, to be an Alternate Representative of the United States of America to the Sixty-eighth Session of the General Assembly of the United Nations.

*Stephen N. Zack, of Florida, to be an Alternate Representative of the United States of America to the Sixty-eighth Session of the General Assembly of the United Nations.

*Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

*Sarah Sewall, of Massachusetts, to be an Under Secretary of State (Civilian Security, Democracy, and Human Rights).

*Richard Stengel, of New York, to be Under Secretary of State for Public Diplomacy.

*Carolyn Hessler Radelet, of Virginia, to be Director of the Peace Corps.

*Anthony Luzzatto Gardner, of New York, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Nominee: Anthony Luzzatto Gardner.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information conained in this report is complete and accurate.)

Contributions, amount, date, donee:

Self: $250, 01/02/2010, Gillibrand for Senate; $500, 08/10/2011, Obama Victory; $500, 08/10/2011, Obama for America.

Spouse: Alejandra Mac-Crohon: None.

Children and Spouses: Nicolas Gardner, Alejandra Gardner: None.

Parents: Richard Gardner: $1,000, 04/25/2012, Elizabeth Warren; Danielle Gardner: Deceased.

Grandparents: Bruno Luzzatto, deceased; Resy Luzzatto, deceased; Samuel Gardner, deceased; Ethel Gardner, deceased.

Sisters and Spouses: Nina Luzzatto Gardner: $1,000, 04/03/2012, Elizabeth Warren; $250, 09/29/2010, Tom Perriello; $250, 09/30/2012, Elizabeth Esty; $250, 09/15/2009, Barbara Boxer; $500, 06/15/2011, Elizabeth Esty; $250, 09/27/2012, Dan Maffei; $500, 09/30/2009, Dem Congrsl Campgn; Francesco Olivieri: None.

*Amy Jane Hyatt, of California, a Career Member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Palau.

Nominee: Amy Jane Hyatt.

Post: Palau.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: N/A.

3. Children and Spouses: Emma Hyatt, none; Zachary Rishling, none.

4. Parents: Renée L. Hyatt, deceased, none; Ernest B. Hyatt, deceased none.

5. Grandparents: Simon Hyatt, deceased, none; Rose Hyatt, deceased, none; Clara Lang, deceased, none; Milton Lang, deceased, none.

6. Brothers and Spouses: Glenn S. Hyatt, none; Suzanne Hyatt, none.

7. Sisters and Spouses: N/A.

By Mr. LEAHY for the Committee on the Judiciary.

Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit.

Pamela L. Reeves, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Vince Girdhari Chhabria, of California, to be United States District Judge for the Northern District of California.

James Maxwell Moody, Jr., of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

Amos Rojas, Jr., of Florida, to be United States Marshal for the Southern District of Florida for the term of four years.

Peter C. Tobin, of Ohio, to be United States Marshal for the Southern District of Ohio for a term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MARKEY (for himself, Mr. KIRK, and Mr. BLUMENTHAL):

S. 1700. A bill to amend the Children's Online Privacy Protection Act of 1998 to extend, enhance, and revise the provisions relating to collection, use, and disclosure of personal information of children, to establish certain other protections for personal information of children and minors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself, Mr. WYDEN, and Mr. UDALL of Colorado):

S. 1701. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to strengthen Fourth and Fifth Amendment Protections and freedoms of citizens of the United States and ensure greater transparency and oversight of the ability of the Federal Government to collect information and conduct surveillance on the private lives of citizens of the United States; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. RUBIO, and Mr. CRUZ):

S. 1702. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 1703. A bill to require the provision of information to members of the Armed Forces on availability of mental health services and related privacy rights; to the Committee on Armed Services.

By Mr. DURBIN (for himself and Mr. FRANKEN):

S. 1704. A bill to expand the use of open textbooks in order to achieve savings for students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mrs. GILLIBRAND, and Mr. MARKEY):

S. 1705. A bill to provide a Federal charter for the National Fab Lab Network, a national network of local digital fabrication facilities providing community access to advanced manufacturing tools for learning skills, developing inventions, creating businesses, and producing personalized products; to the Committee on the Judiciary.

By Mr. BROWN (for himself, Mr. CASEY, Mr. DURBIN, Mrs. MURRAY, Mr. HARKIN, Mr. FRANKEN, Mr. BLUMENTHAL, and Mrs. BOXER):

S. 1706. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications; to the Committee on Finance.

By Mr. HELLER (for himself and Ms. HEITKAMP):

S. 1707. A bill to exclude consideration as income under the United States Housing Act of 1937 payments of pensions 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.

By Mr. MERKLEY (for himself, Ms. AYOTTE, and Mr. SCHATZ):

S. 1708. A bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KIRK (for himself, Mr. COONS, Mr. BROWN, and Mr. BLUNT):

S. 1709. A bill to require the Committee on Technology of the National Science and Technology Council to develop and update a national manufacturing competitiveness strategic plan, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WHITEHOUSE:

S. 1710. A bill to require Amtrak to propose a pet policy that allows passengers to transport domesticated cats and dogs on certain Amtrak trains, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself, Mr. GRAHAM, and Ms. AYOTTE):

S. 1711. A bill to enable States to opt out of certain provisions of the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. ALEXANDER, Mr. MCCONNELL, Mr. BARRASSO, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Mr. CORNYN, Mr. ENZI, Mr. GRAHAM, Mr. HELLER, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. LEE, Mr. MCCAIN, Mr. PAUL, Mr. RISCH, Mr. RUBIO, Mr. SCOTT, Mr. THUNE, and Mr. WICKER):

S. 1712. A bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY:

S. 1713. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Ms. AYOTTE, Mr. CORNYN, and Mr. CASEY):

S. 1714. A bill to impose sanctions with respect to Syria, to expand existing sanctions with respect to Syria, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself, Mr. BLUNT, Mr. HELLER, Mr. GRAHAM, Mr. WICKER, Mr. KIRK, and Mr. PORTMAN):

S. 1715. A bill to decrease the deficit by realigning, consolidating, disposing, and improving the efficiency of Federal buildings and other civilian property, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER (for himself, Mr. BLUNT, Mr. GRAHAM, Mrs. GILLIBRAND, Mr. HELLER, Mr. COONS, Ms. KLOBUCHAR, Mr. WICKER, Mrs. MCCASKILL, and Mr. KIRK):

S. 1716. A bill to facilitate efficient investments and financing of infrastructure projects and new long-term job creation through the establishment of an Infrastructure Financing Authority, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KAINE (for himself and Mr. CHAMBLISS):

S. 1717. A bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes; to the Committee on Veterans' 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. CASEY (for himself, Mr. ROBERTS, Mrs. MURRAY, Mr. BROWN, Mr. BENNET, and Ms. LANDRIEU):

S. Res. 295. A resolution expressing the support for the designation of October 20, 2013, as the ''National Day on Writing'' ; considered and agreed to.

By Mr. COONS (for himself, Mr. CARDIN, Mr. SESSIONS, and Mr. SCHATZ):

S. Res. 296. A resolution designating the week beginning on October 13, 2013, as ''National Wildlife Refuge Week''; considered and agreed to.

By Mr. FRANKEN (for himself and Ms. KLOBUCHAR):

S. Res. 297. A resolution congratulating the Minnesota Lynx women's basketball team on winning the 2013 Women's National Basketball Association Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 381

At the request of Mr. BROWN, the names of the Senator from Maine (Mr. KING), the Senator from Minnesota (Mr. FRANKEN), the Senator from Alaska (Mr. BEGICH), the Senator from Nevada (Mr. REID) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 583

At the request of Mr. PAUL, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 583, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

S. 641

At the request of Mr. WYDEN, the name of the Senator from South Dakota (Mr. JOHNSON) 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. 644

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 644, a bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse of dextromethorphan, and for other purposes.

S. 1032

At the request of Mrs. MCCASKILL, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1032, a bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes.

S. 1150

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) 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 Georgia (Mr. CHAMBLISS) 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. 1187

At the request of Ms. STABENOW, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1249

At the request of Mr. BLUMENTHAL, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor 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 Ohio (Mr. BROWN) 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 Michigan (Ms. STABENOW) 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. 1320

At the request of Mr. DONNELLY, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1320, a bill to establish a tiered hiring preference for members of the reserve components of the armed forces.

S. 1455

At the request of Mr. COBURN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1455, a bill to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income is operational.

S. 1517

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor 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. 1614

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1614, a bill to require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes.

S. 1618

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1618, a bill to enhance the Office of Personnel Management background check system for the granting, denial, or revocation of security clearances or access to classified information of employees and contractors of the Federal Government.

S. 1635

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1635, a bill to amend the American Recovery and Reinvestment Act of 2009 to extend the period during which supplemental nutrition assistance program benefits are temporarily increased.

S. 1642

At the request of Ms. LANDRIEU, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1642, a bill to permit the continuation of certain health plans.

S. 1644

At the request of Mrs. BOXER, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1644, a bill to amend title 10, United States Code, to provide for preliminary hearings on alleged offenses under the Uniform Code of Military Justice.

S. 1670

At the request of Mr. GRAHAM, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1670, a bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

S. 1693

At the request of Mrs. SHAHEEN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1693, a bill to amend the Patient Protection and Affordable Care Act to extend the initial open enrollment period.

S. 1696

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1696, a bill to protect a women's right to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services.

S. 1699

At the request of Mr. UDALL of Colorado, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1699, a bill to permit individuals to renew certain health insurance coverage offered in the individual or small group markets and to provide that such individuals would not be subject to the individual mandate penalty.

S.J. RES. 2

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the

Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 284

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. Res. 284, a resolution calling on the Government of Iran to immediately release Saeed Abedini and all other individuals detained on account of their religious beliefs.

At the request of Mr. RISCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 284, supra.

S. RES. 292

At the request of Mr. SCHATZ, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from New Jersey (Mr. BOOKER), the Senator from Washington (Mrs. MURRAY), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. Res. 292, a resolution expressing support for the victims of the typhoon in the Philippines and the surrounding region.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. FRANKEN):

S. 1704. A bill to expand the use of open textbooks in order to achieve savings for students; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. 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. 1704

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 ''Affordable College Textbook Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The high cost of college textbooks continues to be a barrier for many students in achieving higher education.

(2) According to the College Board, during the 2012-2013 academic year, the average student budget for college books and supplies was $1,200.

(3) The Government Accountability Office found that new textbook prices increased 82 percent over the last decade and that although Federal efforts to increase price transparency have provided students and families with more and better information, more must be done to address rising costs.

(4) The growth of the Internet has enabled the creation and sharing of digital content, including open educational resources that can be freely used by students, teachers, and members of the public.

(5) Using open educational resources in place of traditional materials in large-enrollment college courses can reduce textbook costs by 80 to 100 percent.

(6) Federal investment in expanding the use of open educational resources could significantly lower college textbook costs and reduce financial barriers to higher education, while making efficient use of taxpayer funds.

SEC. 3. DEFINITIONS.

In this Act:

(1) EDUCATIONAL RESOURCE.—The term ''educational resource'' means an educational material that can be used in postsecondary instruction, including textbooks and other written or audiovisual works.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) OPEN EDUCATIONAL RESOURCE.—The term ''open educational resource'' means an educational resource that is licensed under an open license and made freely available online to the public.

(4) OPEN LICENSE.—The term ''open license'' means a worldwide, royalty-free, nonexclusive, perpetual, irrevocable copyright license granting the public permission to access, reproduce, publicly perform, publicly display, adapt, distribute, and otherwise use the work and adaptations of the work for any purpose, conditioned only on the requirement that attribution be given to authors as designated.

(5) OPEN TEXTBOOK.—The term ''open textbook'' means an open educational resource or set of open educational resources that either is a textbook or can be used in place of a textbook for a postsecondary course at an institution of higher education.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 4. GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—From the amounts appropriated under subsection (i), the Secretary shall make grants, on a competitive basis, to eligible entities to support pilot programs that expand the use of open textbooks in order to achieve savings for students.

(b) ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means an institution of higher education or group of institutions of higher education.

(c) APPLICATIONS.—

(1) IN GENERAL.—Each eligible entity desiring a grant under this section, after consultation with relevant faculty (including those engaged in the creation of open educational resources), shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of the project to be completed with grant funds and—

(A) a plan for promoting and tracking the use of open textbooks in postsecondary courses offered by the eligible entity, including an estimate of the projected savings that will be achieved for students;

(B) a plan for evaluating, before creating new open educational resources, whether existing open educational resources could be used or adapted for the same purpose;

(C) a plan for quality review and review of accuracy of any open educational resources to be created or adapted through the grant;

(D) a plan for disseminating information about the results of the project to institutions of higher education outside of the eligible entity, including promoting the adoption of any open textbooks created or adapted through the grant; and

(E) a statement on consultation with relevant faculty, including those engaged in the creation of open educational resources, in the development of the application.

(d) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall give special consideration to applications that demonstrate the greatest potential to—

(1) achieve the highest level of savings for students through sustainable expanded use of open textbooks in postsecondary courses offered by the eligible entity;

(2) expand the use of open textbooks at institutions of higher education outside of the eligible entity; and

(3) produce—

(A) the highest quality open textbooks;

(B) open textbooks that can be most easily utilized and adapted by faculty members at institutions of higher education;

(C) open textbooks that correspond to the highest enrollment courses at institutions of higher education; and

(D) open textbooks created or adapted in partnership with entities, including campus bookstores, that will assist in marketing and distribution of the open textbook.

(e) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use the grant funds to carry out any of the following activities to expand the use of open textbooks:

(1) Professional development for faculty and staff members at institutions of higher education, including the search for and review of open textbooks.

(2) Creation or adaptation of open educational resources, especially open textbooks.

(3) Development or improvement of tools and informational resources that support the use of open textbooks.

(4) Research evaluating the efficacy of the use of open textbooks for achieving savings for students.

(5) Partnerships with other entities, including other institutions of higher education, for-profit organizations, or nonprofit organizations, to carry out any of the activities described in paragraphs (1) through (4).

(f) LICENSE.—Educational resources created or adapted under subsection (e) shall be licensed under an open license.

(g) ACCESS AND DISTRIBUTION.—The full and complete digital content of each educational resource created or adapted under subsection (e) shall be made available free of charge to the public—

(1) on an easily accessible and interoperable website, which shall be identified to the Secretary by the eligible entity; and

(2) in a machine readable, digital format that anyone can directly download, edit, and redistribute.

(h) REPORT.—Upon an eligible entity's completion of a project supported under this section, the eligible entity shall prepare and submit a report to the Secretary regarding—

(1) the effectiveness of the pilot program in expanding the use of open textbooks and in achieving savings for students;

(2) the impact of the pilot program on expanding the use of open textbooks at institutions of higher education outside of the eligible entity;

(3) educational resources created or adapted under the grant, including instructions on where the public can access each educational resource under the terms of subsection (g); and

(4) all project costs, including the value of any volunteer labor and institutional capital used for the project.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of the 5 succeeding fiscal years after the enactment of this Act.

SEC. 5. PRICE INFORMATION.

Section 133(b) of the Higher Education Act of 1965 (20 U.S.C. 1015b(b)) is amended—

(1) by striking paragraph (6); and

(2) in paragraph (9);

(A) by striking subparagraphs (A) and (B); and

(B) by striking ''a college textbook that—'' and inserting ''a college textbook that may include printed materials, computer disks, website access, and electronically distributed materials.''.

SEC. 6. SENSE OF CONGRESS.

It is the sense of Congress that institutions of higher education should encourage the consideration of open textbooks by faculty within the generally accepted principles of academic freedom that establishes the right and responsibility of faculty members, individually and collectively, to select course materials that are pedagogically most appropriate for their classes.

SEC. 7. REPORT TO CONGRESS.

Not later than July 1, 2016, the Secretary shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives detailing—

(1) the open textbooks created or adapted under this Act;

(2) the adoption of such open textbooks; and

(3) the savings generated for students, States, and the Federal Government through the use of open textbooks.

SEC. 8. GAO REPORT.

Not later than July 1, 2017, the Comptroller General of the United States shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives on the cost of textbooks to students at institutions of higher education. The report shall particularly examine—

(1) the change of the cost of textbooks;

(2) the factors that have contributed to the change of the cost of textbooks;

(3) the extent to which open textbooks are used at institutions of higher education; and

(4) the impact of open textbooks on the cost of textbooks.

By Mr. DURBIN (for himself, Mrs. GILLIBRAND, and Mr. MARKEY):

S. 1705. A bill to provide a Federal charter for the National Fab Lab Network, a national network of local digital fabrication facilities providing community access to advanced manufacturing tools for learning skills, developing inventions, creating businesses, and producing personalized products; to the Committee on the Judiciary.

Mr. DURBIN. 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. 1705

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 ''National Fab Lab Network Act of 2013''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Scientific discoveries and technical innovations are critical to the economic and national security of the United States.

(2) Maintaining the leadership of the United States in science, technology, engineering, and mathematics will require a diverse population with the skills, interest, and access to tools required to advance these fields.

(3) Just as earlier digital revolutions in communications and computation provided individuals with the Internet and personal computers, a digital revolution in fabrication will allow anyone to make almost anything, anywhere.

(4) Fab labs like the Center for Bits and Atoms at the Massachusetts Institute of Technology provide a model for a new kind of national laboratory that links local facilities for advanced manufacturing to expand access and empower communities.

(5) A coordinated national public-private partnership will be the most effective way to accelerate the provision of this infrastructure for learning skills, developing inventions, creating businesses, and producing personalized products.

SEC. 3. ESTABLISHMENT OF NATIONAL FAB LAB NETWORK.

(a) DEFINITIONS.—In this section—

(1) the term ''fab lab'' means a facility—

(A) equipped with an integrated suite of fabrication tools to convert digital designs into functional physical things and scanning tools to convert physical things into digital designs; and

(B) available for a range of individual and collaborative educational, commercial, creative, and social purposes, based on guidelines established by the NFLN relating to sustainable operation; and

(2) the term ''NFLN'' means the National Fab Lab Network.

(b) FEDERAL CHARTER.—The National Fab Lab Network is a federally charted nonprofit corporation, which shall facilitate the creation of a national network of local fab labs and serve as a resource to assist stakeholders with the effective operation of fab labs.

(c) MEMBERSHIP AND ORGANIZATION.—

(1) IN GENERAL.—Eligibility for membership in the NFLN and the rights and privileges of members shall be as provided in the constitution and bylaws of the NFLN. The Board of Directors, officers, and other employees of the NFLN, and their powers and duties, shall be provided in the bylaws of the NFLN.

(2) BOARD OF DIRECTORS.—The Board of Directors of the NFLN shall include—

(A) the Director of the Fab Foundation;

(B) members of the manufacturing sector and entrepreneurial community; and

(C) leaders in science, technology, engineering, and mathematics education.

(3) COORDINATION.—When appropriate, the NFLN should work with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology, the Small Business Administration, and other agencies of the Federal Government to provide additional resources to fab lab users.

(d) FUNCTIONS.—The NFLN shall—

(1) serve as the coordinating body for the creation of a national network of local fab labs in the United States;

(2) provide a first point of contact for organizations and communities seeking to create fab labs, providing information, assessing suitability, advising on the lab lifecycle, and maintaining descriptions of prospective and operating sites;

(3) link funders and sites with operational entities that can source and install fab labs, provide training, assist with operations, account for spending, and assess impact;

(4) perform outreach for individuals and communities on the benefits available through the NFLN;

(5) facilitate use of the NFLN in synergistic programs, such as workforce training, job creation, research broader impacts, and the production of civic infrastructure; and

(6) offer transparency in the management, governance, and operation of the NFLN.

(e) PURPOSES.—In carrying out its functions, the NFLN's purposes and goals shall be to—

(1) create a national network of connected local fab labs to empower individuals and communities in the United States; and

(2) foster the use of distributed digital fabrication tools to promote science, technology, engineering and math skills, increase invention and innovation, create businesses and jobs, and fulfill needs.

(f) FUNDING.—The NFLN may accept gifts from private individuals, corporations, government agencies, or other organizations.

By Mr. KIRK (for himself, Mr. COONS, Mr. BROWN, and Mr. BLUNT):

S. 1709. A bill to require the Committee on Technology of the National Science and Technology Council to develop and update a national manufacturing competitiveness strategic plan, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. COONS. Mr. President, I come to the floor again today to talk about jobs, about manufacturing jobs, about the high-quality, high-skill wage jobs America needs for today and for the future.

Today I have introduced a bill which shows that dealing with our ongoing challenges of supporting our manufacturing sector and growing jobs in our manufacturing sector can have bipartisan solutions. Senator MARK KIRK of Illinois joined me in introducing the American Manufacturing Competitiveness Act, which has a simple but important objective: to require the creation of a national manufacturing strategy.

Today more than 12 million Americans are directly employed in manufacturing. As I have said on the floor before as part of our Manufacturing Jobs for America Initiative, manufacturing jobs are good jobs. They are high-skilled jobs, they are high-wage jobs, they are high-benefit jobs, and they have a terrific secondary benefit in terms of the other support and service sector jobs that come along with manufacturing jobs in a community.

We need to know the direction we are heading as a country as we try to support the growth of manufacturing. We have grown more than half a million manufacturing jobs in the last 3 years. That is an encouraging sign. We are one of the most productive in the output of our manufacturing sector of all the countries in the world.

What we have lacked is a very coordinated strategy between the Federal Government, State governments, and the private sector to align all of our investments—our investments in research and development, our investments in new skills, our investments in infrastructure—to make sure they are all heading in the right direction.

Do our competitors have national manufacturing strategies? Absolutely. Germany, China, India, South Africa,

and Russia all have thoroughly developed, deeply researched, and prominently successful strategies for how to accelerate and sustain manufacturing as a key part of their economies.

This bill would amend the America COMPETES Act. It would require every 4 years that the Secretary of Commerce, advised by a board of 15 different folks, pull together and think through, research, and then deliver a national manufacturing strategy. This doesn't require new programs. It doesn't even necessarily require new funding or new Federal expenditures. It only requires that we coordinate all the different areas where the Federal Government is investing in supporting manufacturing and where State and local governments are working in partnership with the private sector. This may be a small but vital step toward giving the lift we need for our manufacturing sector to continue its sustained growth of the last few years.

Why is a manufacturing strategy essential? Because we have a couple of areas where, frankly, we are falling short—in infrastructure, in access to capital, and in skills. Having a highly skilled manufacturing workforce is one of the things we need to do if we are going to win the fight to regain our international prominence as the leading global manufacturing country.

The Manufacturing Institute and Deloitte, a global consulting firm, have both independently concluded that there are as many as 600,000 manufacturing jobs in America today that are unfilled because of a lack of a workforce with the relevant skills. The Society of Manufacturing Engineers estimates that number could increased to 3 million by 2015.

So a focus through a national strategy and through some facilitating investments and legislation by this body and the House and by enactment by the President and investments across-the-board could deal with these important skill gaps.

Why are there skill gaps in manufacturing? Many Americans have a misconception about what manufacturing is like today. They have a picture in their heads of manufacturing from 10, 20, or 30 years ago when it required simple labor, when it required repeated routine tasks such as simply putting on a bolt or affixing a particular piece onto a vehicle, where there wasn't any teamwork, there wasn't any continuous improvement required, and there weren't analytical skills required. That was the manufacturing line of the past, not of today and certainly not of the future. In fact, the skills required to be successful in modern advanced manufacturing are quite different from what they were 10, 20, or 30 years ago. Today one has to work as part of a team and be able to troubleshoot and problem-solve.

There are fewer people working on manufacturing lines, but they are higher in productivity because the analytical skills they are bringing to the job are greater than they have ever been before. That is also why manufacturing can be a more satisfying career, a more rewarding place to work than it was in the past, because it engages the whole human being. It engages the whole worker. It allows them to have ownership of the quality of the finished product.

One of the lessons American automobile manufacturing learned in the 1970s, 1980s, and 1990s as it faced the threat of higher quality auto manufacturing elsewhere in the world was to not only retool the manufacturing line but to empower the individual worker to be engaged in quality control.

Those of us here in the Senate who worked in the manufacturing industry know what it meant to have gone through a process where we had to certify. You had to go through a searching auditing process to be able to demonstrate, if you were a component supplier or if you were part of a supply chain, that you were meeting world-class standards. In fact, the ISO 9000 system—the International Organization for Standardization—and its 9000 series audits that swept through the country over 20 years and ended up resulting in a higher quality of manufacturing was just the first of a number of steps toward requiring those who were working in manufacturing facilities to have a higher level of skills.

One of the ways in which we have an ongoing challenge is that manufacturers—medium and small manufacturers with whom I visited up and down the State of Delaware—don't know the level of skills and the quality of skills of young people they wish to hire who may have just finished high school or might have taken a certificate course with a community college. We don't have a transportable, translatable certificate for basic manufacturing skills.

One of the innovations of the IT industry was a whole series of skills certifications that allow someone to know, when they are hiring a young person to do office support for IT or when they are hiring someone to be a network administrator, whether they have the practical skills they need to do that job and do it well. They can't guess that by where they went to high school or what courses they took at a college. We don't have a similar sort of reliable, transportable, translatable, manufacturing skill certification process. That may be a part of this national manufacturing strategy.

We certainly have heard from manufacturers large and small—not only in Delaware but around the country—about what they need, what would put a floor beneath their growth and would allow them to be globally competitive. No. 1 would be a stronger, skilled workforce; No. 2 would be more access to capital; and No. 3 would be more and better access on a fair basis to a global market and a global economy.

We have had a great first couple of weeks with the Manufacturing Jobs for America Initiative. More than 25 Senators have contributed more than 40 bills. Many of these are broad or bold or bipartisan bills that contain the ideas that I think can sustain and grow manufacturing in the United States going forward. It is a growing menu of bills—bills that are bipartisan and that I believe not only need but deserve a vote on the floor later in this Congress.

I am grateful to Senator KIRK for partnering with me in introducing this bill today, the American Manufacturing Competitiveness Act, and I am hopeful it will pick up more bipartisan sponsors in the days and weeks ahead. I also hope, working in partnership with the Manufacturing Caucus, ably led by Senator STABENOW and Senator GRAHAM, we will begin to hammer out the bipartisan bills that will deserve a vote on this floor and that will ultimately reach enactment through the Congress and by signature of our President. With that, we might well be able to deliver on what we hear most often from our constituents: Help us grow high-quality jobs in this country.

By Mr. BLUMENTHAL (for himself, Ms. AYOTTE, Mr. CORNYN, and Mr. CASEY):

S. 1714. A bill to impose sanctions with respect to Syria, to expand existing sanctions with respect to Syria, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. BLUMENTHAL. Mr. President, I am here to talk about the Syria Sanctions Enhancement Act of 2013, which I am very proud to introduce today, with bipartisan support, joined by my colleagues Senators AYOTTE, CORNYN, and CASEY. This bill is a comprehensive effort to update our existing system of sanctions and to reflect the reality that President Bashar al-Assad and his murderous regime continue to engage in a horrible civil war against the Syrian people.

This bill builds upon the longstanding U.S. sanctions regime against Syria begun in 2004 to deal with that government's policies supporting terrorism, continuing its occupation of Lebanon, pursuing weapons of mass destruction and missile programs, and undermining U.S. and international efforts to stabilize Iraq. Following events in Syria beginning in March of 2011, a series of executive orders have been issued to address the ongoing violence and human rights abuses that have been supported and perpetrated relentlessly by the Assad regime. Fortunately, Congress has come together on a bipartisan basis to sanction many people who are committing terrible atrocities. Now is the time to add to those sanctions, to enhance and enforce them, and ensure they encompass everyone who is enabling Assad to continue his massacres against his own people.

I have seen some of the effects of this cruel war in person. Earlier this year, I traveled to the Zaatari refugee camp in Jordan, with Senator MCCAIN and Senator GRAHAM, where I saw firsthand

how the Assad regime has torn families and lives apart. I returned home from that trip convinced, along with my colleagues, that the United States cannot stand idle while this war rages on and over 1 million Syrians are displaced from their country—a substantial part—the estimates are 30 percent of its entire population displaced from their homes. I remain convinced the United States should take action not only with sanctions but with more effective humanitarian relief. Sanctions are an effective way to cut off Assad's financing and therefore his source of power. Humanitarian relief is necessary to aid the Syrian people who have become refugees in such enormous numbers, even as we pursue those sanctions.

Thankfully, most of the world has come together to denounce and isolate Assad for his horrible abuses. Appallingly, though, a few—most notably Russian banks—finance Assad and enable his continued atrocities.

In September, Senators AYOTTE, CORNYN, SHAHEEN, and I urged the Treasury Department to sanction those Russian banks that are perpetrating war in Syria. They are enabling that war as well as the atrocities it has spawned, and there is significant evidence that some Russian banks, including VTB, VEB, and Gazprombank, have given financial cover to Assad and may still be hiding his assets. This bill, the Syria Sanctions Enhancement Act, would ensure that those actors do not go unpunished. It would sanction financial institutions doing business with Assad and his senior officials, and it would also provide for a full accounting of all Assad's assets. If Assad is hiding money in Russian banks or elsewhere, we need to know where that money is, because it rightly belongs to the people of Syria, not to its murderous dictator.

But our actions against Assad must be wider in scope than simply the financial sector. Therefore, the Syria Sanctions Enhancement Act looks at all the perpetrators of horrific violence who empower Assad and it creates sanctions against them. This bill codifies existing executive orders that sanction senior Syrian officials and people who sell or invest in the Syrian Government. It sanctions anyone who helps the Assad government develop weapons of mass destruction or provides them with conventional weapons. They are responsible for the majority of killings in Syria. They are complicit, and knowingly, purposefully—they are not merely the enablers, they are the providers of those assets used by Assad against his own people.

We have seen how some unscrupulous arms dealers continue to provide arms to the Assad regime that enable his killing. Just yesterday, I was pleased to announce that the Defense Department will stop doing business with Rosoboronexport, the arms dealer that is selling weapons to Assad. Think of it: The U.S. Government was financing, with U.S. taxpayer money, purchases of helicopters for the Afghan Government, to go to the Afghans with the knowledge that that same Russian export agency was selling weapons to Assad. It was stopped, but it is just one example of a company that allows Assad to continue killing his own people.

This bill also requires the President to submit a list of people responsible for human rights abuses committed against the people of Syria. The President must submit a list of those culpable individuals who should be held accountable for human rights abuses committed by Assad against his own people, and the bill will sanction anyone who has provided goods, services or support to enable human rights abuses.

As my colleagues can see, this bill would do quite a few things, but there are a number of important things it will not do. It will not prevent the United States from supporting the moderates who are fighting against the Assad regime, and it would not jeopardize our ongoing efforts to destroy Syria's chemical weapons stockpile; rather, it creates a strategic framework to ensure that the prolonged dismantling of chemical weapons does not serve as a cover for the international community to ignore the brutal reality of these slaughters throughout Syria. The bill is carefully crafted to ensure that the sanctions do not target the people of Syria themselves who are just trying to survive during a difficult time. That is why humanitarian relief from this country is of such paramount importance.

Over the past few months, there has been a lot of debate over what the United States should or should not do in Syria.

Over these past months, the debate has focused on military force and many have been hesitant to use such military force in Syria. But that does not mean the United States can or should stand idle on the sidelines as hundreds of thousands of people are dying and the war threatens to create a wider conflict in the Middle East. I think we can all agree, on both sides of the aisle, that we should be strengthening sanctions against the human rights abusers and supporters of Assad and his military that is tirelessly, relentlessly, and purposefully murdering his own people.

This bill is a bipartisan attempt to move forward around the common concerns of helping the Syrian people. In the coming days, I look forward to a debate on this bill and the way forward in Syria as we consider Iran's nuclear program and other important factors. There will be a meeting in Geneva upcoming. I view this bill as a means of strengthening our government's hand as we seek peace in Syria and seek to strengthen those forces in Syria that seek to protect their own people.

I look forward to working with my colleagues on this important effort to ensure that the United States continues to stand up and speak out strongly on the side of the people of Syria against a regime that is striving solely and single-mindedly to keep itself in power at all costs, in fact, whatever the cost in the slaughter and displacement of its own people.

By Mr. KAINE (for himself and Mr. CHAMBLISS):

S. 1717. A bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes; to the Committee on Veterans' Affairs.

Mr. KAINE. Mr. President, today I am introducing the Servicemember Education Reform and Vocational Act of 2013, SERVE. I am pleased Senator CHAMBLISS joins me in introducing this bill. This bipartisan legislation will improve the quality of education for our veterans and military members.

To date, over one million veterans have taken advantage of the Post–9/11 GI Bill and $30 billion has been invested. Yet graduation rates remain a concern and the unemployment rate among veterans, especially young veterans who have served in Iraq and Afghanistan, remains higher than the national average.

As the United States begins to draw down its forces after more than a decade at war, it is more important than ever to demonstrate our commitment to the brave men and women who have served and sacrificed to protect our Nation. An important part of this commitment is ensuring our Nation's veterans are prepared for their transition from military service to civilian life.

In Virginia, one in every nine individuals is a veteran, and we have 27 installations across the State, making Virginia as connected to the military as any State in the country.

As I have travelled throughout Virginia and have had the opportunity to meet with servicemembers, veterans, and their families, I have listened to their concerns and ideas. These conversations have reinforced my commitment to fight persistent barriers to veterans' employment, and ensure that veterans have access to quality education programs that yield results.

For these reasons, it is our responsibility to ensure that the Nation's investment in veteran education and training yields successful results and gives these men and women the tools they need to succeed in the workforce.

I am a strong believer that education is the best investment that any country can make to ensure the success of its citizens. This is why my first bill, the TROOP Talent Act, focused on assisting our servicemembers and veterans in their efforts to gain civilian credentials and transition into the workforce.

The bill I am introducing today, the SERVE Act, is companion legislation that will raise the bar on minimum standards that educational institutions

must meet to ensure servicemembers are getting a quality education.

The bill will require institutions to disclose information such as graduation rates, withdrawal policies, and program costs to students and ensure programs fully deliver what they advertise.

The bill will require institutions to provide access to academic and/or career counseling for military and veteran students in hopes of not only improving their chances of graduating, but also helping prepare them for future careers.

The bill will facilitate the use of VA and DoD educational benefits for employment training programs by creating a 5-State pilot program. States will be charged with developing best practices needed to ensure that quality employment training, apprenticeship, and on-the-job training programs are available and accessible for beneficiaries of the post-9/11 GI Bill program.

The bill will require an annual report to relevant Senate and House Committees with disaggregated information on which schools and programs veteran and military students are putting their educational benefits toward.

Today's veterans have been referred to as ''the next Greatest Generation.'' They answered the call to serve our Nation.

They have put it all on the line and invested heavily and personally in the future of our country. Let us do everything we can to capitalize on their experience and character and prepare them for the challenges they and our Nation will face in the future.

The SERVE Act will ensure that the educational benefits our veterans and military members earned are being spent on quality education.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 295—EXPRESSING THE SUPPORT FOR THE DESIGNATION OF OCTOBER 20, 2013 AS THE ''NATIONAL DAY ON WRITING''

Mr. CASEY (for himself, Mr. ROBERTS, Mrs. MURRAY, Mr. BROWN, Mr. BENNET, and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 295

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation consider writing to be essential and influential in their work;

Whereas writers continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English, in conjunction with its many national and local partners, honors and celebrates the importance of writing through the National Day on Writing;

Whereas the National Day on Writing celebrates the foundational place of writing in the personal, professional, and civic lives of the people of the United States;

Whereas the National Day on Writing highlights the importance of writing instruction and practice at every educational level and in every subject area;

Whereas the National Day on Writing emphasizes the lifelong process of learning to write and compose for different audiences, purposes, and occasions;

Whereas the National Day on Writing honors the use of the full range of media for composing, from traditional tools like print, audio, and video, to Internet website tools like blogs, wikis, and podcasts; and

Whereas the National Day on Writing encourages all people of the United States to write, as well as to enjoy and learn from the writing of others: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2013, as the ''National Day on Writing'';

(2) strongly affirms the purposes of the National Day on Writing; and

(3) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing.

SENATE RESOLUTION 296—DESIGNATING THE WEEK BEGINNING ON OCTOBER 13, 2013, AS ''NATIONAL WILDLIFE REFUGE WEEK''

Mr. COONS (for himself, Mr. CARDIN, Mr. SESSIONS, and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 296

Whereas, in 1903, President Theodore Roosevelt established the first national wildlife refuge on Pelican Island in Florida;

Whereas, in 2013, the National Wildlife Refuge System, administered by the Fish and Wildlife Service, is the premier system of lands and waters to conserve wildlife in the world, and has grown to approximately 150,000,000 acres, 561 national wildlife refuges, and 38 wetland management districts in every State and territory of the United States;

Whereas national wildlife refuges are important recreational and tourism destinations in communities across the United States, and these protected lands offer a variety of recreational opportunities, including 6 wildlife-dependent uses that the National Wildlife Refuge System manages: hunting, fishing, wildlife observation, photography, environmental education, and interpretation;

Whereas, in 2013, 364 units of the National Wildlife Refuge System have hunting programs and 303 units of the National Wildlife Refuge System have fishing programs, averaging approximately 2,500,000 hunting visits and nearly 7,000,000 fishing visits each year;

Whereas the National Wildlife Refuge System experienced nearly 31,000,000 wildlife observation visits during fiscal year 2013;

Whereas national wildlife refuges are important to local businesses and gateway communities;

Whereas, for every $1 appropriated, national wildlife refuges generate nearly $5 in economic activity;

Whereas the National Wildlife Refuge System experiences nearly 47,000,000 visits each year, which generated more than $2,400,000,000 and more than 35,000 jobs in local economies during fiscal year 2011;

Whereas the National Wildlife Refuge System encompasses every kind of ecosystem in the United States, including temperate, tropical, and boreal forests, wetlands, deserts, grasslands, arctic tundras, and remote islands, and spans 12 time zones from the Virgin Islands to Guam;

Whereas national wildlife refuges are home to more than 700 species of birds, 220 species of mammals, 250 species of reptiles and amphibians, and more than 1,000 species of fish;

Whereas national wildlife refuges are the primary Federal lands that foster production, migration, and wintering habitat for waterfowl;

Whereas, since 1934, the sale of the Federal Duck Stamp to outdoor enthusiasts has generated more than $850,000,000 in funds, which has enabled the purchase or lease of more than 5,500,000 acres of wetland habitat for waterfowl and numerous other species in the National Wildlife Refuge System;

Whereas the recovery of 386 threatened and endangered species is supported on refuge lands;

Whereas national wildlife refuges are cores of conservation for larger landscapes and resources for other agencies of the Federal Government and State governments, private landowners, and organizations in their efforts to secure the wildlife heritage of the United States;

Whereas more than 38,000 volunteers and approximately 220 national wildlife refuge ''Friends'' organizations contribute more than 1,400,000 hours annually, the equivalent of more than 700 full-time employees, and provide an important link to local communities;

Whereas national wildlife refuges provide an important opportunity for children to discover and gain a greater appreciation for the natural world;

Whereas, because there are national wildlife refuges located in several urban and suburban areas and one refuge located within an hour drive of every metropolitan area in the United States, national wildlife refuges employ, educate, and engage young people from all backgrounds in exploring, connecting with, and preserving the natural heritage of the United States;

Whereas, since 1995, refuges across the United States have held festivals, educational programs, guided tours, and other events to celebrate National Wildlife Refuge Week during the second full week of October;

Whereas the Fish and Wildlife Service will continue to seek stakeholder input on the implementation of ''Conserving the Future: Wildlife Refuges and the Next Generation'', an update to the strategic plan of the Fish and Wildlife Service for the future of the National Wildlife Refuge System;

Whereas the week beginning on October 13, 2013, has been designated as ''National Wildlife Refuge Week'' by the Fish and Wildlife Service; and

Whereas the designation of National Wildlife Refuge Week by the Senate would recognize more than a century of conservation in the United States, raise awareness about the importance of wildlife and the National Wildlife Refuge System, and celebrate the myriad recreational opportunities available to enjoy this network of protected lands: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on October 13, 2013, as ''National Wildlife Refuge Week'';

(2) encourages the observance of National Wildlife Refuge Week with appropriate events and activities;

(3) acknowledges the importance of national wildlife refuges for their recreational opportunities and contribution to local economies across the United States;

(4) pronounces that national wildlife refuges play a vital role in securing the hunting and fishing heritage of the United States for future generations;

(5) identifies the significance of national wildlife refuges in advancing the traditions of wildlife observation, photography, environmental education, and interpretation;

(6) recognizes the importance of national wildlife refuges to wildlife conservation and the protection of imperiled species and ecosystems, as well as compatible uses;

(7) acknowledges the role of national wildlife refuges in conserving waterfowl and waterfowl habitat pursuant to the Migratory Bird Treaty Act (40 Stat. 755, chapter 128);

(8) reaffirms the support of the Senate for wildlife conservation and the National Wildlife Refuge System; and

(9) expresses the intent of the Senate—

(A) to continue working to conserve wildlife; and

(B) to manage the National Wildlife Refuge System for current and future generations.

SENATE RESOLUTION 297—CONGRATULATING THE MINNESOTA LYNX WOMEN'S BASKETBALL TEAM ON WINNING THE 2013 WOMEN'S NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Mr. FRANKEN (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 297

Whereas on October 10, 2013, the Minnesota Lynx won the 2013 Women's National Basketball Association (WNBA) Championship;

Whereas this is the second WNBA Championship for the Minnesota Lynx in 3 years;

Whereas the Minnesota Lynx won every game in the 2013 WNBA playoffs, beating the Seattle Storm in the Western Conference semifinals, the Phoenix Mercury in the Conference finals, and decisively beating the Atlanta Dream in the Championship round;

Whereas, on average, more than 13,000 fans attended each home game during the Championship round at the Target Center in Minneapolis to cheer on the Minnesota Lynx;

Whereas the Minnesota Lynx feature 3 gold medal-winning Olympians, Maya Moore, Seimone Augustus, and Lindsay Whalen, and a highly talented team of professionals, including Rebekkah Brunson, Janel McCarville, and Monica Wright; and

Whereas the Minnesota Lynx are one of only four WNBA teams to win multiple titles, with both championships coming under the coaching guidance of Cheryl Reeve: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, fans, and staff whose hard work and dedication helped the Minnesota Lynx win the 2013 Women's National Basketball Association Championship; and

(2) recognizes the Twin Cities region and the State of Minnesota, both of which enthusiastically support the team and women's professional basketball.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2032. Mr. INHOFE (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2033. Mr. REID proposed an amendment to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes .

SA 2034. Mr. REID proposed an amendment to amendment SA 2033 proposed by Mr. REID to the bill H.R. 3204, supra.

SA 2035. Mr. REID proposed an amendment to the bill H.R. 3204, supra.

SA 2036. Mr. REID proposed an amendment to amendment SA 2035 proposed by Mr. REID to the bill H.R. 3204, supra.

SA 2037. Mr. REID proposed an amendment to amendment SA 2036 proposed by Mr. REID to the amendment SA 2035 proposed by Mr. REID to the bill H.R. 3204, supra.

SA 2038. Mr. CHAMBLISS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2039. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2040. Mr. BAUCUS (for himself, Mr. ENZI, Mr. BARRASSO, Mr. TESTER, Mr. HOEVEN, Ms. HEITKAMP, Mrs. FISCHER, Mr. JOHANNS, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2041. Mr. TESTER (for himself, Mr. HELLER, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2042. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2043. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2044. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2045. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2046. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2047. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2048. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2049. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2050. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2051. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2052. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2053. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2054. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2055. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2056. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2057. Ms. COLLINS (for herself, Mr. KING, Mr. MARKEY, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2058. Ms. COLLINS (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2059. Mr. WICKER (for himself, Mr. KAINE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2060. Mr. WICKER (for himself, Mr. KAINE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2061. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2062. Mr. GRAHAM (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2063. Ms. AYOTTE (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2064. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2065. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2066. Mr. DONNELLY (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2067. Mr. DONNELLY (for himself, Mr. LEAHY, Mr. CRUZ, Mr. BLUNT, Mr. BEGICH, Mr. PRYOR, Mr. SCHATZ, Mr. BENNET, Mr. JOHANNS, Mr. MENENDEZ, Mr. CORNYN, Mr. BOOZMAN, Ms. HEITKAMP, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2068. Mr. PORTMAN submitted an amendment intended to be proposed by him

to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2069. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2070. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2071. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2072. Mr. PORTMAN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2073. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2074. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2032. Mr. INHOFE (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. SENSE OF SENATE ON VETERAN'S PREFERENCE IN PRIVATE EMPLOYMENT.

It is the sense of the Senate that private employers should, to the extent practical, do their utmost to educate and inform their managers and supervisors, and their human resource and personnel departments, on the advantages of hiring—

(1) qualified veterans; and

(2) qualified spouses of veterans, if the veterans have a permanent total disability that is service-connected.

SA 2033. Mr. REID proposed an amendment to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 2034. Mr. REID proposed an amendment to amendment SA 2033 proposed by Mr. REID to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

SA 2035. Mr. REID proposed an amendment to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 2036. Mr. REID proposed an amendment to amendment SA 2035 proposed by Mr. REID to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

SA 2037. Mr. REID proposed an amendment to amendment SA 2036 proposed by Mr. REID to the amendment SA 2035 proposed by Mr. REID to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

In the amendment, strike ''4 days'' and insert ''5 days''.

SA 2038. Mr. CHAMBLISS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 646. MODIFICATION OF PER-FISCAL YEAR CALCULATION OF DAYS OF CERTAIN ACTIVE DUTY OR ACTIVE SERVICE TO REDUCE ELIGIBILITY AGE FOR RETIREMENT FOR NON-REGULAR SERVICE.

Section 12731(f)(2)(A) of title 10, United States Code, is amended by inserting ''or in any two consecutive fiscal years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014,'' after ''in any fiscal year after such date,''.

SA 2039. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 573. LIMITATION ON TERMINATION OR TRANSFER OF ELEMENTARY AND SECONDARY SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) LIMITATION.—The Secretary of Defense may not terminate or transfer to the jurisdiction of another agency of the Federal Government any elementary or secondary science, technology, engineering, and mathematics program of the Department of Defense in existence as of September 30, 2012, until 60 days after the date on which the Secretary submits to the congressional defense committees a transition plan with respect to such program.

(b) ELEMENTS.—The transition plan with respect to a program under subsection (a) shall include the following:

(1) For a program to be terminated, a description of the manner in which science, technology, engineering, and mathematics education requirements for the dependents covered by the program will be met by another program.

(2) For a program to be transferred to the jurisdiction of another agency—

(A) the name of such agency;

(B) the funding anticipated to be provided the program by such agency during the five-year period beginning on the date of transfer; and

(C) mechanisms to ensure that education under the program will continue to meet the science, technology, engineering, and mathematics education requirements of the Department of Defense, including requirements for the dependents covered by the program.

(3) Metrics to assess whether a program under paragraph (1) or (2) is meeting the requirements applicable to such program under such paragraph.

(c) CONSULTATION IN DEVELOPMENT.—Each transition plan under subsection (a) shall be developed by the Secretary of Defense in consultation with the Secretary of Education and the heads of other appropriate Federal agencies.

SA 2040. Mr. BAUCUS (for himself, Mr. ENZI, Mr. BARRASSO, Mr. TESTER, Mr. HOEVEN, Ms. HEITKAMP, Mrs. FISCHER, Mr. JOHANNS, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1045 and insert the following:

SEC. 1045. READINESS OF INTERCONTINENTAL BALLISTIC MISSILE FORCE.

The Secretary of Defense shall preserve each intercontinental ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act in, at minimum, a warm status that enables that silo—

(1) to remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and

(2) to be made fully operational with a deployed missile.

SA 2041. Mr. TESTER (for himself, Mr. HELLER, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 632. TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR DISABLED VETERANS WITH A SERVICE-CONNECTED, PERMANENT DISABILITY RATED AS TOTAL.

(a) AVAILABILITY OF TRANSPORTATION.—Section 2641b of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.—(1) The Secretary of Defense shall provide, at no additional cost to the Department of Defense and without any aircraft modification, transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any veteran with a service-connected, permanent disability rated as total.

''(2) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the travel program, the Secretary shall provide transportation under paragraph (1) on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

''(3) The requirement to provide transportation on Department of Defense aircraft on a space-available basis on the priority basis described in paragraph (2) to veterans covered by this subsection applies whether or not the travel program is established under this section.

''(4) In this subsection, the terms 'veteran' and 'service-connected' have the meanings given those terms in section 101 of title 38.''.

(b) EFFECTIVE DATE.—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

SA 2042. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1033 and insert the following:

SEC. 1033. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2014 may be used to transfer, release, or assist in the transfer or release to or within the United States, or the territories or possessions of the United States, of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to an individual who is transferred to United States Naval Station, Guantanamo Bay, Cuba, after the date of the enactment of this Act for the purpose of interrogation by the United States.

SA 2043. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1031 and insert the following:

SEC. 1031. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) RECORD OF COOPERATION.—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

Strike section 1033 and insert the following:

SEC. 1033. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2014 may be used to transfer, release, or assist in the transfer or release to or within the United States, or the territories or possessions of the United States, of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to an individual who is transferred to United States Naval Station, Guantanamo Bay, Cuba, after the date of the enactment of this Act for the purpose of interrogation by the United States.

At the end of subtitle D of title X, add the following:

SEC. 1035. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for fiscal year 2014 by this Act or any other Act may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—

(1) IN GENERAL.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) EXCLUSION.—The term does not mean any individual transferred to United States Naval Station, Guantanamo Bay, Cuba, after October 1, 2009, who was not located at United States Naval Station, Guantanamo Bay, Cuba, on that date.

SEC. 1036. PROHIBITION ON TRANSFER OR RELEASE TO YEMEN OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the amounts authorized to be appropriated or otherwise available to the Department of Defense may be used to transfer, release, or assist in the transfer or release, during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the Republic of Yemen or any entity within Yemen.

SA 2044. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1031 and insert the following:

SEC. 1031. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee

transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) RECORD OF COOPERATION.—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SA 2045. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1035. PROHIBITION ON TRANSFER OR RELEASE TO YEMEN OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the amounts authorized to be appropriated or otherwise available to the Department of Defense may be used to transfer, release, or assist in the transfer or release, during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the Republic of Yemen or any entity within Yemen.

SA 2046. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1035. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for fiscal year 2014 by this Act or any other Act may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—

(1) IN GENERAL.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) EXCLUSION.—The term does not mean any individual transferred to United States Naval Station, Guantanamo Bay, Cuba, after October 1, 2009, who was not located at United States Naval Station, Guantanamo Bay, Cuba, on that date.

SA 2047. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1025. EXPANSION OF AUTHORITY FOR DISPOSITION OF LARGER NAVAL VESSELS.

Section 7307(a) of title 10, United States Code, is amended by striking ''3,000 tons'' and inserting ''6,000 tons''.

SA 2048. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. EXECUTIVE AGENT FOR BATTERY TECHNOLOGY.

(a) EXECUTIVE AGENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense to act as the executive agent for battery technology.

(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act and in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

(2) SPECIFICATION.—The roles and responsibilities of the executive agent designated under subsection (a) shall include each of the following:

(A) Development and maintenance of a battery technology roadmap that ensures that the Department has access to the manufacturing capabilities and technical expertise necessary to meet future military requirements regarding such technology.

(B) Development of recommended funding strategies necessary to meet the requirements of the roadmap developed under subparagraph (A).

(C) Assessment of the vulnerabilities, trustworthiness, and diversity of the battery technology supply chain, including the development of trustworthiness requirements for battery technology used in defense systems, and development of strategies to address matters that are identified as a result of such assessment.

(D) Such other roles and responsibilities as the Secretary considers appropriate.

(c) SUPPORT WITHIN DEPARTMENT OF DEFENSE.—In accordance with Directive 5101.1, the Secretary shall ensure that the military departments, Defense Agencies, and other components of the Department provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

(d) DEFINITIONS.—In this section:

(1) The term ''Directive 5101.1'' means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

(2) The term ''executive agent'' has the meaning given the term ''DoD Executive Agent'' in Directive 5101.1.

SA 2049. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. EXECUTIVE AGENT FOR MICROWAVE, HIGH POWER VACUUM TUBE TECHNOLOGY, AND TRANSMIT AND RECEIVE DEVICES.

(a) EXECUTIVE AGENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense to act as the executive agent for microwave, high power vacuum tube technology, and transmit and receive (TR) devices.

(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act and in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

(2) SPECIFICATION.—The roles and responsibilities of the executive agent designated under subsection (a) shall include each of the following:

(A) Development and maintenance of a roadmap for microwave, high power vacuum tube technology, and transmit and receive devices that ensures that the Department has access to the manufacturing capabilities and technical expertise necessary to meet future military requirements regarding such devices.

(B) Development of recommended funding strategies necessary to meet the requirements of the roadmap developed under subparagraph (A).

(C) Assessment of the vulnerabilities, trustworthiness, and diversity of the microwave, high power vacuum tube technology, and transmit and receive devices supply chain, including the development of trustworthiness requirements for microwave, high power vacuum tube technology, and transmit and receive devices used in defense systems, and development of strategies to address matters that are identified as a result of such assessment.

(D) Such other roles and responsibilities as the Secretary considers appropriate.

(c) SUPPORT WITHIN DEPARTMENT OF DEFENSE.—In accordance with Directive 5101.1, the Secretary shall ensure that the military departments, Defense Agencies, and other components of the Department provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

(d) DEFINITIONS.—In this section:

(1) The term ''Directive 5101.1'' means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

(2) The term ''executive agent'' has the meaning given the term ''DoD Executive Agent'' in Directive 5101.1.

SA 2050. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. EXECUTIVE AGENT FOR RADIATION HARDENED DEVICES.

(a) EXECUTIVE AGENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense to act as the executive agent for radiation hardened devices.

(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act and in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

(2) SPECIFICATION.—The roles and responsibilities of the executive agent designated under subsection (a) shall include each of the following:

(A) Development and maintenance of a radiation hardened devices roadmap that ensures that the Department has access to the manufacturing capabilities and technical expertise necessary to meet future military requirements regarding such devices.

(B) Development of recommended funding strategies necessary to meet the requirements of the roadmap developed under subparagraph (A).

(C) Assessment of the vulnerabilities, trustworthiness, and diversity of the radiation hardened devices supply chain, including the development of trustworthiness requirements for radiation hardened devices used in defense systems, and development of strategies to address matters that are identified as a result of such assessment.

(D) Such other roles and responsibilities as the Secretary considers appropriate.

(c) SUPPORT WITHIN DEPARTMENT OF DEFENSE.—In accordance with Directive 5101.1, the Secretary shall ensure that the military departments, Defense Agencies, and other components of the Department provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

(d) DEFINITIONS.—In this section:

(1) The term ''Directive 5101.1'' means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

(2) The term ''executive agent'' has the meaning given the term ''DoD Executive Agent'' in Directive 5101.1.

SA 2051. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. INCREASED MICRO-PURCHASE THRESHOLD FOR PURCHASES BY THE UNITED STATES SPECIAL OPERATIONS COMMAND IN SUPPORT OF OPERATIONS OVERSEAS.

(a) INCREASED MICRO-PURCHASE THRESHOLD.—In the case of any purchase by the United States Special Operations Command in support of an operation overseas, the micro-purchase threshold for purposes of section 1902 of title 41, United States Code, shall be deemed to be $10,000 rather than the amount otherwise provided for in subsection (a) of such section.

(b) OTHER REQUIREMENTS.—In applying subsections (d) and (e) of section 1902 of title 41, United States Code, to purchases described in subsection (a), the purchases covered by such subsection (d) or (e) shall be deemed to be purchases not greater than $10,000 rather than the amount otherwise provided for in such subsection (d) or (e).

SA 2052. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. ENHANCED AUTHORITY FOR PROVISION OF SUPPORT TO PARTNER NATION LIAISON OFFICERS WHILE ASSIGNED TO THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) ELIGIBILITY.—Subsection (a) of section 1051a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' before ''The Secretary of Defense''; and

(3) by adding at the end the following new paragraph:

''(2)(A) In the case of a liaison officer of another nation who is assigned to the headquarters of the United States Special Operations Command, the Secretary of Defense may provide administrative services and support, to the extent that the Secretary determines appropriate, for the performance of

duties by that liaison officer while so assigned without regard to whether that officer's nation is involved in a military operation with the United States.

''(B) The authority of the Secretary to provide administrative services and support under this subsection for the performance of duties by a liaison officer of another nation who is assigned as described in subparagraph (A) may be exercised only with respect to a liaison officer of another nation whose assignment as described in that subparagraph is accepted by the Secretary of Defense with the concurrence of the Secretary of State.''.

(b) TERMS OF REIMBURSEMENT.—Subsection (c) of such section is amended by adding at the end the following new sentence: ''In the case of an assignment described in subsection (a)(2), the terms of reimbursement shall be specified in the appropriate international agreement used to assign the liaison officer as described in that subsection.''.

(c) CONFORMING AMENDMENT.—Subsection (b)(1) of such section is amended by striking ''subsection (a)'' and inserting ''subsection (a)(1)''.

SA 2053. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. SENSE OF CONGRESS REGARDING RIMPAC 2014.

It is the sense of Congress that—

(1) Taiwan should be extended an invitation to participate in the Rim of the Pacific (RIMPAC) 2014 to help increase the proficiency of the Taiwan Navy in humanitarian assistance and disaster relief (HA/DR) operations;

(2) Taiwan's participation in HA/DR exercises will contribute to its capacity to respond to natural disasters such as earthquakes and typhoons that frequently strike its own homeland;

(3) building this capacity will only increase Taiwan's ability to effectively respond in the future while contributing to the security and stability of the maritime domain in the Asia-Pacific region for the benefit of all; and

(4) the United States welcomes the opportunity to work with Taiwan in creating a more interactive naval relationship between our two countries as it is in best security interests of both countries.

SA 2054. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. SENSE OF CONGRESS ON PARTICIPATION IN JOINT NATO EXERCISES.

It is the sense of Congress that the Department of Defense should participate meaningfully in every joint North Atlantic Treaty Organization (NATO) exercise in order to demonstrate continuing commitment to NATO, ensure its operational effectiveness with the United States in a leading role, and confirm the President's announced policy to balance withdrawal of Europe-based Brigade Combat Teams (BCTs) with effective and meaningful rotation of forces to Europe of a United States-based BCT.

SA 2055. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. ___. ASSESSMENTS OF ARMS CONTROL, NONPROLIFERATION, AND DISARMAMENT AGREEMENT VERIFICATION.

Section 306 of the Arms Control and Disarmament Act (22 U.S.C. 2577) is amended—

(1) in subsection (a)(3), by inserting ''the intelligence community, and the Department of Defense'' after ''Department of State''; and

(2) in subsection (b)—

(A) by striking ''REQUEST.—Upon'' and inserting the following: ''REQUEST.—

''(1) IN GENERAL.—Upon'';

(B) by striking ''Committee on Foreign Relations of the Senate or the Committee on International Relations of the House of Representatives'' and inserting ''Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Armed Services, or the Committee on Banking, Housing, and Urban Affairs of the Senate or the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Armed Services, or the Committee on Financial Services of the House of Representatives''; and

(C) by adding at the end the following new paragraphs:

''(2) CONTENT.—The report required under paragraph (1) shall specify—

''(A) the types of violations that the foreign country might engage in or attempt if the proposal becomes an agreement; and

''(B) the economic sanctions, military responses, and other options that might be considered by the United States Government in response to any such violation.

''(3) PROPOSAL DEFINED.—In this subsection, the term 'proposal' means any proposal, whether formal or informal or in 'white paper' form, that is, either directly or through intermediaries, provided in writing to a foreign country by the United States or provided in writing to the United States by a foreign country.''.

SA 2056. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1220. SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM OF RELIGIOUS MINORITIES IN THE NEAR EAST AND SOUTH CENTRAL ASIA.

(a) APPOINTMENT.—The President may appoint a Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia (in this section referred to as the ''Special Envoy'') within the Department of State. The Special Envoy shall have the rank of ambassador and shall hold the office at the pleasure of the President.

(b) QUALIFICATIONS.—The Special Envoy should be a person of recognized distinction in the field of human rights and religious freedom and with expertise in the Near East and South Central Asia.

(c) DUTIES.—

(1) IN GENERAL.—The Special Envoy shall carry out the following duties:

(A) Promote the right of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia, denounce the violation of such right, and recommend appropriate responses by the United States Government when such right is violated.

(B) Monitor and combat acts of religious intolerance and incitement targeted against religious minorities in the countries of the Near East and the countries of South Central Asia.

(C) Work to ensure that the unique needs of religious minority communities in the countries of the Near East and the countries of South Central Asia are addressed, including the economic and security needs of such communities.

(D) Serve as a liaison between the Secretary of Defense and the Secretary of State and foreign governments of the countries of the Near East and the countries of South Central Asia to address laws that are discriminatory toward religious minority communities in such countries.

(E) Coordinate and assist in the preparation of that portion of the report required by sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) relating to the nature and extent of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia.

(F) Coordinate and assist in the preparation of that portion of the report required by section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)) relating to the nature and extent of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia.

(2) COORDINATION.—In carrying out the duties under paragraph (1), the Special Envoy shall, to the maximum extent practicable, coordinate with the Under Secretary of Defense for Policy, the Assistant Secretary of State for Population, Refugees and Migration, the Ambassador at Large for International Religious Freedom, the United States Commission on International Religious Freedom, and other relevant Federal agencies and officials.

(d) DIPLOMATIC REPRESENTATION.—Subject to the direction of the President and the Secretary of State, the Special Envoy is authorized to represent the United States in matters and cases relevant to religious freedom in the countries of the Near East and the countries of South Central Asia in—

(1) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization of Security and Cooperation in Europe, and other international organizations of which the United States is a member; and

(2) multilateral conferences and meetings relevant to religious freedom in the countries of the Near East and the countries of South Central Asia.

(e) CONSULTATIONS.—The Special Envoy shall consult with domestic and international nongovernmental organizations and multilateral organizations and institutions, as the Special Envoy considers appropriate to fulfill the purposes of this section.

(f) FUNDING.—

(1) AUTHORITY.—Of the amounts appropriated or otherwise made available to the Secretary of State for ''Diplomatic and Consular Programs'' for fiscal years 2014 through 2018, the Secretary of State is authorized to provide to the Special Envoy $1,000,000 for each such fiscal year for the hiring of staff, the conduct of investigations, and necessary travel to carry out the provisions of this section.

(2) FUNDING OFFSET.—To offset the costs to be incurred by the Department of State to carry out the provisions of this section for fiscal years 2014 through 2018, the Secretary of State shall eliminate such positions within the Department of State, unless otherwise authorized or required by law, as the Secretary determines to be necessary to fully offset such costs.

(3) LIMITATION.—No additional funds are authorized to be appropriated for ''Diplomatic and Consular Programs'' to carry out the provisions of this section.

SA 2057. Ms. COLLINS (for herself, Mr. KING, Mr. MARKEY, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 864. COMPLIANCE WITH DOMESTIC SOURCE REQUIREMENTS OF FOOTWEAR FURNISHED OR OBTAINED BY ALLOWANCE FOR ENLISTED MEMBERS OF THE ARMED FORCES UPON THEIR INITIAL ENTRY INTO THE ARMED FORCES.

Section 418 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The footwear prescribed under this section to be furnished to, or to be paid for by allowance under this section by, members of the Army, Navy, Air Force, or Marine Corps upon their initial entry into the armed forces shall comply with the requirements of section 2533a of title 10, without regard to the applicability of any simplified acquisition threshold under chapter 137 of title 10 (or any other provision of law) to the use of such allowance for such footwear.

''(2) Paragraph (1) does not apply to athletic footwear furnished to, or paid for by allowance by, a member described in that paragraph if such footwear—

''(A) is medically required to meet unique physiological needs of the member; and

''(B) cannot be met with athletic footwear that complies with the requirements referred to in that paragraph.''.

SA 2058. Ms. COLLINS (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 722. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES, THEIR DEPENDENTS, AND VETERANS.

(a) PROGRAM FOR MEMBERS OF THE ARMED FORCES AND DEPENDENTS.—The Secretary of Defense and the Attorney General shall jointly carry out a program (commonly referred to as a ''prescription drug take-back program'') under which members of the Armed Forces and dependents of members of the Armed Forces may deliver controlled substances to military medical treatment facilities to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) PROGRAM FOR VETERANS.—The Secretary of Veterans Affairs and the Attorney General shall jointly carry out a program under which veterans may deliver controlled substances to be disposed of in accordance with section 302(g) of the Controlled Substances Act.

(c) PROGRAM ELEMENTS.—The programs required by this section shall provide for the following:

(1) In the case of the program required by subsection (a), the delivery of controlled substances under the program to such members of the Armed Forces, medical professionals, and other employees of the Department of Defense, and to such other acceptance mechanisms, as the Secretary of Defense and the Attorney General jointly specify for purposes of the program.

(2) In the case of the program required by subsection (b), the delivery of controlled substances under the program to such employees of the Veterans Health Administration of the Department of Veterans Affairs, and to such other acceptance mechanisms, as the Secretary of Veterans Affairs and the Attorney General jointly specify for purposes of the program.

(3) Appropriate guidelines and procedures to prevent the diversion, misuse, theft, or loss of controlled substances delivered under such programs.

SA 2059. Mr. WICKER (for himself, Mr. KAINE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON FUTURE AMPHIBIOUS ASSAULT FORCE.

(a) IN GENERAL.—Not later than February 15, 2014, the Commandant of the Marine Corps shall provide a written report and briefing to the congressional defense committees on the operational risk to the ability of the Marine Corps to meet its obligations under the Department of Defense's Defense Strategic Guidance issued on January 5, 2012.

(b) CONTENT.—The report and briefing required under subsection (a) shall provide an evaluation of any operational risk imposed by the current and planned number of amphibious warfare ships in the amphibious assault force as well as a review of the capabilities of these ships to meet the needs of the Marine Corps.

SA 2060. Mr. WICKER (for himself, Mr. KAINE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1025. SENSE OF CONGRESS ON A BALANCED FUTURE NAVAL FORCE.

(a) FINDINGS.—Congress makes the following findings:

(1) The battle force of the Navy must be sufficiently sized and balanced in capability to meet current and anticipated future national security objectives.

(2) A robust and balanced naval force is required for the Department of Defense to fully execute the National Security Strategy of the President.

(3) To develop and sustain required capabilities the Navy must balance investment and maintenance costs across various vessel types, including—

(A) aircraft carriers;

(B) surface combatants;

(C) submarines;

(D) amphibious assault ships; and

(E) other auxiliary vessels, including support vessels operated by the Military Sealift Command.

(4) The Navy possesses only 28 amphibious assault ships, with an average of only 22 amphibious assault ships available for surge deployment despite a Marine Corps requirement for 38 amphibious assault ships.

(5) The inadequate level of investment in Navy shipbuilding over the last 20 years has resulted in the following:

(A) A fragile shipbuilding industrial base in the United States, both in the construction yards and secondary suppliers of materiel and equipment.

(B) Increased costs per vessel stemming from low production volume.

(6) The Department of Defense Appropriations Act, 2013 (division C of Public Law 113–6) provides $263,000,000 towards advance procurement of materiel and equipment required to continue the San Antonio LPD–17 amphibious transport dock class of vessels to a total of 12 vessels, a key first step in rebalancing the amphibious assault ship force structure of the Navy.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense and the Department of the Navy must prioritize funding towards increased shipbuilding rates to enable the Navy to meet the full-range of requests from the combatant commands;

(2) the budget requests for the Navy for future fiscal years, and future Long Range Plans for the Construction of Naval Vessels, under section 231 of title 10, United States Code, must realistically anticipate and reflect the true investment necessary to meet stated Navy force structure goals;

(3) without modification to the shipbuilding plan in the Long Range Plan for the Construction of Naval Vessels, the industrial

base that enables construction of large, combat-survivable amphibious assault ships is at significant risk; and

(4) the Department of Defense and Congress should act expeditiously to restore the force structure and capability balance of the fleet of Navy vessels as quickly as possible.

SA 2061. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 673. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE COMMISSARY PROGRAM BENEFIT.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an analysis and assessment of the Department of Defense commissary program benefit.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the level of Department of Defense funding for the Department of Defense commissary program for each of 10 fiscal years ending with fiscal year 2013.

(2) A list of the commissaries not located within 10 miles of either—

(A) a chain grocery store of comparable size; or

(B) a large commercial store that offers grocery products (including fresh produce) that are comparable to products offered at the nearest commissary.

(3) An analysis of the numbers of each type of eligible beneficiary that used the commissaries in the United States during the 10-fiscal year period ending with fiscal year 2013.

(4) An assessment of the value of the commissary benefit to beneficiaries of the commissary program, including members of the regular and reserve components of the Armed Forces, military retirees, and their dependents.

(5) An assessment of the priority eligible beneficiaries place on the commissary benefit as a recruiting and retention tool for the Armed Forces.

(6) An assessment of the priority the Department of Defense places on the commissary benefit as a recruiting and retention tool for the Armed Forces.

(7) A comparative assessment of commissary store operations in the United States with commissary store operations at overseas and remote locations, and an assessment of the potential impacts on operations of commissary stores overseas of curtailing commissary stores operations in the United States.

(8) An identification and assessment of operating cost reductions and efficiency that could be achieved by the Defense Commissary Agency without impacting the current benefit levels provided to beneficiaries of the commissary program.

(9) An assessment of the potential savings to the Department if commissary operations in the United States were curtailed or otherwise changed.

SA 2062. Mr. GRAHAM (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 514. POLICY ON MILITARY RECRUITMENT AND ENLISTMENT OF GRADUATES OF SECONDARY SCHOOLS.

(a) CONDITIONS ON USE OF TEST, ASSESSMENT, OR SCREENING TOOLS.—In the case of any test, assessment, or screening tool utilized under the policy on recruitment and enlistment required by subsection (b) of section 532 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1403; 10 U.S.C. 503 note) for the purpose of identifying persons for recruitment and enlistment in the Armed Forces, the Secretary of Defense shall—

(1) implement a means for ensuring that graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, are required to meet the same standard on the test, assessment, or screening tool; and

(2) use uniform testing requirements and grading standards.

(b) RULE OF CONSTRUCTION.—Nothing in section 532(b) of the National Defense Authorization Act for Fiscal Year 2012 or this section shall be construed to permit the Secretary of Defense or the Secretary of a military department to create or use a different grading standard on any test, assessment, or screening tool utilized for the purpose of identifying graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, for recruitment and enlistment in the Armed Forces.

SA 2063. Ms. AYOTTE (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 135. LIMITATION ON RETIREMENT OF A–10 AIRCRAFT.

(a) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be obligated or expended to retire, prepare to retire, or place in storage any A–10 aircraft until each of the following:

(1) The Secretary of the Air Force certifies to the congressional defense committees each of the following:

(A) That the F–35A aircraft has achieved full operational capability.

(B) That the F–35A aircraft has achieved Block 4A capabilities, including—

(i) an enhanced electronic warfare capability that will allow the F–35A aircraft to counter emerging threats in a close air support (CAS) environment; and

(ii) a GBU–53 Small Diameter Bomb version II or equivalent weapon operational capability.

(C) That a number of F–35A aircraft exists in the Air Force inventory in sufficient quantity to replace the A–10 aircraft being retired in order to meet close air support capability requirements of the combatant commands.

(2) The Comptroller General of the United States submits to the congressional defense committees a report setting forth the following:

(A) An assessment whether each certification under paragraph (1) is comprehensive, fully supported, and sufficiently detailed.

(B) An identification of any shortcomings, limitations, or other reportable matters that affect the quality or findings of any certification under paragraph (1).

(b) DEADLINE FOR SUBMITTAL OF COMPTROLLER GENERAL REPORT.—The report of the Comptroller General under paragraph (2) of subsection (a) shall be submitted not later than 90 days after the date of the submittal of the certification referred to in paragraph (1) of that subsection.

SA 2064. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1003. AUTHORITY FOR ACCEPTANCE OF PAYMENT IN KIND IN SETTLEMENT OF A–12 AIRCRAFT LITIGATION.

Notwithstanding any other provision of law, during the current fiscal year and hereafter, the Secretary of the Navy is authorized to accept and retain the following consideration in lieu of a monetary payment for purposes of the settlement of the A–12 aircraft litigation arising from the default termination of Contract No. N00019-88-C-0050:

(1) From General Dynamics Corporation: credit in an amount not to exceed $198,000,000 toward the design, construction, and delivery of the steel deckhouse, hangar, and aft missile launching system for the DDG 1002.

(2) From the Boeing Company: Three EA-18G Growler aircraft, with installed Airborne Electronic Attack kits, valued at an amount not to exceed $198,000,000, at no cost to the Department of the Navy.

SA 2065. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. REPORT ON UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION.

(a) IN GENERAL.—Not later than March 15, 2014, the Chairman of the United States-

China Economic and Security Review Commission established under section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002) shall submit a report on the operations of the Commission to—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Finance of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the manner in which the Commission has carried out the requirements of section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), including how the Commission has—

(A) carried out the purpose described in subsection (b)(2) of that section;

(B) carried out the duties of the Commission described in subsection (c) of that section;

(C) compensated members of the Commission under subsection (e)(1) of that section; and

(D) appointed and compensated the executive director and other personnel of the Commission under subsection (e)(3) of that section.

(2) A list that includes—

(A) the name of each individual that has served or is serving as a member of the Commission as of the date of the submission of the report; and

(B) the term that each such individual served or is serving as of that date.

(3) A description of the extent to which the Commission has access to classified information and how the Commission has used that information in carrying out the duties of the Commission.

(4) A summary of all domestic and foreign travel by members and personnel of the Commission after December 31, 2005, including dates, locations, and purposes of travel and the names of members and personnel who participated.

(5) Recommendations of the Commission for statutory changes to update the mandate, purpose, duties, organization, and operations of the Commission, taking into account changes in the relationship between the United States and China.

SA 2066. Mr. DONNELLY (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1054. COLLABORATION AMONG THE STRATEGIC FORCES OF THE ARMED FORCES.

(a) SENSE OF CONGRESS ON COLLABORATION.—It is the sense of Congress that—

(1) ongoing collaboration on strategic forces for affordability between the Navy and the Air Force may be further augmented, for example, by the technologies and expertise being developed under the Conventional Prompt Global Strike (CPGS) efforts of the Office of the Secretary of Defense; and

(2) identifying and leveraging areas of overlap may increase efficiencies of strategic systems and Conventional Prompt Global Strike efforts in a manner that reduces long-term costs, including supporting common subsystems that may promote a more resilient industrial base.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a detailed strategy for collaboration among the Army, the Navy, and the Air Force to improve overall strategic program efficiencies, technology sharing, and overall potential benefits of such activities.

(2) ELEMENTS.—The report required by paragraph (2) shall include the following:

(A) An assessment of the potential benefits of collaboration among the Army, the Navy, and the Air Force on strategic programs (including, but not limited to, program management for programs to develop and modernize strategic weapon systems), including potential costs and benefits for research and development and production, and potential benefits for the defense industrial base that supports strategic forces.

(B) An assessment of any risks associated with collaboration described in subparagraph (A), including resource availability, cyber security, and impact on the schedule for current strategic systems modernization programs, and a description of actions to be taken by the Department to mitigate such risks.

SA 2067. Mr. DONNELLY (for himself, Mr. LEAHY, Mr. CRUZ, Mr. BLUNT, Mr. BEGICH, Mr. PRYOR, Mr. SCHATZ, Mr. BENNET, Mr. JOHANNS, Mr. MENENDEZ, Mr. CORNYN, Mr. BOOZMAN, Ms. HEITKAMP, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) SHORT TITLE.—This section may be cited as the ''Military Reserve Jobs Act of 2013''.

(b) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(iii), by striking ''and'' at the end;

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

(C) by inserting after subparagraph (H) the following:

''(I) a qualified reservist;'';

(2) in paragraph (4)—

(A) in subparagraph (A), by striking ''or'' at the end;

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

(C) by adding at the end the following:

''(C) the individual is a retiree described in paragraph (7)(B);'';

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'entry level and skill training' has the meaning given that term in section 3301(2) of title 38;

''(7) 'qualified reservist' means—

''(A) an individual who is a member of a reserve component of the Armed Forces—

''(i) who has—

''(I) successfully completed officer candidate training or entry level and skill training; and

''(II) incurred, or is performing, an initial period of obligated service in a reserve component of the Armed Forces of not less than 6 consecutive years; or

''(ii) who—

''(I) has completed at least 10 years of service in a reserve component of the Armed Forces; and

''(II) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

''(B) an individual who is—

''(i) retired from service in a reserve component of the Armed Forces; and

''(ii) eligible for, but has not yet commenced receipt of, retired pay for non-regular service under chapter 1223 of title 10; and

''(8) 'reserve component of the Armed Forces' means a reserve component specified in section 101(27) of title 38.''.

(c) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

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

(2) by striking paragraph (2) and inserting the following:

''(2) a preference eligible under subparagraph (A) or (B) of section 2108(3), or described in section 2108(7)(B)—5 points;

''(3) a preference eligible described in section 2108(7)(A)(ii)—4 points; and

''(4) a preference eligible described in section 2108(7)(A)(i)—3 points.''.

SA 2068. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 415, strike lines 15 and 16 and insert following:

United States Government;

(5) addresses issues relating to the ability of the United States to support non-proliferation goals through domestic, nuclear fuel cycle capabilities using technology of United States origin; and

(6) mobilizes and leverages additional resources

SA 2069. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1107 and insert the following:

SEC. 1107. DEFENSE SCIENCE INITIATIVE FOR PERSONNEL.

(a) STATEMENT OF POLICY.—It is the policy of the United States to assure the scientific and technological preeminence of its defense laboratories, which are essential to the national security, by requiring the Department of Defense to provide to its science and technology laboratories—

(1) the personnel and support services needed to carry out their mission; and

(2) decentralized management authority.

(b) ESTABLISHMENT OF INITIATIVE.—There is hereby established within the Department of Defense an initiative to be known as the Defense Science Initiative for Personnel (in this section referred to as the ''Initiative''). The Initiative shall provide authorities for the Department for the employment and management of personnel of Department of Defense Science and Technology Reinvention Laboratories.

(c) LABORATORIES COVERED BY INITIATIVE.—The laboratories covered by the Initiative—

(1) shall be those designated as Science and Technology Reinvention Laboratories (in this section referred to as ''STRLs'') by the Secretary or by paragraph (2); and

(2) shall include the laboratories enumerated in section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note), which laboratories are hereby designated as STRLs.

(d) SCIENCE AND ENGINEERING DEGREED AND TECHNICAL POSITIONS AT STRLS.—

(1) IN GENERAL.—The director of any STRL may appoint qualified candidates, without regard to subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), directly to scientific, technical, engineering, mathematical, or medical positions within such STRL, on either a temporary, term, or permanent basis.

(2) QUALIFIED CANDIDATES DEFINED.—Notwithstanding any provision of chapter 51 of title 5, United States Code, in this subsection, the term ''qualified candidate'' means an individual who is—

(A) a candidate who has earned a bachelor's degree;

(B) a student enrolled in a program of undergraduate or graduate instruction leading to a bachelor's or master's degree in a scientific, technical, engineering, mathematical, or medical course of study at an institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(C) a veteran or disabled veteran, as defined in paragraph (1) or (2) of section 2108 of title 5, United States Code, respectively, who served as a technician in the Armed Forces in a scientific, technical, engineering, mathematical, or medical occupational specialty.

(3) LIMITATION.—The authority in paragraph (2)(A) may not, in any calendar year and with respect to any STRL, be exercised with respect to a number of candidates hired into permanent, term, and temporary positions greater than the number equal to 5 percent of the scientific, technical, engineering, mathematical, and medical positions within such STRL that are filled as of the close of the fiscal year before the start of such calendar year.

(4) RULE OF CONSTRUCTION.—Any exercise of authority under paragraph (1) shall be considered to satisfy section 2301(b)(1) of title 5, United States Code.

(e) EXCLUSIONS FROM PERSONNEL LIMITATIONS.—The director of any STRL shall manage the workforce strength, structure, composition, and compensation of such STRL—

(1) without regard to any limitation on appointments or funding with respect to such STRL, subject to paragraph (2); and

(2) in a manner consistent with the budget available with respect to such STRL.

(f) SENIOR EXECUTIVE SERVICE ROTATION AUTHORITY.—The Secretary of Defense shall, exercising the authority granted to the Secretary by section 3131 of title 5, United States Code, delegate decision making authority under section 3131(5) of such title to the director of each STRL described in subsection (c)(2) to determine the duration of assignment of senior executives assigned to such laboratory, consistent with carrying out the mission of such laboratory.

(g) SENIOR SCIENTIFIC TECHNICAL MANAGERS.—

(1) ESTABLISHMENT.—There is hereby established in each STRL a category of senior professional scientific positions, the incumbents of which shall be designated as ''senior scientific technical managers'' and which shall, notwithstanding section 5108 of title 5, United States Code, be positions classified above GS-15 of the General Schedule. The primary functions of such positions shall be—

(A) to engage in research and development in the physical, biological, medical, or engineering sciences, or another field closely related to the mission of such STRL; and

(B) to carry out technical supervisory or program management responsibilities.

(2) APPOINTMENTS.—The positions described in paragraph (1) may be filled, and shall be managed, by the director of the STRL involved, under criteria established pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721), relating to personnel demonstration projects at laboratories of the Department of Defense, except that the director of the laboratory involved shall determine the number of such positions at such laboratory, not to exceed 3 percent of the number of scientists and engineers employed at such laboratory at the end of the fiscal year prior to the calendar year in which any appointments subject to that numerical limitation are made.

(h) SELECTION AND COMPENSATION OF SPECIALLY-QUALIFIED SCIENTIFIC AND PROFESSIONAL PERSONNEL.—Section 3104 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(d) In addition to the number of positions authorized by subsection (a), the director of each Science and Technology Reinvention Laboratory described in section 1107(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 may establish, without regard to the second sentence of subsection (a), such number of specially-qualified scientific and professional (ST) positions as may be necessary to carry out the research and development functions of the laboratory and which require the services of specially-qualified personnel. The selection process governing appointments made under this subsection shall be determined by the director of the laboratory involved, and the rate of basic pay for the employee holding any such position shall be set by the laboratory director at a rate not to exceed the rate for level II of the Executive Schedule.''.

SA 2070. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 585. AUTHORITY FOR AWARD OF THE DISTINGUISHED SERVICE CROSS TO SPECIALIST FOUR ROBERT L. TOWLES FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 3742 of that title to Robert L. Towles for the acts of valor referred to in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Specialist Four Robert L. Towles, on November 17, 1965, as a member of the United States Army serving in the grade of Specialist Four during the Vietnam War while serving in Company D, 2d Battalion, 7th Cavalry, 1st Cavalry Division, for which he was originally awarded the Bronze Star with ''V'' Device.

SA 2071. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 237. DEADLINE FOR DEVELOPMENT OF CONTINGENCY PLAN FOR DEPLOYMENT OF A HOMELAND DEFENSE MISSILE DEFENSE INTERCEPTOR SITE.

Section 227(d) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1679) is amended by striking ''shall—'' and inserting ''shall, by not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014—''

SA 2072. Mr. PORTMAN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 722. REPORT ON USE OF TELEHEALTH FOR TREATMENT OF POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURIES, AND MENTAL HEALTH CONDITIONS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the use of telehealth to improve the diagnosis and treatment of Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injuries (TBI), and mental health conditions.

(b) ELEMENTS.—The report required by subsection (a) shall address the following:

(1) The current status of telehealth initiatives within the Defense Department to diagnose and treat Post-Traumatic Stress Disorder, Traumatic Brain Injuries, and mental health conditions.

(2) Plans for integrating telehealth into the military health care system, including in health care delivery, records management, medical education, public health, private sector partnerships, and research and development.

(3) The status of the integration of telehealth initiatives of the Department with the telehealth initiatives of the Department of Veterans Affairs.

(4) A description and assessment of challenges to the use of telehealth as a means of in-home treatment, outreach in rural areas, and in settings which provide group treatment or therapy in connection with treatment of Post-Traumatic Stress Disorder, Traumatic Brain Injuries, and mental health conditions, and a description and assessment of efforts to address such challenges.

(5) A description of privacy issues related to use of telehealth for the treatment of Post-Traumatic Stress Disorder, Traumatic Brain Injuries, and mental health conditions, and recommendations for mechanisms to remedy any privacy concerns in connection with use of telehealth for such treatment.

SA 2073. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 931 and insert the following:

SEC. 931. PERSONNEL SECURITY.

(a) COMPARATIVE ANALYSIS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Director of Cost Assessment and Program Evaluation and in coordination with the Director of the Office of Management and Budget and the Director of the Office of Personnel Management, submit to Congress a report setting forth a comprehensive analysis comparing the cost, schedule, and performance of personnel security clearance investigations and reinvestigations for employees and contractor personnel of the Department of Defense that are conducted by the Office of Personnel Management with the cost, schedule, and performance of personnel security clearance investigations and reinvestigations for such personnel that are conducted by the components of the Department of Defense.

(2) ELEMENTS OF ANALYSIS.—The analysis under paragraph (1) shall do the following:

(A) Determine, for each of the Office of Personnel Management and the components of the Department that conduct personnel security investigations, the cost, schedule, and performance associated with personnel security investigations and reinvestigations of each type and level of clearance, and identify the elements that contribute to such cost, schedule, and performance.

(B) Identify mechanisms for permanently improving the transparency of the cost structure of personnel security investigations and reinvestigations.

(b) PERSONNEL SECURITY FOR DEPARTMENT OF DEFENSE EMPLOYEES AND CONTRACTORS.—

(1) IN GENERAL.—If the Secretary of Defense determines that the current approach for obtaining personnel security investigations and reinvestigations for employees and contractor personnel of the Department of Defense is not the most advantageous approach for the Department, the Secretary shall develop a plan, by not later than October 1, 2014, for the transition of personnel security investigations and reinvestigations to the approach preferred by the Secretary.

(2) CONSIDERATIONS.—In selecting the most advantageous approach preferred for the Department under paragraph (1), the Secretary shall consider whether cost, schedule, and performance could be improved through increased reliance on private-sector entities to conduct, or provide supporting information for, personnel security investigations and reinvestigations for employees and contractor personnel of the Department.

(c) STRATEGY FOR CONTINUOUS MODERNIZATION OF PERSONNEL SECURITY.—

(1) STRATEGY REQUIRED.—The Secretary of Defense, the Director of National Intelligence, the Director of the Office of Management and Budget, and the Director of the Office of Personnel Management shall jointly develop and implement a strategy to continuously modernize all aspects of personnel security for the Department of Defense with the objectives of lowering costs, increasing efficiencies, enabling and encouraging reciprocity, and improving security.

(2) METRICS.—

(A) METRICS REQUIRED.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall jointly establish metrics to measure the effectiveness of the strategy in meeting the objectives specified in that paragraph.

(B) REPORT.—At the same time the budget of the President for each of fiscal years 2015 through 2018 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary and the Directors shall jointly submit to the appropriate committees of Congress a report on the metrics established under paragraph (1), including an assessment using the metrics of the effectiveness of the strategy in meeting the objectives specified in paragraph (1).

(3) ELEMENTS.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall consider, and may adopt, mechanisms for the following:

(A) Elimination of manual or inefficient processes in investigations and reinvestigations for personnel security, wherever practicable, and automating and integrating the elements of the investigation process, including in the following:

(i) The clearance application process.

(ii) Case management.

(iii) Adjudication management.

(iv) Investigation methods for the collection, analysis, storage, retrieval, and transfer of data and records.

(v) Records management for access and eligibility determinations.

(B) Elimination or reduction, where possible, of the use of databases and information sources that cannot be accessed and processed automatically electronically, or modification of such databases and information sources, if appropriate and cost-effective, to enable electronic access and processing within and between agencies.

(C) Access and analysis of government, publically available, and commercial data sources, including social media, that provide independent information pertinent to adjudication guidelines to improve quality and timeliness, and reduce costs, of investigations and reinvestigations.

(D) Use of government-developed and commercial technology for continuous monitoring and evaluation of government and commercial data sources that can identify and flag information pertinent to adjudication guidelines and eligibility determinations.

(E) Standardization of forms used for routine reporting required of cleared personnel (such as travel, foreign contacts, and financial disclosures) and use of continuous monitoring technology to access databases containing such reportable information to independently obtain and analyze reportable data and events.

(F) Establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition thereof.

(G) Elimination or reduction of the scope of, or alteration of the schedule for, periodic reinvestigations of cleared personnel, when such action is appropriate in light of the information provided by continuous monitoring or evaluation technology.

(H) Electronic integration of personnel security processes and information systems with insider threat detection and monitoring systems, and pertinent law enforcement, counterintelligence and intelligence information, for threat detection and correlation.

(I) Determination of the net value of implementing phased investigative approaches designed to reach an adjudicative decision sooner than is currently achievable by truncating investigations based on thresholds where no derogatory information or clearly unacceptably derogatory information is obtained through initial background checks.

(d) RECIPROCITY OF CLEARANCES.—The Secretary of Defense and the Director of National Intelligence shall jointly ensure that the transition of personnel security clearances between and among Department of Defense components, Department contractors, and Department contracts proceeds as rapidly and inexpensively as possible, including through the following:

(1) By providing for reciprocity of personnel security clearances among positions requiring personnel holding secret, top secret, or sensitive compartmented information clearances (the latter with a counterintelligence polygraph examination), to the maximum extent feasible consistent with national security requirements.

(2) By permitting personnel, when feasible and consistent with national security requirements, to begin work in positions requiring additional security requirements, such as a full-scope polygraph examination, pending satisfaction of such additional requirements.

(e) BENCHMARKS.—For purposes of carrying out the requirements of this section, the Secretary of Defense and the Director of National Intelligence shall jointly determine, by not later than 180 days after the date of the enactment of this Act, the following:

(1) The current level of mobility and personnel security clearance reciprocity of cleared personnel as personnel make a transition between Department of Defense components, between Department contracts, and between government and the private sector.

(2) The costs due to lost productivity in inefficiencies in such transitions arising from personnel security clearance matters.

(f) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall carry out a review of the personnel security process.

(2) OBJECTIVE OF REVIEW.—The objective of the review required by paragraph (1) shall be to identify the following:

(A) Differences between the metrics used by the Department of Defense, the Suitability and Security Clearance Performance and Accountability Council, and the Office of

Personnel Management in granting reciprocity for security clearances, and the manner in which such differences can be harmonized.

(B) The extent to which existing Federal Investigative Standards are relevant, complete, and sufficient for guiding agencies and individual investigators as they conduct their security clearance background investigations.

(C) The processes agencies have implemented to ensure quality in the security clearance background investigation process.

(D) The extent to which agencies have developed and implemented outcome-focused performance measures to track the quality of security clearance investigations and any insights from these measures.

(E) The processes agencies have implemented for resolving incomplete or subpar investigations, and the actions taken against government employees and contractor personnel who have demonstrated a consistent failure to abide by quality assurance measures.

(3) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review required by paragraph (1).

(g) TASK FORCE ON RECORDS ACCESS FOR SECURITY CLEARANCE BACKGROUND INVESTIGATIONS.—

(1) ESTABLISHMENT.—The Suitability and Security Clearance Performance Accountability Council, as established by Executive Order No. 13467, shall convene a task force to examine the different policies and procedures that determine the level of access to public records provided by State and local authorities in response to investigative requests by Federal Government employees or contracted employees carrying out background investigations to determine an individual's suitability for access to classified information or secure government facilities.

(2) MEMBERSHIP.—The members of the task force shall include, but need not be limited to, the following:

(A) The Chair of the Suitability and Security Clearance Performance and Accountability Council, who shall serve as chair of the task force.

(B) Representative from the Office of Personnel Management.

(C) Representative from the Office of the Director of National Intelligence.

(D) Representative from the Department of Defense responsible for administering security clearance background investigations.

(E) Representatives from Federal law enforcement agencies within the Department of Justice and the Department of Homeland Security involved in security clearance background investigations.

(F) Representatives from State and local law enforcement agencies, including—

(i) agencies in rural areas that have limited resources and less than 500 officers; and

(ii) agencies that have more than 1,000 officers and significant technological resources.

(G) Representative from Federal, State, and local law enforcement associations involved with security clearance background administrative actions and appeals.

(H) Representatives from Federal, State, and local judicial systems involved in the sharing of records to support security clearance background investigations.

(3) INITIAL MEETING.—The task force shall convene its initial meeting not later than 45 days after the date of the enactment of this Act.

(4) DUTIES.—The task force shall do the following:

(A) Analyze the degree to which State and local authorities comply with investigative requests made by Federal Government employees or contractor employees carrying out background investigations to determine an individual's suitability for access to classified information or secure government facilities, including the degree to which investigative requests are required but never formally requested.

(B) Analyze limitations on the access to public records provided by State and local authorities in response to investigative requests by Federal Government employees and contractor employees described in subparagraph (A), including, but not be limited to, limitations relating to budget and staffing constraints on State and local authorities, any procedural and legal obstacles impairing Federal access to State and local law enforcement records, or inadequate investigative procedural standards for background investigators.

(C) Provide recommendations for improving the degree of cooperation and records-sharing between State and local authorities and Federal Government employees and contractor employees described in subparagraph (A).

(5) REPORT.—Not later than 120 days after the date of the enactment of this Act, the task force shall submit to the appropriate committees of Congress a report setting forth a detailed statement of the findings and conclusions of the task force pursuant to this subsection, together with the recommendations of the task force for such legislative or administrative action as the task force considers appropriate.

(h) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2074. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1025. GENERAL COASTWISE WAIVER.

(a) GENERAL COASTWISE WAIVER.—A vessel owned and operated by a contractor or subcontractor providing supplies or services under a shipbuilding or ship repair contract entered into with the Department of Navy is authorized to transport merchandise between points in the United States for purposes of performing that shipbuilding or ship repair contract.

(b) REQUIREMENT TO ISSUE.—Notwithstanding chapters 121 and 551 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall issue a certificate of documentation with a coastwise endorsement to any vessel which will be engaged in the performance of a shipbuilding or ship repair contract entered into with the Department of Navy.

(c) LIMITATION ON OPERATION.—Coastwise trade authorized under subsections (a) and (b) shall be limited to the performance of shipbuilding or ship repair contracts entered into with the Department of Navy.

(d) TERMINATION OF ENDORSEMENT.—A coastwise endorsement issued under subsection (b) for a vessel shall expire on the date of the sale of the vessel.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. 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 November 14, 2013, at 10 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on November 14, 2013, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 14, 2013, at 11:15 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 14, 2013, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Ensuring Access to Higher Education: Simplifying Federal Student Aid for Today's College Student.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 14, 2013, at 10 a.m. to conduct a hearing entitled ''Threats to the Homeland.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on November 14, 2013, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled ''Contract Support Costs and Sequestration: Fiscal Crisis in Indian Country.''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on November 14, 2013, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 14, 2013, at 2 p.m.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy and Consumer Rights, be authorized to meet during the session of the Senate, on November 14, 2013, at 2:45 p.m., in SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Cartel Prosecution: Stopping Price Fixers and Protecting Consumers.''

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

SUBCOMMITTEE ON EUROPEAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 14, 2013, at 2:30 p.m., to hold an European Affairs subcommittee hearing entitled, ''A Pivotal Moment for the Eastern Partnership: Outlook for Ukraine, Moldova, Georgia, Belarus, Armenia, and Azerbaijan''.

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND THE COAST GUARD

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 14, 2013, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Southeast Regional Perspectives on Magnuson-Stevens Act Reauthorization.''

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

PRIVILEGES OF THE FLOOR

Mr. COONS. Mr. President, I ask unanimous consent that Bryan Stephan, an intern in my office, be granted floor privileges for the duration of today's session.

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

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that Peter Nothstein, a detailee on the Senate Judiciary Committee, be granted Senate floor privileges for the duration of the 113th Congress.

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

Ms. HIRONO. Mr. President, I ask unanimous consent that Jen Burks, a fellow in my office, be granted floor privileges until the end of next week.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 389, 392, 405, 411, 421 and all nominations at the Secretary's desk in the Coast Guard; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to any nominations; that any related statements be printed in the Record; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Kenneth L. Mossman, of Arizona, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2016.

DEPARTMENT OF DEFENSE

Michael D. Lumpkin, of California, to be an Assistant Secretary of Defense.

DEPARTMENT OF STATE

Gregory B. Starr, of Virginia, to be an Assistant Secretary of State (Diplomatic Security).

James Walter Brewster, Jr., of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

Philip S. Goldberg, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Career-Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE COAST GUARD

PN966 COAST GUARD nominations (26) beginning Kenneth J. Anderson, and ending Forest A. Willis, Jr., which nominations were received by the Senate and appeared in the Congressional Record of November 7, 2013.

PN967 COAST GUARD nominations (76) beginning Wayne R. Arguin, and ending Michael B. Zamperini, which nominations were received by the Senate and appeared in the Congressional Record of November 7, 2013.

PN968 COAST GUARD nominations (150) beginning Steven C. Acosta, and ending Marc A. Zlomek, which nominations were received by the Senate and appeared in the Congressional Record of November 7, 2013.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

PREEMIE REAUTHORIZATION ACT

Mr. REID. I ask that the Senate proceed to the immediate consideration of the House message on S. 252.

The PRESIDING OFFICER laid before the Senate a message from the House, as follows:

Resolved, That the bill from the Senate (S. 252) entitled ''An Act to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.'', do pass with amendments.

Mr. REID. I further ask that the Senate concur in the House amendments, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 295, 296, 297, en bloc.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. Madam President, I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

EXPRESSING SUPPORT FOR THE VICTIMS OF THE TYPHOON IN THE PHILIPPINES

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to calendar No. 245.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 292) expressing support for the victims of the typhoon in the Philippines and the surrounding region.

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, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 292) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of November 13, 2013, under ''Submitted Resolutions.'')

CALLING ON THE GOVERNMENT OF IRAN TO RELEASE SAEED ABEDINI AND OTHER INDIVIDUALS

Mr. REID. Madam President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate proceed to S. Res. 284.

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. 284) calling on the Government of Iran to immediately release Saeed Abedini and all other individuals detained on account of their religious beliefs.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 284) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 31, 2013, under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, NOVEMBER 18, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, November 18, 2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and that following any leader remarks the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; that the first-degree filing deadline for amendments to H.R. 3204 be 3 p.m. on Monday and the second-degree filing deadline be 4 p.m. on Monday; further, that at 5 p.m., the Senate proceed to executive session to consider Calendar No. 381, the nomination of Robert Wilkins to be the U.S. Circuit Judge for the DC Circuit, with the time until 5:30 p.m. equally divided and controlled in the usual form prior to the cloture vote on the nomination; that if cloture is not invoked, the Senate resume legislative session and immediately vote on the motion to invoke cloture on H.R. 3204, the pharmaceutical drug compounding bill, all postcloture time be yielded back, the pending amendments be withdrawn and the Senate vote on passage of H.R. 3204; that upon disposition of H.R. 3204, the Senate vote on the motion to invoke cloture on the motion to proceed to S. 1197, the National Defense Authorization Act.

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

PROGRAM

Mr. REID. There will be up to four rollcall votes on Monday at 5:30 p.m.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 18, 2013, AT 2 P.M.

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:35 p.m. adjourned until Monday, November 18, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 14, 2013:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

KENNETH L. MOSSMAN, OF ARIZONA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2016.

DEPARTMENT OF DEFENSE

MICHAEL D. LUMPKIN, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF STATE

GREGORY B. STARR, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (DIPLOMATIC SECURITY).

JAMES WALTER BREWSTER, JR., OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DOMINICAN REPUBLIC.

PHILIP S. GOLDBERG, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER–MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH KENNETH J. ANDERSON AND ENDING WITH FOREST A. WILLIS, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 7, 2013.

COAST GUARD NOMINATIONS BEGINNING WITH WAYNE R. ARGUIN AND ENDING WITH MICHAEL B. ZAMPERINI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 7, 2013.

COAST GUARD NOMINATIONS BEGINNING WITH STEVEN C. ACOSTA AND ENDING WITH MARC A. ZLOMEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 7, 2013.

EXTENSIONS OF REMARKS

RECOGNIZING THE 100TH ANNIVERSARY OF HAVEN BUILDING PRODUCTS

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize the 100th anniversary of Haven Building Products of Winter Haven, Florida.

Originally founded as Winter Haven Planing Mills by Illinois businessman Albert Adolphus Dugger, Haven Building Products has provided a wide range of construction services and materials since 1913. The company has adapted throughout the years to dynamic markets and the growing economy, all while maintaining the same exemplary quality and service associated with the family business. The Dugger family, who still owns and operates the business today, remains committed to serving local builders.

I commend the Dugger family and Haven Building Products for their extraordinary contribution to the Central Florida community.

RETIREMENT OF POLICE OFFICER STEVEN TROJANOWSKI

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Officer Steven Trojanowski who is retiring after more than 35 years of law enforcement service, with nearly 24 years of that service to the City of Fairfield.

After serving five years as a Reserve Deputy with the Placer County Sheriff's Office and six years as a Deputy Sheriff with the Contra Costa Sheriff's Office, he was hired as a Police Officer with the Fairfield Police Department on November 27, 1989. Officer Trojanowski served the community in a number of capacities within Patrol, Traffic, Investigations, and Quality of Life Bureaus.

In addition to routine patrol assignments, he has served as a DUI Enforcement Officer, Detective, Field Training Officer, provided law enforcement support to the City's Quality Neighborhoods Team (QNT), and earned a Lifesaving Award. Some of his most significant contributions to the Police Department have been his knowledge and experience, solid investigative skills, and quality reporting techniques. Officer Trojanowski has been a dedicated team member and a positive representation of the Fairfield Police Department.

He has been a valued employee and his commitment to the community was second to none. Officer Trojanowski was a loyal representative of the law enforcement community and admired for his hard work, dedication, and positive work ethic.

HONORING JOSHUA SHAYNE MOORE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joshua Shayne Moore. Joshua is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Joshua has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Joshua Shayne Moore for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING SISTER JEAN McGRATH FOR HER 50 YEARS OF DEDICATED SERVICE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Sister Jean McGrath, the principal at St. John Fisher Elementary School in Chicago. For the past 50 years, Sister McGrath has tirelessly worked at St. John Fisher as a member of the Congregation of the Sisters of St. Joseph. Her work has not only benefited the school and the parish, but the entire community. This month, Sister Jean—as she is affectionately called—was honored with a celebratory Mass and a street marked with an honorary sign bearing her name.

In 1963, Jean McGrath joined the Congregation of the Sisters of St. Joseph. She joined because she "wanted to be somebody who could do good" and "make a difference." Sister McGrath continued to make an impact when she began working as a second-grade teacher at St. John Fisher in 1986, just blocks away from her childhood home. Even as other nuns who she entered the congregation with left to pursue family and life outside the church, she followed her mother's advice to pursue her vocation and serve the community.

When Sister McGrath started at St. John Fisher, she was one of eleven nuns serving on the staff, today she is the only one left. After almost three decades working as a second-grade teacher, high school English teacher and in her current role as principal, Sister McGrath continues to guide and counsel students, teachers, and families with the same passion that inspired her to join the congregation a half century ago. This passion has been a fundamental reason why St. John Fisher Elementary School has flourished during the past 27 years.

During her time as principal, Sister Jean has succeeded in developing a new technology program, and created exemplary art and music programs to foster her students' creative minds. Throughout all the changes St. John Fisher has seen during her tenure, Sister Jean's welcoming and inspiring spirit has remained a constant.

Mr. Speaker, I ask my colleagues to join me in recognizing Sister Jean McGrath for her 50 years of service to the South Side of Chicago and congratulate Sister Jean on her Golden Jubilee. May she continue to guide and inspire people for years to come, and serve as an example of the best qualities of the human heart.

CONGRATULATING THE ROBERT YOUNG CENTER AND COMMUNITY HEALTH CARE, INC. IN MOLINE

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate the Robert Young Center (RYC) and Community Health Care, Inc. (CHC) in Moline, Illinois, which have been recognized with a Gold Best Practice Award from URAC, a leading healthcare accreditation and education organization.

Out of seven national finalists in the category of care coordination and clinical integration, the Robert Young Center and Community Health Care, Inc., received the top award for their work on integrating care for people with severe mental illnesses and co-existing chronic medical diseases. Behavioral disorders and depression often coincide with major medical conditions, including cancer, heart disease and diabetes. CHC established a primary care clinic at the Robert Young Center and RYC placed a mental health clinician at CHC to address co-existing disorders, dramatically reducing ER visits and medical and psychological costs while increasing patients' quality of life scores by 131%.

Mr. Speaker, I want to again congratulate the Robert Young Center and Community Health Care for their remarkable achievements. I am very grateful for the wonderful services that they provide for our community and thankful to URAC for allowing them a platform to share their model with others.

RECOGNIZING THE RECIPIENTS OF THE 2013 MAIN STREET BUSINESS AND PROFESSIONAL ASSOCIATION, INC. ANNUAL DINNER AWARDS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the outstanding recipients of the 2013 Main Street Business and Professional Association, Inc. Awards.

The Main Street Business and Professional Association, Inc. is an association of business and professional men and women living in, owning, or operating a business or service in the Niagara Street Community. They are dedicated to improving and aiding in the development of the community. The members of the Association work together to make Main Street a progressive and serving community of which one can be proud. This year's awardees embody these noble values.

The recipients of the 2013 Main Street Business and Professional Association, Inc., Awards are the Chu's Dining Lounge, Dr. Margaret O'Keefe, Dr. David Taylor, Matt Green, Joseph Hotchkiss, Jim Haid, Robert Pascoal, Niagara Falls Clean Mob, Mitch Alegre, Austin Collins, Laurice Russell, and Kayla Carrisquillo.

Each of these impressive individuals has made significant contributions in various career and community endeavors. I am proud to see such dedicated, hard-working individuals be recognized tonight, and applaud their efforts to better our community.

Mr. Speaker, thank you for giving me the opportunity to recognize the recipients of the 2013 Main Street Business and Professional Association, Inc., Awards, and those who work tirelessly for this valuable organization. Their achievements are commendable and their devotion to our community is inspiring. I wish each and every one of them the best in all their future endeavors.

S.252, THE PREEMIE REAUTHORIZATION ACT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 12, 2013

Ms. ESHOO. Mr. Speaker, I rise in support of the PREEMIE Reauthorization Act, bipartisan legislation I introduced with Congressman Leonard Lance to expand research, education, and prevention of preterm birth. This legislation will reauthorize important programs created by the first PREEMIE Act, which I championed in 2006.

November is Prematurity Awareness Month, and it has come with good news. Just days ago, the March of Dimes announced that the preterm birth rate in America dropped for the sixth consecutive year to 11.5 percent largely due to the original PREEMIE Act.

But each year, half a million babies are still born prematurely. Preterm birth is the leading cause of newborn mortality and the second leading cause of infant mortality. Babies born even a few weeks too early can require weeks to months of hospitalization after birth, and premature birth can sometimes lead to developmental delays and disability later in life.

In addition to the emotional and physical toll of prematurity, there are significant health care costs to families, medical systems and our economy. A report by the Institute of Medicine found the cost associated with preterm birth in the United States was $26.2 billion annually, or $51,600 per infant born preterm. While employers, private insurers and individuals bear approximately about half of the costs of health care for these infants, 40 percent is paid by Medicaid.

We are making great strides in reducing infant mortality-the U.S. infant mortality rate fell by 12 percent between 2005 and 2011, in part due to the decline in premature births. Unfortunately, we still fall far behind the majority of other developed countries, and this is something we have the power to change with continued research and prevention.

The PREEMIE Reauthorization Act will help us learn the causes of premature birth by requiring the HHS Advisory Committee on Infant Mortality to develop a report that identifies research gaps and opportunities to implement evidence-based strategies to reduce preterm birth rates. Appropriate representatives of the National Institutes of Health, Centers for Disease Control and Prevention, and the Health and Services Administration should be involved in developing this report along with the experts from the Advisory Committee.

In my Congressional District, Stanford University teamed up with the March of Dimes to establish the transdisciplinary March of Dimes Prematurity Research Center in 2011. These NIH-funded researchers are bringing cutting-edge medical discoveries from the lab to the bedside. In the last two years, they've made new discoveries that reduce preterm birth and made great strides in ensuring that the tiniest preemies are given the best chance at life.

The PREEMIE Reauthorization Act passed the Senate unanimously on September 25th and I ask my colleagues in the House to follow their lead and send this bill to the President's desk for his signature.

IN RECOGNITION OF JAMES COLLINS

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize and commemorate the accomplishments of veteran James Collins of Dartmouth, Massachusetts, the Southeastern Massachusetts Veteran of the Year.

James Collins, born in Kentucky, served in the Air Force as a staff sergeant in Korea and Japan, as well as at the Otis Air Force Base on Cape Cod. In 1965, Mr. Collins moved to Dartmouth, Massachusetts and has selflessly served veterans in his community, primarily as a Dartmouth Veterans Service Officer from 1996 to 2003. In his retirement, Mr. Collins has continued his service to the veteran community providing needed assistance and securing benefits for veterans and their families. In addition, Mr. Collins is a member of the Dartmouth Veterans Advisory Board which he helped establish in 1997. He is the current Adjutant and Services Officer for the Veterans of Foreign Wars Post #9059 and is a member of the American Legion Post #307. In all of these organizations, he has worked tirelessly to increase membership and raise funds for projects such as local Veterans Memorials and the annual Dartmouth Memorial Day Parade. Mr. Collins has given so much to his community, and serves as an example of what it means to serve one's country.

Mr. Speaker, I am honored to recognize James Collins for his service in the Air Force and his community. I ask that my colleagues join me in honoring the work of Officer James Collins, the Southeastern Massachusetts Veteran of the Year.

KEEP YOUR HEALTH PLAN ACT OF 2013

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of H.R. 3350, the Keep Your Health Plan Act of 2013.

The Obama administration's health exchange enrollment announcement yesterday is one of myriad reasons we must pass this bill. Frankly, these long-awaited numbers did not come as a surprise. A mere 106,185 patients registered for healthcare on the new marketplaces, a fraction of their 500,000 target. According to the Health and Human Services report, the number does not distinguish between those who've paid a premium and those who "selected a plan by clicking a button on the website." Mr. Speaker, the number of Americans who've had their health plans cancelled is in the millions—exponentially higher than those who've received coverage from Obamacare.

This disastrous law was destined to fail from the start. For more than three years now, we've warned the law is unworkable for small businesses, unfair to patients and physicians, and unaffordable for taxpayers.

CELEBRATING THE 100TH BIRTHDAY OF CHIEF JOE MEDICINE CROW

HON. STEVE DAINES

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. DAINES. Mr. Speaker, I rise to pay tribute to an extraordinary tribal leader in Montana, Chief Joe Medicine Crow, who recently celebrated his 100th birthday. As the Crow Tribe's last traditional War Chief and oldest living man, Chief Medicine Crow is not only a celebrated member of the Crow Tribe but an important historic figure in Montana.

He enlisted in the U.S. Army and joined the 103rd Infantry Division. As a proud member of the Crow Tribe he never went into battle without his war paint beneath his uniform and a sacred eagle feather beneath his helmet. During World War II he achieved the war deeds to be declared Chief. He also earned the Bronze Star for acts of bravery or merit for his

service in the U.S. military and the Presidential Medal of Freedom, the highest civilian honor.

Among his many accomplishments, he was the first member of the Crow Tribe to earn a master's degree. A celebrated writer, he also received an honorary doctoral degree from the University of Southern California and Rocky Mountain College. As a distinguished lecturer and historian, Chief Joe Medicine Crow has worked tirelessly for decades as an advocate for the Crow Tribe. I am proud to know Chief Joe Medicine Crow and thank him for his leadership and loyalty to this country.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 571, I was unable to be present for the vote. Had I been present, I would have voted "yes."

HONORING THE U18 USA POWER SOCCER TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of the U18 USA Power Soccer Team.

Team USA recently traveled to Paris, France to compete in the Powerchair Football World Cup. After defeating Ireland's National Team in the semifinals, 13–0, Team USA went on to win the championship with a 5–0 victory over the host French team. The Americans showed incredible strength and team-effort, not surrendering a single goal during the entire tournament.

Team USA included three Hoosiers Lexi Heer, Zackary Dickey and Michael Rodriguez. Their contributions helped the USA bring home another world cup championship. These young athletes embodied the best of American sportsmanship and competition and I was proud to have them representing our country in this tournament.

I join the entire 6th District and Americans across the Nation in congratulating the U18 USA Power Soccer Team for a fantastic and thrilling 2013 Powerchair Football World Cup championship. I look forward to seeing what each of these talented young men and women will achieve in the future.

HONORING MIKE NUSSBAUM

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor my friend and Chicago actor, Mr. Mike Nussbaum. As an actor and director, Mr. Nussbaum has certainly made an indelible mark on the city of Chicago, Hollywood and the world. His unstoppable energy and dedication to his work keeps Mike Nussbaum on stage at age 90. His love for his family and friends, with four great-grandchildren and counting, also keeps him young.

Mike Nussbaum represents the epitome of success in the Chicago acting community. He has been nominated for the Joseph Jefferson Award ten times and awarded the prestigious award three times over the course of his long career. He has acted in movies such as Men in Black, House of Games, Fatal Attraction and Field of Dreams. He has performed in plays such as Mamet's Glengarry Glen Ross, Shakespeare's Merchant of Venice and Becket's Endgame.

Mike's signature gift is that he is able to perform in such diverse roles not only because of his talent, but his hard work and unwillingness to quit. His major strategy is to keep his mind and body as supple as possible. For most, it is difficult to perform exemplary work at age 90—but Mike Nussbaum makes it looks easy.

Nussbaum helped build Chicago into the theatre powerhouse it is today. Chicago is now widely respected for its cutting edge theater. This could not have been done without Mike Nussbaum. Happy 90th Birthday, Mike!

HONORING COMMAND SERGEANT MAJOR HOWARD O. ROBINSON AS HE RETIRES FROM THE ILLINOIS NATIONAL GUARD

HON. WILLIAM L. ENYART

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. ENYART. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Command Sergeant Major Howard O. Robinson, thanking him for his service and wishing him well as he retires from the Illinois National Guard.

CSM Robinson served as my senior enlisted advisor when I was Adjutant General of the Illinois National Guard. I presided at the Change of Responsibility Ceremony in 2011 and passed the sword to CSM Robinson as he became the 10th Command Sergeant Major of the Illinois National Guard. In this capacity he helps provide training for approximately 13,000 Illinois National Guardsmen.

CSM Robinson enlisted in the Illinois Army National Guard in 1983 with the 2nd Battalion, 122nd Field Artillery in Chicago. In 2001 he was selected as the Senior Enlisted Adviser for the 2nd Battalion 123rd Field Artillery in Milan, Illinois. Over the next eight years, his assignments would include: Battalion Command Sergeant Major for the 2nd Battalion, 122nd Field Artillery in Chicago, Brigade Command Sergeant Major for the 404th Chemical Brigade based in Chicago and Army National Guard Land Component Senior Enlisted Adviser.

A 2006 graduate of the United States Army Sergeant Major Academy, CSM Robinson's military education also includes the Army's Primary Leadership Development Course, Basic and Advanced Noncommissioned Officer Courses, Tactical Information Operations Course and the Senior Enlisted Joint Professional Development Course. He served overseas in Germany, participating in a War Fighter Exercise and has participated in various training events throughout Europe.

CSM Robinson has received numerous awards and decorations during his service, including: Meritorious Service Medal (2nd award), Army Commendation Medal (4th Award), Army Achievement Medal (3rd Award), Army Reserve Component Achievement Medal, National Defense Service Medal, Global War on Terrorism Service Medal, Armed Forces Service Medal, Humanitarian Service Medal, Armed Forces Reserve Medal, Noncommissioned Officer Professional Development Ribbon (Numeral 4), Army Service Ribbon, Overseas Training Ribbon, Long and Honorable Service Medal, Military Attendance Ribbon, State Active Duty Ribbon, and Louisiana Emergency Services Ribbon.

Prior to his current position with the Illinois National Guard, CSM Robinson has enjoyed a career in healthcare administration and is currently pursuing his Master's Degree in Healthcare Administration at Governors State University.

Mr. Speaker, I ask my colleagues to join me in honoring the distinguished career of Command Sergeant Major Howard O. Robinson, congratulating him on his retirement and wishing him well as he enters his next life chapter.

COMMEMORATING MELWOOD'S 50TH ANNIVERSARY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. HOYER. Mr. Speaker, I rise to recognize Melwood, Maryland's second-largest nonprofit agency focusing on people with differing abilities, as it marks its fiftieth anniversary.

In 1963, a small group of parents and supporters decided to teach plant care to young adults who were considered by most to be unemployable. It was then that Melwood was launched as a place where people with differing abilities learned new skills with the goal of employment. For 50 years, Melwood has been advocating on behalf of individuals with differing abilities by providing support services, helping them with critical skills, and placing them in jobs that provide independence and dignity.

Today, Melwood continues to provide job opportunities and support services to nearly 1,900 individuals with differing abilities. With 38 AbilityOne contracts at 43 locations, Melwood is the second-largest agency of its kind in Maryland and the largest AbilityOne employer in the Eastern Region. Additionally, it operates the Melwood Recreation Center for nearly 900 adults and children with and without special needs. Melwood's great work has even earned it an international reputation, and Melwood's "social entrepreneurial" model has been copied elsewhere in America and in other countries as well.

Every American who wants to contribute to building our country and strengthening our communities ought not to be held back because of a differing ability, and for a half a century Melwood has empowered people with differing abilities to transform their own lives through opportunities of employment, job training, life-skill improvement, and supportive and recreational services.

Much of Melwood's work helped lay the foundation for the enactment of the Americans

with Disabilities Act, bipartisan legislation I was proud to lead to passage in the House in 1990 and witness signed into law by President George H.W. Bush. As advocates for people with differing abilities celebrate this milestone anniversary, let us recommit ourselves to Melwood's mission to empower and inspire. I look forward to continuing to work with Melwood for many years to come, and I am confident that it will continue to carry out its mission for another fifty years and beyond.

I ask that my colleagues join me in congratulating co-founder, President, and CEO emeritus, Earl Copus, Jr., current President and CEO, Cari DeSantis, and the rest of the outstanding Melwood staff, who will continue carrying this outstanding organization into the future.

TRIBUTE TO COACH ROY ATMER HUTCHINS

HON. STEVE STOCKMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. STOCKMAN. Mr. Speaker, whereas, Coach Roy Hutchins was a proud veteran of World 'War II; and

Whereas, Coach Hutchins earned a Bachelor of Science Degree from Texas Southern University in 1947, and a Master of Science Degree from the same University in 1952; and

Whereas, Coach Hutchins joined the faculty of George Washington Carver High School of Baytown, Texas in 1948 and remained there until 1967, as assistant football coach, Coach Hutchins played a major role in Baytown Carver High School winning seven district football championships and three state football championships; and

Whereas, As Head Track and Field Coach, Roy Carver saw his track teams win five state championships; and

Whereas, Coach Hutchins is known for molding numerous Carver athletes into PVILCA Hall of Fame or Hall of Honor members; and

Whereas, Coach Hutchins was also known and very much admired as a science teacher, motivator of youth, and father-like figure who knew how to mold honorable and successful men out of young boys; and

Whereas, Coach Hutchins also exhibited an exemplary family life, and provided a wonderful role model for his student athletes; Be therefore

Resolved: That I, Congressman STEVE STOCKMAN of the 36th District of Texas, proudly salute the life and career of this Carver High School hero and fellow Texan; and do strongly urge that he be inducted into the Prairie View Interscholastic League Coaches Association (PVILCA) Hall of Honor.

HONORING ETHAN JAMES FENSKE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ethan James Fenske. Ethan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and earning the most prestigious award of Eagle Scout.

Ethan has been very active with his troop, participating in many scout activities. Over the many years Ethan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Ethan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Ethan James Fenske for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO MASTER SERGEANT JON JENSEN

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GIBSON. Mr. Speaker, I rise to pay tribute to Master Sergeant Jon Jensen for his extraordinary service to the nation while serving in the United States Army for the past 25 years. His record of distinguished service includes tours in Kuwait, Korea, and a competitive selection assignment as a Congressional Legislative Liaison to the Office of the Chief, Army Reserve.

As the 295th Ordinance Company First Sergeant while deployed to Kuwait in 2004 and 2005, he superbly integrated 110 cross-leveled Army Reserve Soldiers and 44 active duty Soldiers into one cohesive company. First Sergeant Jensen utilized his superb leadership abilities to provide command and control and health and welfare of his unit, despite their dispersal throughout the Kuwait area of responsibility. First Sergeant Jensen also assumed operational duties during this deployment and successfully established three ammunition holding areas and a theater amnesty program resulting in the company's ability to maintain and provide more than 74,000 short tons of ammunition in direct support of Operation Iraqi Freedom/Operation Enduring Freedom.

During his tenure as the 303rd Ordinance Group Operations Senior Non-Commissioned Officer, MSG Jensen successfully ensured full munitions support for all U.S. and coalition forces on the Korean Peninsula during the Ulchi Focus Lens Korea 06 exercise. While serving as the 1st Brigade, 104th Training Division Operations NCO, MSG Jensen was hand selected by the Ordinance Corps Advisory Group to present a proposal to the U.S. Army Chief of Ordinance on recommended upgrades to the 89B (Ammunition Specialist) Military Occupational Specialty. While in this role, he also led the Brigade Headquarters and Headquarters Command from last to first place in Division operational readiness in a span of only four months.

MSG Jensen's military career culminated in his competitive selection as the Army Reserve's only senior enlisted Legislative Liaison. At this strategic level, MSG Jensen heavily engaged with key congressional leaders and key senior leaders of governmental and non-governmental entities. MSG Jensen supported numerous congressional hearings, frequent office calls, and countless Hill engagements with members of Congress and Army Reserve Senior Leaders. He spearheaded, organized, planned and executed the Army Reserve Congressional Staff Delegation to Fort McCoy, Wisconsin to showcase the capabilities of an Operational United States Army Reserve.

Mr. Speaker, on behalf of the grateful Nation, I join my colleagues today in saying thank you to Master Sergeant Jon Jensen for his extraordinary dedication to duty and service to the country throughout his distinguished career in the United States Army.

A TIMELY CALL TO ACTION ON BEHALF OF THE PERSECUTED CHURCH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. WOLF. Mr. Speaker, I submit Cardinal Timothy Dolan's remarks at the annual U.S. Conference of Catholic Bishops (USCCB) gathering in which he gave an impassioned plea for the church in the West to focus on the increasingly dire plight of the persecuted church around the globe.

I venture that the Catholic bishop under house arrest in China, the imperiled believer in Iraq still reeling from the devastating attack on Our Lady of Salvation Church and the unjustly imprisoned Christian in Pakistan will undoubtedly be heartened by his words and buoyed by his call to action.

CARDINAL TIMOTHY M. DOLAN, ARCHBISHOP OF NEW YORK, PRESIDENT OF THE U.S. CONFERENCE OF CATHOLIC BISHOPS (USCCB)

ADDRESS TO THE USCCB GENERAL ASSEMBLY ON NOVEMBER 11, 2013

Just last August, I had the honor of concelebrating the Mass of Dedication for the Cathedral of the Resurrection in Kiev. A particularly moving moment came when Metropolitan Shevchuk asked the Lord's protective hand upon believers suffering persecution for their faith anywhere in the world. That such a heartfelt plea came from a people who had themselves been oppressed for so long made it all the more poignant.

This morning I want to invite us to broaden our horizons, to ''think Catholic'' about our brothers and sisters in the faith now suffering simply because they sign themselves with the cross, bow their heads at the Holy Name of Jesus, and happily profess the Apostles' Creed.

Brother bishops, our legitimate and ongoing struggles to protect our ''first and most cherished freedom'' in the United States pale in comparison to the Via Crucis currently being walked by so many of our Christian brothers and sisters in other parts of the world, who are experiencing lethal persecution on a scale that defies belief. If our common membership in the mystical body of Christ is to mean anything, then their suffering must be ours as well. The new Archbishop of Canterbury has rightly referred to victims of Christian persecution as ''martyrs.'' We are living in what must be recognized as, in the words of Blessed John Paul II, ''a new age of martyrs.'' One expert calculates that half of all Christian martyrs were killed in the twentieth century alone. The twenty-first century has already seen in its first 13 years one million people killed

around the world because of their belief in Jesus Christ—one million already in this still young century.

That threat to religious believers is growing. The Pew Research Center reports that 75 percent of the world's population ''lives in countries where governments, social groups, or individuals restrict people's ability to freely practice their faith.'' Pew lays out the details of this ''rising tide of restrictions on religion,'' but we don't need a report to tell us something we sadly see on the news every day.

While Muslims and Christians have long lived peacefully side-by-side in Zanzibar, for instance, this past year has seen increasing violence. Catholic churches have been burned and priests have been shot. In September one priest was the victim of a horrific acid attack. Nigeria has also been the site of frequent anti-Christian violence, including church bombings on our holiest days.

The situation in India has also been grave, particularly after the Orissa massacre of 2008, where hundreds of Christians were murdered and thousands displaced, and thousands of homes and some 400 churches were torched. Just recently, a Christian couple was recently attacked by an angry mob just because of their faith, their Bibles torn from their hands.

We remember our brothers and sisters in China, where Catholic bishops and other religious leaders are subject to state supervision and imprisonment. Conditions are only getting worse, as the government closes churches and subjects members of several faiths to forced renunciations, so-called re-education, and torture.

Of course, it's not just Christians who suffer from religious persecution, but believers in other faiths as well. Much religious persecution is committed by Muslims against other Muslims. Buddhists in Tibet suffer under government torture and repression. In Myanmar Muslims suffer at the hands of Buddhist mobs. All of us share apprehension over reports of rising anti-Semitism.

But there is no escaping the fact that Christians are singled out in far more places and far more often.

I don't have to tell anyone in this room that our brothers and sisters in the Middle East face particular trials. As Patriarch Bartholomew of Constantinople has observed, for Christians in the Middle East, ''even the simple admission of Christian identity places the very existence of [the] faithful in daily threat . . . Exceptionally extreme and expansive occurrences of violence and persecution against Christians cannot leave the rest of us—who are blessed to live peacefully and in some sense of security—indifferent and inactive.''

The humanitarian catastrophe that continues to unfold in Syria has been particularly close to our hearts these past few months. We've prayed for and stood in solidarity with the Church and the people of Syria, and with Pope Francis and the bishops of the Middle East in their call for peace.

It's no surprise that this violent and chaotic situation has bred even more religious persecution. Of course we're all familiar with Syria's venerable history as the place from which our faith spread to the rest of the world, and Syria has long been home to a sizable Christian minority. Yet those Christians who have remained in Syria face ever-present, rising threats of violence.

Last April two of our Orthodox brother bishops were kidnapped in Aleppo by gunmen as they returned from a humanitarian mission. Their driver was shot and killed. And a little less than a year ago an Orthodox priest from Hama was killed by a sniper while helping the wounded. Similarly tragic violence against believers is now commonplace.

Just as Syrian Christians have suffered from the war raging in their land, the war in Iraq has devastated that ancient Christian community in that country as well. As Bishop Shlemon Warduni of Iraq tearfully told us during our spring assembly in 2012, remember, the situation of Christians there ''became a tragedy of immense proportions after 2003,'' with many religious and lay faithful tortured and killed.

Violent attacks continue to terrorize the Iraqi people. Just a little over a year ago the war's worst massacre of Iraqi Christians occurred in a brutal attack on Our Lady of Salvation Church in Baghdad, where some 58 believers were massacred. Those martyred for their faith included their parish priest who died holding a crucifix, forgiving the gunmen and asking him to spare his people.

The situations in Syria and Iraq wrench our hearts, but the plight of Christians in Egypt is no better. This past summer saw the serious escalation of violence against our brothers and sisters there, as the ancient Coptic Christian community has been targeted. Dozens of Coptic churches have been burned; Christian-owned businesses and hotels have been attacked; and individual believers have been murdered.

To take one example, John Allen reports that in August, ''hundreds of Muslim extremists stormed a school run by Franciscan sisters in . . . Upper Egypt, where they reportedly raped two teachers. Three nuns were paraded before the crowd as prisoners of war.'' It was only through the intervention of a Muslim lay teacher that other sisters' lives were spared.

We as bishops, as shepherds of one of the most richly blessed communities of faith on the planet, as pastors who have spoken with enthusiastic unity in defense of our own religious freedom, must become advocates and champions for these Christians whose lives literally hang in the balance.

Pope Francis recently invited us all to an examination of conscience in this regard during his General Audience on September 25:

''When I hear that so many Christians in the world are suffering, am I indifferent, or is it as if a member of my own family is suffering? When I think or hear it said that many Christians are persecuted and give their lives for their faith, does this touch my heart or does it not reach me? Am I open to that brother or that sister in my family who's giving his or her life for Jesus Christ? Do we pray for one another'? How many of you pray for Christians who are persecuted? How many? Everyone respond in his own heart. It's important to look beyond one's own fence, to feel oneself part of the Church, of one family of God!''

I am convinced that we have to answer those questions of Pope Francis, not merely as individual believers, but collectively as a body of bishops.

So you ask me, what can we do? Without any pretense of being exhaustive, here are some ideas I'd like to lay before you, with a nod to John Allen and his recent compelling work on this topic.

First, we can encourage intercession for the persecuted. Remember how the ''prayers for the conversion of Russia'' at the end of Masses over a half-century ago shaped our sense of what was going on behind the Iron Curtain? A similar culture of prayer for persecuted Christians today, both in private and in our liturgical celebrations, could have a similar remedial effect.

We can also make people aware of the great suffering of our brothers and sisters with all the means at our disposal. Our columns, our blogs, our speeches, and our pastoral letters can reference the subject. We can ask our pastors to preach on it, and to stimulate study sessions or activist groups in their parishes. We can encourage our Catholic media to tell the stories of today's new martyrs, unfortunately abundant. Our good experience defending religious freedom here at home shows that, when we turn our minds to an issue, we can put it on the map. Well, it's time to harness that energy for our fellow members of the household of faith hounded for their beliefs around the world.

We know the importance of supporting organizations such as Aid to the Church in Need, the Catholic Near East Welfare Association, Catholic Relief Services, and the Society for the Propagation of the Faith, who have done heroic work, while among our Protestant brothers and sisters groups such as Open Doors make a similar contribution. Writers such as Nina Shea, Paul Marshall, John Allen, and Phillip Jenkins here in the United States help keep the issue alive, as does our own Committee on International Justice and Peace.

Finally, we can insist that our country's leaders make the protection of at-risk Christians abroad a foreign-policy priority for the United States. We can also cajole political leaders to be more attentive to the voices of Christians on the ground, since those Christians will certainly feel the consequences of whatever the West does or doesn't do. As Dr. Thomas Farr reminded us at our spring meeting a couple summers ago, the protection of religious freedom abroad, and advocacy of oppressed believers, has hardly been a high foreign policy priority for administrations of either party.

In general, my brothers, we can make supporting the suffering Church a priority—not one good cause among others, but a defining element of our pastoral priorities. As historians of this conference know, speaking up for suffering faithful abroad has been a hallmark of our soon-to-be-century of public advocacy of the gospel by the conference of bishops in this beloved country we are honored to call our earthly home.

Protecting religious freedom will be a central social and political concern of our time, and we American bishops already have made very important contributions to carrying it forward. Now we are being beckoned—by history, by Pope Francis, by the force of our own logic and the ecclesiology of communion—to extend those efforts to the dramatic front lines of this battle, where Christians are paying for their fidelity with their lives. As the Council reminded us, we are bishops not only for our dioceses, not only for our nation, but for the Church universal.

May all the blessed martyrs, ancient and new, pray for us, as we try to be confessors of the faith.

Praise be Jesus Christ!

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 572, I was unable to be present for the vote. Had I been present, I would have voted ''yes.''

HONORING MATTHEW ALAN STUBBS II

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Alan Stubbs II. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many Scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew Alan Stubbs, II for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING ED ROCHA AND ROCHA'S VALLEY ENTERPRISES

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. DENHAM. Mr. Speaker, I rise today to recognize and congratulate Ed Rocha and Rocha's Valley Enterprises, which will be inducted as a member of the Stanislaus County Agricultural Hall of Fame ''Legends in Agriculture'' during a ceremony in Modesto, California, on November 14, 2013.

Trucking is truly a family legacy for the Rocha family. In 1924, John Rocha founded John N Rocha transportation. They started hauling milk, hay and dairy supplies and added cattle a few years later. In 1952, when Ed was a senior in high school, his dad took him to Salinas Dressed Beef Company, in Salinas, CA, to look at two nearly-new 1951 Peterbilt Cabovers they had for sale. His dad told him, ''If I like the deal, you're in business.'' They ended up buying the trucks and Ed and his father became partners under the name Rocha Livestock Transportation.

Ten years later, Ed decided to go out on his own and started Ed Rocha Livestock Transportation. Over the years, Ed's operations expanded to Stockton and Modesto and the fleet grew to include tankers, vans, curtain vans, flats and of course cattle trucks.

In 1990, Valley Enterprises was founded, leasing tomato trailers to the Morningstar Company. To this day they are handling the shuttle and interplant business for E&J Gallo. It is important to note that the Rocha family has been hauling for the Gallo family for over 70 years.

A true family business, Ed's youngest son Douglas was running a tomato operation at twelve years old, helped out by his sister Stephanie, at only nine years old. Today, Doug runs Valley Enterprises whose fleet consists of 27 power units and 150 sets of trailers.

Dedicated to giving back to the industry, Ed is very active with several trucking organizations. He is the former president of the California Trucking Association and is active in the American Truck Historical Society (ATHS). Ed also serves on the board of directors for the American Trucking Association (ATA), served on the National Ag Science Center Board of Directors, and he is the executive director and past president of the Hays Antique Truck Museum. His community involvement spreads beyond transportation, Ed and Carole helped start Children's Guardian Home in Oakdale, a home that takes in abused and abandoned children. Ed is a past president of the Children's Crisis Center in Modesto.

Mr. Speaker, please join me in praising Ed Rocha and Rocha's Valley Enterprises, for their significant contributions to agriculture and to the people of our local community.

TRIBUTE TO LEONEL J. CASTILLO, EDUCATOR, CIVIL RIGHTS ACTIVIST, AND HOUSTON'S FIRST HISPANIC ELECTED

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Leonel J. Castillo, a legendary and pioneering figures in the history of Houston, Texas. Mr. Castillo, who was the first Hispanic elected to public office in Houston, died November 4, 2013. He was 74 years old.

Leonel J. Castillo was born June 9, 1939 in Victoria, Texas and educated at St. Mary's University in San Antonio, from which he received his Bachelor's degree in English, and his Master's degree in Community Organization from University of Pittsburgh.

Like many men and women of his generation, Leonel Castillo was inspired by President John F. Kennedy's call to service and joined the Peace Corps, serving in the Philippines. During this time he met the gracious and brilliant Evelyn, his partner in life and marriage for more than 50 years, and the mother of their two children, a daughter Avalyn, and a son, Efrem.

In 1967, Leonel and his family moved to Houston where he soon became involved with local neighborhood organizations. He organized across racial lines and worked to find common ground on important issues to each community, including integration and better educational opportunities for the children of Houston.

Leonel served as Director of SER-Jobs for Progress, board member of Catholic Charities, and member of the Memorial Hermann Hospital advisory board. Leonel also was one of the co-founders of the Houston Hispanic Chamber of Commerce and Houston International University. He also taught at the University of Houston and Texas Southern University.

In 1971, Leonel Castillo was elected Comptroller of the City of Houston, the first Hispanic ever elected to public office in the city's history. He served in that office with distinction, earning the nickname the ''Watchdog at City Hall.''

Based on his record of demonstrated excellence as a manager and public administrator, Leonel Castillo came to the attention of President Jimmy Carter, who nominated him on April 7, 1977 to be Commissioner of the Immigration and Naturalization Service and confirmed by the Senate just three weeks later, on April 27, 1977. He was the first Hispanic to hold this position. Leonel Castillo served as INS Commission until October 1, 1979.

At a White House swearing-in ceremony, President Carter explained his reasons for appointing Leonel Castillo to such an important post:

> He's a man who has the highest possible reputation. He's a public administrator, and I think I can tell you that he's going to take on one of the most difficult jobs in the Government.

Mr. Speaker, Leonel J. Castillo touched so many lives in so many ways. He inspired a generation of civic minded Hispanic men and women to seek public office. He was a towering figure in the life of our community. He will be greatly missed.

I ask the House to observe a moment of silence in honor of a great American, my friend, the Honorable Leonel J. Castillo.

HONORING ANGEL WOODRUFF

HON. JASON T. SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Ms. Angel Woodruff of Cape Girardeau, Missouri for her compassionate defense of others in her local community. Ms. Woodruff currently serves as the first assistant prosecuting attorney in Cape Girardeau County, and has become widely-known for her compassionate and diligent defense of victims of crime. She is known for encouraging victims to advocate for themselves, and to actively seek out the help of the law. Ms. Woodruff began her education studying English at Southeast Missouri State University, and continued on to earn a Law Degree at the University of Missouri-Columbia. She began working at the Cape Girardeau Prosecuting Attorney's Office in 1998 and specializes in violent crimes, drug crime, domestic violence, and sex crimes. She believes that her job is more than just what people see on headlines and in court rooms, and seeks to help victims whose daily lives are affected by her cases on a personal level. Ms. Woodruff reaches out to victims and shows them that they are not alone, and that she is willing to fight for them.

In the words of the U.S. Attorney who hired her, Morley Swingle, ''A crime victim is lucky if she is assigned to the case.'' I am grateful that we have such caring and hardworking members of the Cape Girardeau community, such as Ms. Angel Woodruff. It is my pleasure to recognize her achievements before the House of Representatives and to encourage her to continue advocating for victims of crime.

HONORING COUNCILWOMAN MAXINE PARKER

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to pay tribute to the life and legacy of Birmingham City Council President Maxine Herring Parker who passed away on Tuesday November 12, 2013. I am deeply saddened by her passing but I am comforted in knowing that her rich legacy of diligent service will live through those she served in Birmingham City Council District 4.

Councilwoman Parker was the epitome of grace, class and firm yet gentle leadership. With her signature flower lapels to accentuate her immaculate appearance, this soft-spoken leader personified womanhood while serving as a great source of strength for her family and her community. In her presence, it was clear, that while she was a warm spirit, Councilwoman Parker was never afraid to fight for what she believed in.

This beloved advocate was first elected to represent Birmingham's District 4 in November 2005. She initially ran on a platform that focused on improving the quality of life for her constituents. But her contributions to the area were boundless. Throughout her eight-year tenure, Councilwoman Parker was best known for her advocacy for environmental justice on behalf of the Collegeville, Harriman Park, and Fairmont neighborhoods.

For decades, citizens in these areas were negatively impacted by industrial pollution. But it was the diligent efforts and leadership of Councilwoman Parker that led to government action. In 2011, as a result of her tireless advocacy, the Environmental Protection Agency began its first major intervention in the area. Today, the EPA continues environmental cleanup efforts in the area as a result of Councilwoman Parker's efforts to raise awareness on the environmental injustice suffered by her constituents.

Councilwoman Parker went on to receive national recognition for her work and the project was even referenced as an example of successful goverment and community partnerships at a national conference. In July she served as a presenter at the EPA's Community Involvement Training conference in Boston where she shared her story about the federal environmental cleanup project in her district.

Shortly before her untimely death, Councilwoman Parker was elected as Birmingham City Council President as she began her third term. Prior to her election to the council, she served for many years as Collegeville neighborhood president. She also served as the executive assistant to the President at Talladega College in Talladega, Alabama for 41 years. During her tenure at the college, she served under the administration of six presidents.

On behalf of our Nation and the residents of North Birmingham, I am honored to pay tribute to the life of this phenomenal woman. She was indeed one of the most passionate community servants of her time. Councilwoman Parker had a heart for the people and a courageous spirit that dared to believe in the power of fighting for what we believe in. Let us all commit to continuing her legacy by inheriting her sincere passion for caring for the needs of others. I ask my colleagues to join me in celebrating the life and legacy of Birmingham City Council President Maxine Herring Parker.

HONORING STATE REPRESENTATIVE PHYLLIS POND

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today, along with my friend and colleague Congresswoman JACKIE WALORSKI, to pay tribute to State Representative Phyllis Pond of New Haven, Indiana. Rep. Pond was an outstanding Hoosier who represented both her district and Indiana with integrity, and sadly passed away on September 22, 2013 at the age of 82.

Rep. Pond began her service to our great state in 1978 when she was first elected to the Indiana General Assembly. A lifelong Hoosier who grew up on a farm and graduated from Warren High School, Ball State University, and Indiana State University, Rep. Pond was the longest-serving female state representative in the history of Indiana. She was also the first woman to earn her seat in the prestigious front row of the Statehouse Chamber. We, the female Members of the Indiana Congressional delegation, are especially grateful for her leadership and guidance that has helped shape our own careers in public service.

As members of the House Education and the Workforce and Armed Services Committees, we honor Rep. Pond for her outstanding work for both Hoosier students and servicemembers. As a former kindergarten teacher who taught students for 37 years, Rep. Pond worked tirelessly to ensure that our state's students received the best education and had access to exceptional opportunities.

Thanks to Rep. Pond, Hoosier K–3 classrooms have no more than eighteen students, creating a healthy learning environment where students receive the attention they need to excel in school. Rep. Pond strongly believed in recognizing our servicemembers and their families. During the holiday season, she was well known for sending cards and words of encouragement to Indiana's finest. Rep. Pond also sponsored legislation to give soldiers on active duty more time with their children.

We are proud that such an exceptional public servant, teacher, and stateswoman called the Hoosier State home, and we are honored to recognize her life's work today. Our deepest condolences and well wishes go out to George Pond, her husband of 62 years; her children, Douglas Pond of Indianapolis, Dr. William Pond of Fort Wayne, and Jean Grasmick of Zionsville; grandchildren, Greg and Scott Pond, Joel Aiken, and Jennifer Knepp; and great grandchildren, Beatrice, Walker, and Eleanore. Our thoughts and prayers are with you during this difficult time.

SUPPORT FOR THE EXPANSION OF MEDICAID COVERAGE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the opportunity that my home state of Texas lost when it opted out of expanding Medicaid. Denying health care coverage to seniors, veterans, and low-income residents is unconscionable.

Texas has the most uninsured residents among the 24 states that refuse to expand Medicaid. At very little cost to the state itself, 1.5 million uninsured people could have health insurance coverage by now. However, Governor Rick Perry's refusal to expand Medicaid to 133 percent of the federal poverty line ultimately hurts our most vulnerable citizens.

Another adverse effect of choosing not to expand Medicaid falls on our neediest hospitals. Because of reductions in payments to safety-net hospitals, or disproportionate share hospitals (DSH), low-income patients suffer reduced access to care. With these reductions to hospitals, refusals to expands Medicaid, and cuts to Medicare subsidies, we are exposing our most susceptible patients to incredible risk.

If expanded in Texas, the Affordable Care Act would fully fund each state's coverage for the first three years. Over time, the federal government would continue to pay for no less than 90 percent of coverage for newly eligible individuals. This increase in spending is partially offset by the DSH payment reduction. However, in states that do not expand Medicaid, low-income residents who seek treatment at safety-net hospitals suffer.

Our veterans, seniors, and low-income residents are forced to miss the opportunity to have quality and affordable health insurance simply because of political posturing. I urge my colleagues and each state to support the expansion of Medicaid.

HONORING ANTHONY JONES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Anthony Jones. Anthony is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 59, and earning the most prestigious award of Eagle Scout.

Anthony has been very active with his troop, participating in many scout activities. Over the many years Anthony has been involved with scouting, he has not only earned 40 merit badges, but also the respect of his family, peers, and community. Most notably, Anthony has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Anthony Jones for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING ST. MICHAEL SCHOOL IN ORLAND PARK FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate St. Michael School, an exemplary Catholic elementary school in Orland Park, Illinois, for receiving the prestigious 2013 U.S. Department of Education National Blue Ribbon School Award.

In 1982, The Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools boasting high or significantly improved achievement. The program's goal is to identify aspects of thriving American schools in order to replicate their success. I am proud that St. Michael School in Orland Park in my district has been honored as one of those exceptional schools.

Since first opening its doors in 1949, St. Michael has been serving the community of Orland Park by providing a diverse, challenging curriculum that emphasizes academics, moral values, and discipline. The mission of St. Michael School has always been to provide students with a learning environment that will reinforce the principles and values of Church, home, and community in an effort to prepare them for lifelong and responsible citizenship.

Today, St. Michael School offers programs from preschool through eighth grade and attracts students from Orland Park and surrounding communities, currently enrolling more than 600 students. As a proud graduate of Catholic schools, I understand the rigorous and engaging curriculum that emphasizes Mathematics, Social Studies, Science, Technology, Language Arts, and Religion. St. Michael's offers challenging educational experiences that foster success, promote unity, and respect the individuality of each student.

Last year I had the pleasure of visiting St. Michael School during Catholic Schools Week. I enjoyed touring the school and visiting with students, and I came away very impressed with the students, teachers, and administrators under the leadership of Principal Bernadette Cuttone. It made perfect sense to me when St. Michael's was chosen as one of only 50 private schools nationwide that received a National Blue Ribbon School Award. Everyone at the school and in the parish should be extremely proud.

Please join me in celebrating the accomplishments of St. Michael School and all the National Blue Ribbon award winners. Their pursuit of academic excellence is inspiring, and I hope that their success can serve as an inspiration for schools across the nation.

CONGRATULATING WQPT–TV IN THE QUAD CITIES ON THEIR 30TH ANNIVERSARY

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate WQPT–TV, the Quad-Cities PBS station, on the occasion of their 30th Anniversary.

WQPT launched on Nov. 3, 1983 with only four hours of programming each weekday. With support from local leaders, including former Representative Lane Evans, area colleges and universities, and many dedicated volunteers, WQPT has grown into a station that provides excellent programs on its main and secondary channels 24 hours a day, 7 days a week. WQPT has formed a great partnership with Western Illinois University Quad-Cities, allowing staff to collaborate with students and faculty, speak regularly to classes and engage with the community. Additionally, as part of its educational mission, WQPT's ''Ready to Learn Initiative'' has donated 123,000 books to area students since 1995.

Before WQPT launched 30 years ago, the Quad-Cities area was the largest metro area in the country without a PBS station. WQPT still has one of the smallest staffs and budgets out of all stations in the Corporation for Public Broadcasting network, yet manages to provide locally relevant, award-winning programs for everyone in the region. These awards include an Emmy nomination, two CINE Golden Eagle Awards, the PBS Sterling Award and a Grassroots Advocacy Award from the National Friends of Public Broadcasting.

Mr. Speaker, I again want to congratulate WQPT–TV for reaching this milestone, and I thank them for their 30 years of service to our community.

ON THE OCCASION OF THE FORTIETH ANNIVERSARY OF THE PAYNE-PULLMAN SCHOOL OF TRADE AND COMMERCE IN DETROIT, MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to congratulate the staff, students and alumni of the Payne-Pulliam School of Trade and Commerce in Detroit as they gather to celebrate its Fortieth Anniversary of service to the community.

In 1973, Reverend Betty E. Pulliam and Ms. Freddie M. Lindsey-Payne recognized a growing need in their community—an educational institution whose focus was to provide its students with employment-ready knowledge and skills. In response to this need, Reverend Pulliam and Ms. Lindsey-Payne founded the Payne-Pulliam School which offered a business education in a small class with an individualized learning environment.

As the educational needs of the Greater Detroit community have changed over the last four decades, the Payne-Pulliam School has adapted to meet that demand. Today Payne-Pulliam offers its students assistance with GED preparation, job readiness education and personal development classes. The focus of its dedicated education professionals is to aid their students in their journey to rebuild themselves and their skills. As part of this commitment, Payne-Pulliam provides its students with extensive support in job placement, counseling and training. In 1997, the leadership of the Payne-Pulliam school furthered this commitment by partnering with Michigan Works and the City of Detroit Employment and Training Department.

Each year, as part of its community outreach initiatives, the Payne-Pulliam School hosts its annual Door Opener's Awards event, where students, alumni, educators and community stakeholders come together to recognize individuals who have assisted the School in its mission to provide important education and skills development to the residents of the Greater Detroit region. It is fitting that in this milestone year for the Payne-Pulliam School its founders will be recognized as Door Openers—for their decades of dedication as professional educators and leaders in the endeavor to make education available to all the residents of Southeast Michigan. For both Reverend Pulliam and Ms. Lindsay-Payne, their commitment to education extends far beyond their work at their school as they have been leaders in many other community organizations that are working to increase the accessibility to education in the Greater Detroit region.

Mr. Speaker, access to a quality education is a central component in the continuing success of the Greater Detroit region and other communities across our nation. I congratulate Reverend Pulliam and Ms. Lindsay-Payne on this great milestone in the history of the Payne-Pulliam School of Trade and Commerce and I congratulate its staff, students and alumni on their continuing efforts to ensure that the future of Michigan remains bright.

EXPRESSING SUPPORT FOR H. RES. 402

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. KAPTUR. Mr. Speaker, I join my fellow Co-Chairs of the Congressional Ukrainian Caucus, Reps. SANDY LEVIN and JIM GERLACH in rising today to support the passage of H. Res. 402, supporting the European aspirations of the people of the European Union's (EU) Eastern Partnership countries, and to express continued support for Ukraine as it moves closer to signing the EU Association Agreement.

In order for Ukraine to progress democratically and economically, it is imperative that the conditions of this agreement, as jointly initialed by the EU and Ukraine, are fully met—in law and in practice.

The critical November 28–29 Eastern Partnership Summit in Vilnius, Lithuania is quickly approaching, bringing with it the deadline for signing the Association Agreement. Accordingly, we urge the U.S. Department of State to advance all appropriate opportunities for cooperation with Ukraine to address the remaining required reforms, including electoral and rule of law reforms as well as issues related to selective justice, particularly the release of former Prime Minister Yulia Tymoshenko. Along with the clear democratic and economic benefits, we believe these reforms, coupled with international monitoring and oversight, provide the best opportunity to ensure free and fair elections in Ukraine in 2015 and beyond.

Consistent with our support for H. Res. 402, we applaud the EU's progress—much of it

through the Eastern Partnership program—in helping to build democratic, prosperous, and stable societies throughout Eastern Europe and the Caucuses. Building on that progress is in the national interest of the United States; consequently, we call on the U.S. Department of State to direct needed resources to help support Ukraine's European choice.

CELEBRATING THE 40TH ANNIVERSARY OF TEXAS HEALTH HARRIS METHODIST HOSPITAL HURST-EULESS-BEDFORD

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. MARCHANT. Mr. Speaker, I am proud to recognize the 40th anniversary of Texas Health Harris Methodist Hospital Hurst-Euless-Bedford (HEB). The hospital has been dedicated to serving the citizens of Northeast Tarrant County, Texas, where it has been improving the lives of the community with quality health care service.

The vision of an outstanding hospital was formulated through the cooperative leadership from the Cities of Hurst, Euless and Bedford. The cities acknowledged the growing healthcare needs of their citizens and, as a result, the cities formed the HEB Hospital Authority to plan and build the hospital.

Fundraising for the hospital occurred in 1969 and, shortly afterwards in 1970, construction began. The Cities of Hurst, Euless, and Bedford continued to raise funds for the project until the doors opened in June 1973.

Texas Health Harris Methodist Hospital HEB is a fully accredited Cycle IV Chest Pain Center designated by the Society of Chest Pain Centers, and it also has a three-year accreditation, with commendation, from the American College of Surgeons Commission on Cancer. In addition, Texas Health HEB was the first hospital in Northeast Tarrant County to be certified as a Primary Stroke Center. Lastly, the hospital achieved the designation as a Level III Trauma center this year.

Mr. Speaker, on behalf of the 24th District of Texas, I ask all of my distinguished colleagues to join me in recognizing Texas Health Harris Methodist Hospital HEB for serving the North Texas community for 40 years with outstanding health care practices.

HONORING SUSAN NUSSBAUM

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor my friend, treasured playwright and author, Ms. Susan Nussbaum, on her 60th birthday. Susan has been a groundbreaking voice for persons with disabilities. Through her advocacy with disability groups, Susan has written plays and recently a remarkable book that has helped to change the perception of disabled people throughout Chicago and well beyond.

Susan acquired her disability in 1977 at the age of 24 in a car accident. She refused to allow her newfound disability to define her after this tragic accident. In the 1970's, Susan became involved in the disability rights movement and helped to win key fights concerning wheelchair-accessible public transportation and the remodeling of sidewalks, schools, stores, and theaters. The strength and character she built through those wins continues to shine today.

Susan worked at Access Living, a wonderful organization in Chicago dedicated to inclusion, independent living and empowerment for people with disabilities. While working at Access Living Susan founded of the Empowered Fe Fes, a peer support and advocacy group of young women with disabilities. Susan knew that first and foremost, a girl with a disability is a girl, with the same feelings, emotions, wants, and desires of any other girl. The group gave young women with disabilities an opportunity to speak freely in a safe and private space and express the challenges and experiences they encounter on a daily basis. The Empowered Fe Fes challenges traditional stereotypes about disability and gender. My wonderful Constituent Advocate Taina Rodriguez, who has been helping residents in my district office for over 12 years, was Susan's assistant in the Empowered Fe Fe's and since she was in high school has had a special mother-daughter relationship with Susan.

Challenging stereotypes has defined much of Susan's work. On stage, Susan has written and directed plays that reframe disability through the lens of someone with an authentic disability experience. Her work has been showcased at Second City, Live Bait, Steppenwolf, and more. She has written such plays as No One As Nasty and Mishuganismo. "No One as Nasty" appears in a collection titled Beyond Victims and Villains: Contemporary Plays by Disabled Playwrights. Susan refuses to write her characters in a certain stereotypical light. Instead, she portrays them in a realistic manner, which has helped to change the stereotype of disabled characters. Susan's work has given voice to a disability experience that transcends the historical portrayal as someone who needs to be pitied, cured or worshipped. Too often, on television, in the movies, in literature, and on stage, people with disabilities are presented as bitter, depressed and pitiable, or as unnaturally heroic and inspirational. Rarely do you see a character with a disability defined as a full participant in our society who just happens to have a disability. I say rarely, because there are people like Susan Nussbaum.

Recently, her achievements as a writer have gone beyond the stage and expanded into literature. Her novel, Good Kings, Bad Kings, earned the 2012 Barbara Kingsolver PEN/Bellwether Prize for Socially Engaged Fiction. The novel follows the lives of young people with disabilities as they tell their stories about abuse, neglect and love while living in a state institution. Barbara Kingsolver presented Susan the award and said, "The characters in Good Kings Bad Kings made me laugh, over and over again, and cry and cheer. This is fiction at its best . . . A stunning accomplishment."

Susan's body of work has transformed the way we think about disability. I encourage everyone, including my colleagues, to read Good Kings Bad Kings.

Among friends she's been called "Disability Culture Queen" and by her family she's known as "Comrade Auntie Sue," "Mami" and just plain "Sue." Congratulations to Susan Nussbaum on your many amazing accomplishments, and a very happy 60th birthday!

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 573 I was unable to be present for the vote. Had I been present, I would have voted "no".

IMPORTANCE OF INVESTING IN SAFE INFRASTRUCTURE FOR PEDESTRIANS AND BICYCLISTS

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. SIRES. Mr. Speaker, I rise today to talk about the importance of investing in safe infrastructure for pedestrians and bicyclists. I recently read a report presented by the Sierra Club and League of American Bicyclists, entitled The New Majority: Pedaling towards Equity, and as someone who rides a bicycle regularly, I think there's a lot to be excited about in their findings.

Across the nation, bike ridership is up—and the numbers are impressive. From 2001 to 2009 there has been a 22% increase in bike trips among white Americans, 50% for Hispanics, 80% for Asian Americans, 100% among African Americans, and there's plenty of room for those numbers to grow.

Unfortunately, concerns about access to safe infrastructure remains a barrier for many would-be riders. I believe we must do more in Congress to address that. It's a simple fact that when we invest in complete streets with safe pedestrian and bicycle pathways, we create communities where businesses want to invest and families want to live. That is why I plan to introduce a bill in the coming weeks that will create innovative new ways of financing non-motorized infrastructure projects. I am hopeful that this legislation will attract bipartisan support here in Congress, so that Americans of all age and background can enjoy equitable access to safe roads.

TRIBUTE TO COACH ROBERT L. STRAYHAN

HON. STEVE STOCKMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. STOCKMAN. Mr. Speaker,

Whereas, Coach Robert L. Strayhan of Baytown's Carver High School touched the hearts of the many Carver and Lewisville High School athletes, students, fellow faculty members, staff members and family and friends who had the privilege of knowing him and who had the chance to be coached or mentored by him; and

Whereas, Coach Strayhan, as he was known to all of his students, joined the faculty of George Washington Carver High School of Baytown, Texas in 1952 and remained there until May of 1967. He served as assistant football coach and head basketball coach. Coach Strayhan had strict standards for his athletes and students, making them stay focused on assignments and grades; and

Whereas, Coach Strayhan instituted a 'no pass, no play' rule long before the state of Texas mandated such a rule; and

Whereas, Coach Strayhan made sports fun and was a 'hands-on' coach; and

Whereas, Robert L. Strayhan had strong moral values, encouraging the young people under his guidance to avoid teen pregnancies, drug abuse, gangs, underage drinking and teen smoking; and

Whereas, Coach Strayhan did not use his athletes only for winning games, but encouraged them to go to college and worked hard to help them obtain scholarships, regardless of race; and

Whereas, Coach Strayhan was very justly proud of his days at Carver High School; Be it therefore

Resolved: That I, Congressman STEVE STOCKMAN of the 36th District of Texas, am proud to join the many other friends and members of the Baytown community in honoring the life and work of Coach Robert L. Strayhan—a shining example to his many friends, athletes and students, to the City of Baytown and to his fellow Americans. May he long be remembered.

THE INTRODUCTION OF THE LOW-WAGE FEDERAL CONTRACTOR EMPLOYEE BACK PAY ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. NORTON. Mr. Speaker, today I introduce the Low-Wage Federal Contractor Back Pay Act of 2013, to grant back pay to federally contracted retail, food, custodial and security service workers who were furloughed during last month's federal government shutdown. The bill, which would amend the current continuing resolution, would apply to all three branches of the federal government. The idea for the bill was brought to my attention by these federally contracted service workers, some of whom work here on the Capitol grounds providing Members of Congress and congressional staff with daily services.

Many federally contracted workers in federal agencies earn little more than the minimum wage with few, if any benefits, and while others are unionized with little better wages, all are the lowest paid workers in the federal government and should not be punished because Congress failed to do its job and keep the government functioning for 16 days. Congress did the right thing when it gave back pay to federal employees, who work in the same buildings as these low-wage service workers. However, both groups of workers were victims who deserve to be made whole. I recognize, of course, that contract workers are employees of contractors, but the distinction between federal workers and at least the lowest-paid service workers who serve the federal government and its employees and keep, for example, their premises clean, fails when it comes to a deliberate government shutdown. Unlike many other contractors, those who employ low-wage service workers have little latitude to help make up for lost wages. Low-wage federally contracted service workers could least afford the loss of pay during the shutdown, and should not now have to go to work every day with everyone else in their federal buildings having received back pay except for them.

The nation's capital is the high-profile home of the federal government's collusion with those that pay low wages through leases and contracts with federal agencies. At least this legislation would provide some parity to these low-wage federal contractor workers.

I strongly urge my colleagues to support the legislation.

OBAMACARE

HON. KERRY L. BENTIVOLIO

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. BENTIVOLIO. Mr. Speaker, it's been seven weeks since the debut of the Affordable Care Act's website, and the reviews of the rollout are in. Opinions from news organizations and commentators from across the political spectrum are nearly unanimous—Obamacare is an unmitigated disaster.

One constituent of mine, Cynthia from Novi, Michigan, tried to sign up for Healthcare.gov after her employer told her she'd be losing her plan. Her first attempt to access the exchange saw her kicked off the website. After finally getting a quote for coverage, she saw that the price of her same coverage had skyrocketed.

Jason, also from Novi contacted me about his experience with Obamacare. He has a family of four and likes his current plan because, quote "worked for me and my family" unquote. He recently received a letter from his insurance company explaining that the ACA had caused his plan to be cancelled effective January 1st. His new premium is 73% higher than his old premium.

These are just two stories that exemplify the havoc that this law is wreaking on the American people. It cannot be fixed. Passing a delay, now, is like telling the captain of the Titanic to just hold out a little longer after the iceberg struck. It must be repealed.

HONORING CINDY MARKS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Cindy Marks, the 2013 President of the California School Boards Association. I want to recognize Cindy for her dedication to education over the past fifteen years. In addition to being a junior high and high school Health Education speaker, she spent the past thirteen years as a host family for unwed pregnant teens, and the past eleven years as a mentor at an inner city Apartment Complex in Modesto working with at-risk youth and youth gang members. These are only a few among her many achievements that deserve to be recognized.

As President of CSBA, Cindy chairs a number of CSBA Task Forces and Councils. These include the Educational Legal Alliance Steering Committee, the Linked Learning Task Force, and CSBA's Superintendents Advisory Council. She is a member of the Cities, Counties and Schools Partnership Board of Directors and she represents CSBA on the Education Coalition, a consortium of education stake holder groups.

In addition to serving in these leadership positions at a regional and state-wide level, Cindy has served on numerous county-wide committees pertaining to at-risk youth and student achievement. She was appointed by the legislature to the "Joint Committee to develop a master plan for education—Kindergarten through University." She is currently a member of the task force on k-12 Civic Learning, a joint task force established by Chief Justice Tani Canti-Sakauye and State Superintendent of public instruction Tom Torlakson. The task force will bring definition to the skills, knowledge, and dispositions that students and community members need to be informed of. Cindy leads the sub-group on Business and Community Partners.

In 2013, President Cindy Marks was named, "Elected Woman of the Year" by California Women Lead, a nonprofit, nonpartisan association of women holding—or aspiring to hold—elected or appointed office. She was among five women honored by the organization this year.

Moreover, Cindy has served on a variety of prestigious national governance-related committees including the "100 District Leader Network for Citizenship and Service Learning,", a collaboration among national education associations such as the National School Boards Association and the American Association of School Administrators. She also serves on the National School Boards Association Pacific Region Board.

Cindy is also a board member for the Latino Emergency Council, the city Ministry Network, and a founding member of the Dr. Parker Steering Committee to address the achievement gap and how it relates to African American students.

Cindy's passion for education, her expertise across a wide-range of policy areas from school finance and fiscal reform to dropout prevention and school discipline, safe schools, and state and federal legislative issues make her one of California's outstanding education leaders.

Mr. Speaker, please join me in commending Cindy Marks for her hard work, dedication to education, and for serving as an inspiration to others around her. I wish her great success in her future endeavors.

TRIBUTE TO DELEGATE JOE JOHNSON

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GRIFFITH of Virginia. Mr. Speaker, today I wish to pay tribute to Delegate Joe Johnson, who has dutifully served Southwest

Virginia for nearly 30 years as a member of the Virginia General Assembly. I had the privilege of working on our region's behalf with Delegate Johnson, and like many, was saddened by news of his retirement.

Born in Washington County, Virginia, Delegate Johnson attended Meadowview High School and served in the United States Air Force during the Korean War. He graduated from Emory and Henry College, which happens to be my alma mater as well, and went on to receive his law degree from the University of Richmond.

Delegate Johnson first represented Southwest Virginia in the House of Delegates in the 1960s. Construction on I–81 was not complete at that time, however. After several years making the long drive from Abingdon to Richmond, Joe understandably chose to prioritize his young family and took a twenty-year hiatus from life as a lawmaker. He successfully ran for office again in 1989, and has represented Southwest Virginia in the House of Delegates ever since.

Throughout his career, Delegate Johnson was involved in numerous issues related to education, playing a key role in establishing the Commonwealth's community college system and the Virginia Tobacco Indemnification and Community Revitalization Commission as well. We may have been members of different political parties, but Joe could always be counted on to work both sides of the aisle on behalf of our region.

Even outside of his legislative work, Delegate Johnson has been an active leader for Southwest Virginia. Throughout the years, Joe has taught Sunday school and served as chairman of the Abingdon Baptist Church, and was involved in the Abingdon Civitan volunteer service club, the Southwest Virginia Cultural Heritage Foundation, and the Virginia Tobacco Indemnification and Community Revitalization Commission Center. He was once chairman of the Southwest Virginia Higher Education Center, and also served as vice chairman and trustee. Joe was on the board of trustees of the Center for Rural Virginia, and was chair of the Emory and Henry College board of trustees. He is former post commander of American Legion Post 13, former worthy patron of the Order of the Eastern Star, former master of the Abingdon Masonic Lodge 48, a Kazim Shriner, and a member of the Independent Order of Odd Fellows, McCabe Lodge. Joe was president of the Washington County Bar Association, and was a member of the Virginia State Bar. He also has been a substitute judge on the Twenty-eighth General District Court.

Delegate Johnson has long been a fixture throughout the community, regularly seen at church, sporting events, city council meetings, board of supervisors meetings, and other community events. Delegate Johnson can always be counted on for a warm smile and, during times of stress or strife, families in his area always could rely on Joe to be there to comfort them. His door was always open, and I know that those he has represented over the years have appreciated his involvement.

Throughout the years, Delegate Johnson has proven himself a dedicated friend of Southwest Virginia. I am grateful for the opportunity to have worked with and learned from him, and have no doubt that I will see my friend Joe again soon. Delegate Johnson, I wish you and your loved ones the very best of luck in all of your future endeavors.

HONORING DOLLY JEWEL

HON. JASON T. SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Ms. Dolly Jewel of Cape Girardeau, Missouri for her achievements and impact in the community. For many years, Ms. Jewel has devoted both her time and her heart to the Alzheimer's Association in Southeast Missouri, to the great benefit of the community. Ms. Jewel hosts a monthly support group at the Lutheran Home, served on the Southeast Missouri Area Advisory Committee for Alzheimer's Disease, and has planned, coordinated, and implemented annual Walk to End Alzheimer's Disease events. Through these outlets she has sought to increase awareness of the disease, as well as raise money to fund medical research. Ms. Jewel's fight against Alzheimer's Disease became personal when she lost her husband to Alzheimer's in 1997, after an 8 year battle with the disease. Since then, Ms. Jewel is pleased that many advances have been made in the treatment of Alzheimer's, but she knows there is more work to be done.

As well as making a strong public effort in her local community to fight Alzheimer's Disease, Ms. Jewel also works to help lend support to others experiencing the disease. She takes pride in encouraging others to be open about their own experiences with the disease and to not feel embarrassed about acknowledging the disease. She adamantly insists to others that they are not alone, and encourages them to seek social support. Ms. Jewel has provided support and inspiration for many families affected by Alzheimer's Disease, and I truly admire her strength and dedication to helping others.

REMEMBERING SEAN ANTHONY JACQUES

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. COOK. Mr. Speaker, I rise today to celebrate the life of Sean Anthony Jacques of Big Bear Lake, California.

Having lived in the area since the age of seven, Sean attended Big Bear Lake Elementary, Middle School, and High School. After his High School graduation, Sean joined the United States Navy and served as an FC2 for six years. Upon the completion of his service, Sean returned to Big Bear Lake to work for the Big Bear Mountain Resorts. He served there and dedicated fifteen years to the area.

Sean is survived by his wife, Suzanne, his son Anthony, and daughter Alexandra, his parents, sister, and his many nieces and nephews.

Mr. Speaker, I submit his favorite poem by Ralph Waldo Emerson. His wife Suzanne has dedicated this to him after his death.

(By Ralph Waldo Emerson)

''To laugh often and love much; to win the respect of intelligent persons and the affection of children; to earn the approbation of honest citizens and endure the betrayal of false friends; to appreciate beauty; to find the best in others; to give of one's self; to leave the world a bit better, whether by a healthy child, a garden patch or a redeemed social condition; to have played and laughed with enthusiasm and sung with exultation; to know even one life has breathed easier because you have lived—this is to have succeeded.''

HONORING DAVID COEN

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. WELCH. Mr. Speaker, I rise today to honor a distinguished Vermonter, Mr. David Coen, who is retiring from the Vermont Public Service Board, the state agency that regulates our public utilities, after 18 years of exemplary service.

There is no state agency that has a more direct impact on Vermonters' quality of life and economic well-being than the Vermont Public Service Board. Every Vermonter and every business in our state depends on this influential regulatory body to ensure the quality, availability, and affordability of electric, gas, cable, telecommunications, and water services.

David Coen was appointed to the Board by Governor Howard Dean in 1995 and has served with distinction for three terms. As a small-business owner who keenly understood the economic challenges of everyday Vermonters and the importance of high quality and reliable customer service, David was uniquely qualified to take on this challenge. Every day he served, he brought the perspective of the customer to the many challenging decisions in which he participated. David understood well utility law and public policy, but his top priority was to make sure the decisions made by the Board made practical and economic sense for Vermonters.

David's leadership and expertise on utility issues extended well beyond the borders of Vermont. He served in several national leadership positions, including Board Chair of the National Regulatory Research Institute and President of the National Association of Regulatory Utility Commissioners (NARUC). At NARUC, David was the skillful and diplomatic voice of the association before Congress, the courts, and administrative agencies.

Characteristically, he brought his laser-like focus on the customer to the national stage. The theme of his NARUC presidency was ''Keeping the Focus: Serving the Public Interest in Changing Times.'' He also served as chair of NARUC's Consumer Affairs Committee.

Within the Public Service Board, David believed strongly in providing staff with opportunities for professional growth. With this goal in mind, he played a leading role in the creation of regulatory partnerships with other countries, such as Macedonia and Georgia. He also recognized the value to Vermont of good relationships with utility regulators in neighboring jurisdictions, working to foster productive relationships with both American and Canadian regulators.

David's strong legacy reflects his rich personal life and deep commitment to public service. His wife, Sandy Berbeco, is a professional

artist and a passionate advocate for the arts. And David brought valuable experience to the Board as a former English teacher and leader in community and business organizations.

Mr. Speaker, I ask the House of Representatives to join me in thanking Mr. David Coen for his 18 years of service to Vermont and the nation and for his deep and abiding commitment to public service. Vermonters, and indeed our country, are better off because of his tireless and distinguished service.

HONORING JERRY MANSBACH AS HE IS AWARDED L'ORDRE NATIONAL DE LA LEGION D'HONNEUR

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in honor of Gerald (Jerry) Mansbach. On November 17, 2013, Jerry will be honored with l'Ordre national de la Legion d'honneur (the National Order of the Legion of Honor) by Honorary Consul Diane Thomas, representing the French Consulate in Chicago.

Created in 1802 by Napoleon Bonaparte, the Legion d'honneur is the highest and most prestigious distinction bestowed by the French Republic to celebrate extraordinary contributions to the country. Given solely based on merit, the Legion d'honneur expresses the gratitude of the French people for the bravery of the men and women of the United States Armed Forces who fought to secure France's freedom during the Second World War. It is an honor today to join the French people in expressing my gratitude for the sacrifices of America's troops during the struggle to liberate Western Europe from Nazi Germany, and especially to recognize one of my constituents, Sergeant Jerry Mansbach.

Jerry was born in New York City and moved to the Hoosier State at the age of ten, where he grew up and attended high school in Fort Wayne. While attending Indiana University, Jerry joined the U.S. Army in January of 1943. He defended France in the Battle of the Bulge and participated in the Normandy Invasion as a tank commander under General George Patton. Tragically, all of Jerry's fellow tank crew died in battle but he miraculously survived, though not without injury. For his courage, Jerry was awarded the Silver Star Medal for ''gallantry in action against an enemy of the United States.'' He was also presented with the Bronze Star and the Purple Heart.

Like many members of the Greatest Generation, Jerry came back home again to the Midwest to raise a family and begin a career. He worked for Merrill Lynch for forty years, retiring in 2000, and has four children, three stepchildren, and seven grandchildren. Jerry currently resides in Carmel, Indiana, with his wife Shirley. I am proud that such an exceptional Hoosier calls my District home.

Jerry Mansbach is a patriot and a hero. Along with the Honorary Consul and the French people, I am honored to recognize his sacrifices and bravery during the Second World War today.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 574 I was unable to be present for the vote.

Had I been present, I would have voted ''no.''

CONGRATULATING ERIC LARRABEE AS HE CELEBRATES HIS 50TH BIRTHDAY

HON. DOUG LaMALFA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. LAMALFA. Mr. Speaker, I rise today to congratulate an extraordinary milestone of Durham resident Eric Larrabee, as he celebrates his 50th birthday today, November 14, 2013.

A fourth generation Californian, Eric is an active member in the communities of Butte City, Chico and Durham. Eric and his wife, Treasa, are busy raising their twin daughters—Abigail and Jillian—in Durham, while simultaneously running a thriving agricultural operation and giving back to the communities he works and lives through volunteer efforts and serving on boards.

Eric currently serves on the boards of the Association of California Water Agencies, as a trustee to the Enloe Medical Center, and a director at Western Canal Water District. He has also served on the Glenn Country Farm Services Agency County Commission, California Rice Research Board, Levee District Three, Butte City Volunteer Fire Department, and the Glenn County Planning Commission.

Eric is also owner and partner of Larrabee Farms in Butte City, where he works alongside two of his brothers growing rice, pecans, walnuts and various row crops. Farming has been a part of Eric's entire life, being born in Chico and raised on a family farm his great grandfather originally started in 1918 in Clarks Valley in western Glenn County of the California coastal range.

Eric enjoys spending time with his family, skiing in the winter, hunting and fishing throughout the year and enjoying the beautiful landscapes all of Northern California has to offer. As a proud father and husband, family is a strong part of his character. His dedication to community service, family and a life in farming is to be commended.

Mr. Speaker, please join me in congratulating Eric on this special day, November 14, 2013, and in wishing him a Happy 50th Birthday. May he have many, many more.

HONORING JAMES HAWKINS OF MOHAWK, N.Y. FOR VOLUNTEERING/BEING A LEUKEMIA SURVIVOR

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. HANNA. Mr. Speaker, I rise today to recognize Mr. James Hawkins of Mohawk, New York. James is a leukemia survivor. For years he has selflessly provided support to local blood cancer patients through volunteering with The Leukemia & Lymphoma Society, an organization dedicated to the mission of curing blood cancer.

James has worked to support blood cancer patients through public education/awareness events, public advocacy, and personally speaking with many newly diagnosed blood cancer patients each year. The positive impact he has had on these patients is immeasurable. James' dedication to this cause can be seen in his work with The Leukemia & Lymphoma Society, where he volunteers in the patient services department and fundraises for the organization to advance their goal of curing blood cancer.

The work James has done with The Leukemia & Lymphoma Society is particularly inspirational. The society has invested almost $1 billion in research, contributing to the development of life-saving drugs, and is making great strides in its mission to cure leukemia, lymphoma, Hodgkin's disease and myeloma and improve the quality of life of patients and their families. Since 1963, myeloma survival rates have more than tripled. Lymphoma survival rates have more than doubled. Leukemia survival rates have more than quadrupled.

Mr. Speaker, I proudly ask you to join me in commending James Hawkins for his hard work with The Leukemia & Lymphoma Society and his efforts to make a difference in the lives of blood cancer patients in Upstate New York and Vermont.

A TRIBUTE TO MRS. ANNIE JANE (BLAKELY) JACKSON CENTENNIAL CELEBRATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. MOORE. Mr. Speaker, I rise today to congratulate Mrs. Annie Jane (Blakely) Jackson who will celebrate her 100th Birthday on Monday, November 18, 2013. The community will join with Annie J. Jackson to celebrate her centennial on Saturday, November 16, 2013.

Mrs. Jackson was born November 18, 1913 in Hopten, Alabama, was raised in Adamsville, Alabama and moved to Milwaukee, Wisconsin in 1945. She found work at the Cudahy Meat Packing Company and was also employed at the Veteran Hospital for two years. She later found employment with the American Can Company where she worked for twenty-three years prior to her retirement from the company in September, 1976.

Mrs. Jackson was married to the late Junior Lee Jackson for 32 years. Junior Lee Jackson was the owner of Party House Tavern for

nearly 30 years and as an entrepreneur was able to employ many people in the community. Mrs. Jackson is the mother of three children—Jonathan, Arlene (both deceased) and Valerie; grandmother to Venus and Raven.

I have literally known Mrs. Jackson all of my life. She is a charter member of Mt. Moriah Baptist Church, Milwaukee, Wisconsin since May of 1956, my church home. There were 17 members when the church was incorporated and today she is the only living charter member. Mrs. Jackson was an active member in the church; she served on the Usher Board and Mission Board and was the very first Mission Board President. She is now confined to a wheel chair and is unable to attend church services but continues to be supportive both spiritually and financially.

Mrs. Jackson volunteered for many years at Lutheran Social Services agency calling the elderly to determine their needs and refer them for necessary services. Cooking and fishing are her most favorite things to do. She has already begun preparation for Thanksgiving dinner; she has cleaned thirty pounds of Chitterlings. It gives her great joy and happiness to be able to cook the entire Thanksgiving dinner for her family, then sit down at the table to eat and thank God for all of their blessings.

It is an honor for me to acknowledge someone who continues to contribute so much to Milwaukee and the 4th Congressional District. She set a strong example of leadership and excellence as a member of her church and for the entire community. She is a Milwaukee and Wisconsin treasure and I value her service. Mr. Speaker, that is why I rise to honor and celebrate Mrs. Jackson's 100 years of life.

HONORING THE LIFE OF LAWRENCE ELIOT MARCUS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of an outstanding man, Lawrence Eliot Marcus. Born in Dallas, TX, ''Lawrie,'' as he was generally known, was the last surviving child of the second-generation in the family that built the Neiman Marcus retail chain to international prominence. The department store, founded by Lawrence's father and aunt, would eventually become a transcendent international retail chain.

Following the death of his father, Herbert Marcus, in 1950, Lawrence Marcus and his brother Stanley took leadership of the the family's iconic department store. Neiman Marcus continued to serve as Lawrence's funnel for dedication to quality and service well beyond his retirement in the early 1980s.

As a graduate of Woodrow Wilson High School in Dallas, Texas, Lawrence Marcus earned both a bachelor's degree and an MBA from Harvard University, served in World War II, and eventually earned a Purple Heart during his military service before returning to Dallas to assume a bigger role in the Neiman Marcus' operations. While he was known and recognized for many great qualities, most notable was his attention to detail. He once flew to New York to approve the yarn for a new store's carpet before weavers could begin putting the carpet together. Even on the day before his passing, Lawrence Marcus was said to be critiquing shirt fabric.

It is with great respect that I recognize the life and accomplishments of Lawrence Marcus. Both his memory and legacy serve as examples of hard work and tireless dedication to many and I ask that my colleagues keep his family in our hearts and prayers.

INTRODUCTION OF THE BIKE-PEDESTRIAN SAFETY ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. BLUMENAUER. Mr. Speaker, today, along with my colleagues Representative COBLE, Representative DEFAZIO, and Representative MCCAUL, I am introducing the Bicycle and Pedestrian Safety Act. This legislation requires the US DOT to establish separate measures for motorized and non-motorized safety targets with the Highway Safety Improvement Program. Under this program, states will set their own safety targets and are given the flexibility to choose the best methods to meet them. The Bicycle and Pedestrian Safety Act encourages states to make their roadways safer while acknowledging local needs.

The need for such legislation has never been clearer. The National Highway Transportation Safety Administration recently reported a 2 percent drop in roadway fatalities, and a 4.6 percent drop for occupants of cars and light trucks between 2010–2011. These safety improvements, however, have not helped all road users. Even as driver and passenger deaths have decreased, the percentage of bicyclist and pedestrian roadway deaths has increased. While overall traffic deaths have decreased, the number of bicyclists dying on our roadways has increased by 9 percent and pedestrian deaths have increased by 3 percent.

The Bicycle and Pedestrian Safety Act requires states to address this increasing safety concern, while maintaining state flexibility. I look forward to working with my colleagues to advance this legislation and protect all roadway users.

HONORING THE VICTIMS OF KATYŃ MASSACRE OF 1940

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Ms. KAPTUR. Mr. Speaker, I rise today to submit a recent New York Times article titled, ''Ruling on Katyń Killings Highlights Russia-Poland Rift,'' by Alan Cowell and Andrew Roth, regarding the Katyń Massacre of 1940. In so doing, we call continued attention to the atrocities committed in Stalinist-controlled Russia inside the Katyń Forest and surrounding areas, events which continue to deeply resonate within the world consciousness and haunt Polish-Russian relations. In 1940, the Soviet secret police was directed by Joseph Stalin to systematically murder approximately 22,000 Polish military officers, prisoners, and intellectuals in and around the Katyń Forest. A U.S. House of Representatives Select Committee was tasked in 1951 with conducting an investigation into the Katyń killing and concluded that the Soviets were responsible for the mass murder. In 2010, after decades of denial and despite protests from its Communist members, the Russian Parliament approved a statement that ultimately acknowledged Stalin's responsibility in perpetrating these heinous crimes. Thus, in September 2012, I issued a formal announcement that the US National Archives and Records Administration, at my request, opened newly declassified compilations and Katyń documents held in storage by the government of the United States. Yet, this past October, while reaffirming in its ruling that Russia had failed to meet obligations to properly investigate the massacre, The European Court of Human Rights found it had no jurisdiction over the massacre and that it ultimately held no duty to investigate the events at Katyń. The Polish people and freedom-loving Americans deserve better. Humanity deserves better. As pointed out in the New York Times piece, in its ruling and in failing to demand a complete and thorough investigation into these events, the ECHR fails to fully condemn this genocide, setting a disturbing precedent for the future and provides no comfort to those families of the victims. As Pope Paul VI so eloquently stated, ''If you want peace, work for justice.'' Justice remains unserved. Thus, I call upon Russia to declassify, once and for all, its 2004 decision to close the investigation into the Katyń Massacre. Let the world of nations continue to work in conjunction with the Polish government and victims' families to uncover the truth of what happened in the Katyń Forest and nearby killing fields. The whole truth will enlighten future generations so that they learn from these heinous crimes, heal the fissures of tyranny and prevent atrocities of the future.

[From the New York Times International, Oct. 22, 2013]

RULING ON KATYN KILLINGS HIGHLIGHTS RUSSIA-POLAND RIFT

(By Alan Cowell and Andrew Roth)

LONDON.—In the long-simmering and emotional debate over a notorious mass killing during World War II, the European Court of Human Rights ruled Monday that Russia had failed to comply with its obligations to adequately investigate the massacre of more than 20,000 Polish prisoners of war by the Soviet secret police in 1940.

But the court said it had no jurisdiction over the massacre itself or on the subsequent treatment of the relatives of the dead, prompting an outcry in Poland and expressions of satisfaction among officials in Moscow, underscoring the deep and lingering divisions inspired by the mass killing in the Katyn Forest near Smolensk.

''We are rather disappointed by this verdict,'' said Poland's deputy foreign minister, Artur Nowak-Far, according to Agence France-Presse. ''The ruling does not take into account all the arguments of the Polish side that have here a great moral and historic right.''

Andrzej Melak, president of the Association of the Families of Katyn Victims, called the judgment ''scandalous,'' adding that it was ''inadmissible and incomprehensible.''

''The failure to condemn this genocide and the impunity of its perpetrators led to it being repeated in Rwanda, the Balkans and it will be repeated again,'' he said. ''Poles will not accept a ruling like this.''

But in Moscow, Georgy Matyushkin, the deputy minister of justice and its envoy to the European Court on Human Rights, told the Interfax news agency that the ruling showed that ''the court does not have the conventional duty to investigate the events at Katyn'' and that it would thus be ''illogical'' for it to address allegations of improper treatment of the victims' relatives.

''The Russian authorities from the very beginning said that these events are located outside of the frame of the jurisdiction of the European court from the point of view of the time frame,'' Mr. Matyushkin said. ''And this point of view was accepted by the European court.''

The Polish prisoners, including nearly 5,000 senior Polish Army officers, disappeared in late 1939 and early 1940 during a period of German-Soviet cooperation, when Soviet forces occupied eastern Poland. In April and May 1940, they were taken to the Katyn woods, near Smolensk, west of Moscow, where they were executed and then buried in mass graves there and in two other villages.

After decades of denial, Russia admitted responsibility for the massacre in 1990, and opened a criminal investigation. The investigation was closed 14 years later, but much of its findings were classified and no one was publicly held responsible.

Relatives of the victims complained to the court in 2007 that the Russian inquiry had been ineffective and that the Russian authorities had displayed a dismissive attitude to requests for information about the event. The case was brought by 15 Polish citizens who are relatives of 12 victims of the massacre—police and army officers, an army doctor and a primary school headmaster—according to court filings.

The court's highest panel, the Grand Chamber, ruled unanimously that ''Russia had failed to comply with its obligation'' under the European Convention on Human Rights to ''furnish necessary facilities for examination of the case,'' according to a statement from the court in Strasbourg, France.

But the ruling said the court had no jurisdiction to examine complaints over the killings themselves because the massacre took place a decade before the rights convention became international law and 58 years before Russia acceded to it, in 1998.

That period was too long for a ''genuine connection'' to be established between the killings and Russia's accession to the convention, the ruling said. The court rejected an application for awarding damages.

The court also ruled that there had been no violation of the convention's provision prohibiting inhuman or degrading treatment as it relates to the suffering of families of ''disappeared'' people. That part of the ruling overturned a lower court's ruling in 2012, which found that that provision had been violated in the cases of 10 of the 15 Polish family members.

In its ruling, the Grand Chamber said Russia had not offered a ''substantive analysis'' for keeping the decision to classify the decision to close its investigation. ''The court was unable to accept that the submission of a copy of the September 2004 decision could have affected Russia's national security,'' the ruling said.

Nikita V. Petrov, a historian for the Memorial human rights group, which has sought to declassify the decision, called the ruling a ''light reprimand'' that would do nothing to further the investigation.

''It's like telling a criminal, 'You haven't behaved yourself very well,' '' he said. ''But it does not say that a crime is still taking place, because the government is hiding information about past criminal activities like the Katyn case.''

The massacre has continued to haunt Russian-Polish relations.

In April 2010, a plane carrying the Polish president and 95 other members of Poland's political and military elite to a commemoration of the massacre crashed over Smolensk, killing everyone on board, The crash led to mutual recriminations over an event intended to help heal the wound.

In November 2010, the Russian Parliament approved a statement holding Stalin and 'other Soviet leaders responsible for the Katyn killings.

Despite protests from Communist Parliament members, the State Duma acknowledged that archival material ''not only unveils the scale of his horrific tragedy but also provides evidence that the Katyn crime was committed on direct orders from Stalin and other Soviet leaders.''

IN RECOGNITION OF LESLIE A. WOOLLEY, FOR TWENTY-FIVE YEARS OF FEDERAL SERVICE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. CLEAVER. Mr. Speaker, as we enter the season of giving thanks, I reflect on an individual who made a lasting impression on me and this institution. I rise today to recognize and congratulate Leslie Woolley, my former Chief of Staff of five years, on her retirement. A Capitol Hill veteran, Leslie has had a long and distinguished career in public service and the financial services industry.

Prior to working for me, Leslie was the Vice President, for Congressional Relations and International Banking at the Conference of State Bank Supervisors. She had previously spent over twenty years in the Senate and the House working as a professional staff member for the U.S. Senate Committee on Homeland Security and Government Affairs for Sen. Joe Lieberman (then D–CT), for U.S. Senators Zell Miller (D–GA), and Bob Graham (D–FL), who were both on the U.S. Senate Banking Committee. She also worked for U.S. House of Representatives Financial Services Committee members Bill McCollum (R–FL) and Wes Watkins (then D–OK), and as a professional staff member on a House Financial Services Subcommittee for U.S. Representative Norm Shumway (R–CA).

Leslie served in the Executive Branch at the U.S. Department of the Treasury, where she was Director for Business and Public Liaison in the Office of Legislative Affairs and Public Liaison, during Secretary Larry Summers' tenure and at the Federal Deposit Insurance Corporation (FDIC) where she was the Deputy to the Chairman for Policy for the first woman Chairman of the FDIC, Ricki Helfer.

She had private sector experience as well, previously serving as the Vice President for Legislative Affairs at both the Investment Company Institute and at Chemical Bank.

Leslie has had the unique opportunity to provide 25 years of federal service doing what she has loved—working in financial services public policy. During her 35 years in Washington, the financial services issues were interesting and sometimes very challenging. In particular, Leslie guided the FDIC's legislative involvement with the 1996 Deposit Insurance Funds Act which recapitalized the Savings and Loan Insurance Fund (SAIF) and worked with Senator Miller to ensure that the internal controls sections that applied to corporations under the Sarbanes-Oxley Act of 2002 were more balanced than under the original drafts of the bill. Leslie worked with me on the 2010 Dodd-Frank Wall Street Reform and Consumer Protection Act which was a response to the late–2009 economic recession, by bringing some of the most significant changes to financial regulation since the Great Depression and impacting all federal financial regulatory agencies and almost every part of the United States' financial services industry.

She holds both a Bachelor in Science and Masters in Business Administration degrees from Oklahoma State University (OSU). In 1995, Leslie was awarded the Distinguished Alumni Award from the OSU Alumni Association. In 2011, Leslie was named one of the top 50 MBA graduates from the OSU Spears School of Business at their 50th anniversary celebration. She has also received the Department of the Treasury's, Secretary's Honor Award (2001); and Women in Housing and Finance's Distinguished Leader Award (2004).

In addition to her professional career, Leslie has made time for and been active in her community. She was President of Women in Housing and Finance 1984–85, and a Board Member from 2002–04; She held the office of Treasurer for Women's Giving Circle of Alexandria from 2007–2011 and a Board Member from 2007 to the present; Leslie was President of the Oklahoma State Society in 1991; and the President of the D.C. Chapter of the Oklahoma State University Alumni Association from 1993–95, an Alumni Association National Board member from 1996–2001, and a member of the OSU Alumni Association Executive Committee from 1998–2001.

Even though the financial services industry has experienced its share of ups and downs, one thing has stayed consistent—the quality of the people, such as Leslie, who worked as colleagues and friends across different states, delegations, agencies, companies and trade associations for the betterment of our country. Upon her retirement, Leslie shared with me how blessed she was to have worked with each and every one of her colleagues and associates. Her husband, Doyle Bartlett and their two children, Ann and Cameron, have helped to make Leslie's career possible and her life better.

Mr. Speaker, I ask you and our colleagues to join me in thanking Leslie for her 25 years of public service in the financial services arena; for her five years of support, help, and kindness to me, my Congressional staff and the constituents of the Fifth Congressional District of Missouri. I wish her the very best in all her future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 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 $17,149,193,429,752.16. We've added $6,522,316,380,839.08 to our debt in 4 years. This is $6.5 trillion in debt our nation,

our economy, and our children could have avoided with a balanced budget amendment.

INTRODUCING THE ''INTERNET GAMBLING REGULATION AND TAX ENFORCEMENT ACT OF 2013''

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce the Internet Gambling Regulation and Tax Enforcement Act of 2013. This bill would generate new streams of revenue for the federal government as well as state and tribal governments, create an estimated 30,000 new jobs in America, and provide funding for children in foster care and for historic preservation and the arts. This is a companion bill to H.R. 2282, legislation sponsored by Cong. PETER KING and CAPUANO, which would license and regulate online gambling at the federal level. Under current law, intra-state online gambling is legal, but inter-state online gambling is not, except for betting on horseracing, which is legal on an inter-state basis.

Under my legislation, the federal government along with state and tribal governments would recognize a new, untapped stream of revenue. The revenue could help jurisdictions fund needed services at a time when many governments are struggling with tightening budgets.

Online gambling operators would pay a tax to the federal government as well as state and tribal governments equal to a percentage of the total deposits they collect. The money paid to the governments would not be deducted from the accounts of online gamblers.

Operators will pay a tax to the federal government equal to four percent of the funds deposited by players who reside inside the U.S. Operators will pay a tax to state and tribal governments equal to eight percent of the funds deposited by individuals residing within their jurisdiction. The deposits to state and tribal governments would be made automatically every month by website operators, in lieu of them (the governments?) imposing other taxes of their own. This deposit tax for states and tribes would be an optional, simple, and uniform way to participate.

A quarter of the revenue raised by the bill would go to providing assistance to the nearly 500,000 children in America who live in foster care. The funds generated would be directed at helping foster children through grants to each State to carry out educational and transitional support for individuals who are or were in foster care.

Finally, the bill sets aside 0.5 percent for historic preservation and the arts. I helped enact a similar program in my home state of Washington, and it has been hugely successful over the years.

Some in this body may be concerned that legalizing online gambling would further open the door of the virtual casino to children, but evidence shows the current availability of online gambling options on the Internet has not led to an increase in gambling among minors. Moreover, technology is widely available and used in the United States and abroad to verify identity, age and location for online financial transactions from online banking to online gambling on horseracing.

The future is happening. People in small towns and big cities across America are gambling online either legally under a patchwork of inconsistent state laws or illegally without any consumer protection. We have to deal with this issue. If we regulate online gambling, we can create jobs, generate revenue, and expand aid to children in foster care.

TRIBUTE TO THE CITY OF REDLANDS, CALIFORNIA—125TH ANNIVERSARY OF INCORPORATION

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. GARY G. MILLER of California. Mr. Speaker, I rise to pay tribute today to the City of Redlands, California, as their community celebrates the 125th Anniversary of Incorporation. The City of Redlands was established in 1888 by vote of the people of the Lugonia and Redlands Townships. Following incorporation, the City of Redlands rapidly gained distinction for superior citrus production, and was considered around the globe to be the ''The Washington Naval Growing Capitol of the World.'' Through thoughtful leadership and the dedication of residents, The City of Redlands has grown from a small agricultural community to an economic, academic and cultural epicenter.

Redlands, ''A City That Works,'' is home to more than 200,000 residents who enjoy a wide variety of cultural events throughout the year including the Summer Music Festival at the Redlands Bowl, the Redlands Theater Festival and the Redlands Symphony. Popular community events include the Redlands Bicycle Classic and the Run through Redlands.

Residents of the City of Redlands are proud of their City's distinct attributes and have worked with the City of Redlands Historic and Scenic Preservation Ordinance and Commission, the Redlands Area Historical Society and the Redlands Conservancy to ensure the preservation of the historic built environment and conserve the natural open space. Many architectural treasures including the Lincoln Memorial Shrine, the Redlands Bowl Prosellis, Kimberly Crest House and Gardens, A.K. Smiley Public Library and Morey Mansion have been preserved for future generations due to the dedication and generosity of residents of the City of Redlands.

The commitment of the residents of the City of Redlands for bettering their community extends to their support of the University of Redlands, a private liberal arts university, consistently ranked among the best universities in the nation.

Mr. Speaker, on this very special year for the City of Redlands, please join me in commemorating their One Hundred and Twenty Fifth anniversary.

PERSONAL EXPLANATION

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2013

Mr. WENSTRUP. Mr. Speaker, I was absent on November 12 and 13, 2013, due to the birth of my first child. If I were present, I would have voted on the following:

Tuesday, November 12, 2013:

Rollcall No. 571: On Motion to Suspend the Rules and Pass H.R. 2871, ''yea.''

Rollcall No. 572: On Motion to Suspend the Rules and Pass H.R. 2922, ''yea.''

Wednesday, November 13, 2013:

Rollcall No. 573: On Ordering the Previous Question, providing for consideration of H.R. 982 and H.R. 2655, ''yea.''

Rollcall No. 574: On Agreeing to the Resolution providing for consideration of H.R. 982 and H.R. 2655, ''yea.''

Rollcall No. 575: Cohen of Tennessee Amendment No. 1, ''no.''

Rollcall No. 576: Nadler of New York Amendment No. 2, ''no.''

Rollcall No. 577: Jackson Lee of Texas Amendment No. 3. ''no.''

Rollcall No. 578: On Motion to Recommit with Instructions, ''no.''

Rollcall No. 579: On Passage of H.R. 982, ''yea.''

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8013–S8070

Measures Introduced: Eighteen bills and three resolutions were introduced, as follows: S. 1700–1717, and S. Res. 295–297. **Page 8049**

Measures Reported:

S. Res. 292, expressing support for the victims of the typhoon in the Philippines and the surrounding region.

S. 657, to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety.

S. 1683, to provide for the transfer of naval vessels to certain foreign recipients. **Page S8048**

Measures Passed:

National Day on Writing: Senate agreed to S. Res. 295, expressing the support for the designation of October 20, 2013, as the "National Day on Writing". **Page S8069**

National Wildlife Refuge Week: Senate agreed to S. Res. 296, designating the week beginning on October 13, 2013, as "National Wildlife Refuge Week". **Page S8069**

Congratulating the Minnesota Lynx Women's Basketball Team: Senate agreed to S. Res. 297, congratulating the Minnesota Lynx women's basketball team on winning the 2013 Women's National Basketball Association Championship. **Page S8069**

Support for Victims of Typhoon in the Philippines and Surrounding Region: Senate agreed to S. Res. 292, expressing support for the victims of the typhoon in the Philippines and the surrounding region. **Pages S8069–70**

Release of Detainees in Iran: Committee on Foreign Relations was discharged from further consideration of S. Res. 284, calling on the Government of Iran to immediately release Saeed Abedini and all other individuals detained on account of their religious beliefs, and the resolution was then agreed to. **Page S8070**

Measures Considered:

Drug Quality and Security Act—Agreement: Senate began consideration of H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, after agreeing to the motion to proceed, and taking action on the following amendments and motions proposed thereto: **Pages S8026, S8027**

Pending:

Reid Amendment No. 2033, to change the enactment date. **Page S8026**

Reid Amendment No. 2034 (to Amendment No. 2033), of a perfecting nature. **Page S8026**

Reid Motion to commit the bill to the Committee on Health, Education, Labor, and Pensions, with instructions, Reid Amendment No. 2035, to change the enactment date. **Page S8026**

Reid Amendment No. 2036 (to (the instructions) Amendment No. 2035), of a perfecting nature. **Page S8026**

Reid Amendment No. 2037 (to Amendment No. 2036), of a perfecting nature. **Page S8026**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit. **Page S8027**

A unanimous-consent agreement was reached providing that on Monday, November 18, 2013, the first-degree filing deadline for amendments to the bill be at 3:00 p.m., and the second-degree filing deadline for amendments to the bill be at 4:00 p.m.; that if cloture is not invoked on the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, Senate resume consideration of the bill, and vote on the motion to invoke cloture on the bill; and that if cloture is invoked on the bill, all post-cloture time be yielded back, the pending amendments be withdrawn, and Senate vote on passage of the bill. **Page S8070**

National Defense Authorization Act—Agreement: Senate began consideration of the motion to

proceed to consideration of S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Page S8027**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, November 14, 2013, a vote on cloture will occur upon disposition of **H.R.** 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security. **Page S8027**

House Messages:

PREEMIE Reauthorization Act: Senate concurred in the amendments of the House of Representatives to S. 252, to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity. **Page S8069**

Wilkins Nomination—Agreement: Senate began consideration of the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit. **Page S8027**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, November 14, 2013, a vote on cloture will occur at 5:30 p.m. on Monday, November 18, 2013. **Page S8027**

A unanimous-consent agreement was reached providing that at 5 p.m., on Monday, November 18, 2013, Senate resume consideration of the nomination, with the time until 5:30 p.m. equally divided and controlled in the usual form, prior to the vote on the motion to invoke cloture on the nomination. **Page S8070**

Nominations Confirmed: Senate confirmed the following nominations:

James Walter Brewster, Jr., of Illinois, to be Ambassador to the Dominican Republic.

Kenneth L. Mossman, of Arizona, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2016.

Philip S. Goldberg, of the District of Columbia, to be Ambassador to the Republic of the Philippines.

Gregory B. Starr, of Virginia, to be an Assistant Secretary of State (Diplomatic Security).

Michael D. Lumpkin, of California, to be an Assistant Secretary of Defense.

Routine lists in the Coast Guard. **Page S8070**

Messages from the House: **Page S8047**

Measures Referred: **Pages S8047–48**

Enrolled Bills Presented: **Page S8048**

Executive Communications: **Page S8048**

Executive Reports of Committees: **Pages S8048–49**

Additional Cosponsors: **Pages S8050–51**

Statements on Introduced Bills/Resolutions: **Pages S8051–56**

Additional Statements: **Pages S8046–47**

Amendments Submitted: **Pages S8056–68**

Authorities for Committees to Meet: **Pages S8068–69**

Privileges of the Floor: **Page S8069**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:35 p.m., until 2 p.m. on Monday, November 18, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8070.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nomination of Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System, after the nominee, who was introduced by Senator Johnson (SD), testified and answered questions in her own behalf.

MAGNUSON-STEVENS ACT REAUTHORIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine Southeast regional perspectives on Magnuson-Stevens Act reauthorization, after receiving testimony from Roy E. Crabtree, Southeast Regional Administrator, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Douglass Boyd, Gulf of Mexico Fishery Management Council, San Antonio, Texas; Ben C. Hartig, South Atlantic Fishery Management Council, Hobe Sound, Florida; Carlos Farchette, Caribbean Fishery Management Council, St. Croix, U.S. Virgin Islands; John D. Brownlee, *Salt Water Sportsman*, Islamorada, Florida; Kelly Windes, Okaloosa County

Board of County Commission (District 5), Crestview, Florida; Robert Johnson, Jodie Lynn Charters, St. Augustine, Florida; Lee Crockett, The Pew Charitable Trusts, Washington, D.C.; and William E. Tucker, Dunedin, Florida.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 753, to provide for national security benefits for White Sands Missile Range and Fort Bliss, with an amendment in the nature of a substitute;

S. 1169, to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, with an amendment; and

S. 1309, to withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses, with an amendment in the nature of a substitute.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Steven Croley, of Michigan, to be General Counsel, who was introduced by Senator Stabenow, and Christopher Smith, of Texas, to be Assistant Secretary for Fossil Energy, both of the Department of Energy, and Esther Puakela Kia'aina, of Hawaii, to be Assistant Secretary of the Interior for Insular Affairs, who was introduced by Senators Schatz and Hirono, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 1271, to direct the President to establish guidelines for the United States foreign assistance programs, with an amendment in the nature of a substitute;

S. 1683, to provide for the transfer of naval vessels to certain foreign recipients;

S. Res. 292, expressing support for the victims of the typhoon in the Philippines and the surrounding region; and

The nominations of Daniel W. Yohannes, of Colorado, to be Representative to the Organization for Economic Cooperation and Development, with the rank of Ambassador, Anthony Luzzatto Gardner, of New York, to be Representative to the European Union, with the rank and status of Ambassador, Amy Jane Hyatt, of California, to be Ambassador to the Republic of Palau, Elizabeth Frawley Bagley, of the District of Columbia, Theodore Strickland, of Ohio, and Stephen N. Zack, of Florida, all to be an Alternate Representative of the United States of America to the Sixty-eighth Session of the General Assembly of the United Nations, Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary for Management and Resources, Sarah Sewall, of Massachusetts, to be Under Secretary for Civilian Security, Democracy, and Human Rights, and Richard Stengel, of New York, to be Under Secretary for Public Diplomacy, all of the Department of State, Michael G. Carroll, of New York, to be Inspector General, United States Agency for International Development, and Carolyn Hessler Radelet, of Virginia, to be Director of the Peace Corps.

EGYPT

Committee on Foreign Relations: Committee received a closed briefing on developments in Egypt from William J. Burns, Deputy Secretary of State; Derek Chollet, Assistant Secretary for International Security Affairs, and Lieutenant General Terry Wolff, Director, Strategic Plans and Policy (J5), Joint Chiefs of Staff, both of the Department of Defense; and Alina Romanowski, Deputy Assistant Administrator, Middle East Bureau, U.S. Agency for International Development.

EASTERN PARTNERSHIP

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine the Eastern Partnership, focusing on the outlook for Ukraine, Moldova, Georgia, Belarus, Armenia, and Azerbaijan, after receiving testimony from Victoria Nuland, Assistant Secretary of State for European and Eurasian Affairs; and Anders Aslund, Peterson Institute for International Economics, Damon W. Wilson, Atlantic Council, and Ariel Cohen, The Heritage Foundation Kathryn and Shelby Cullom Davis Institute for International Studies, all of Washington, D.C.

THREATS TO THE HOMELAND

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine threats to the homeland, after receiving testimony from Rand Beers, Acting Secretary of Homeland Security; James B. Comey, Jr., Director, Federal Bureau of Investigation, Department of Justice; and Matthew G. Olsen, Director, National Counterterrorism Center, Office of the Director of National Intelligence.

ENSURING ACCESS TO HIGHER EDUCATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine ensuring access to higher education, focusing on simplifying Federal student aid for today's college student, after

receiving testimony from Bridget Terry Long, Harvard Graduate School of Education, Cambridge, Massachusetts; Kim Cook, National College Access Network, and Kristin D. Conklin, HCM Strategists, both of Washington, D.C.; and Judith Scott-Clayton, Columbia University Teachers College, New York, New York.

INDIAN COUNTRY CONTRACT SUPPORT COSTS AND SEQUESTRATION

Committee on Indian Affairs: Committee concluded a hearing to examine contract support costs and sequestration, focusing on Indian country, after receiving testimony from Kevin Washburn, Assistant Secretary of the Interior for Indian Affairs; Yvette Roubideaux, Acting Director, Indian Health Service, Department of Health and Human Services; Brian Cladoosby, National Congress of American Indians, Washington, D.C.; Karen R. Diver, Fond du Lac Band of Lake Superior Chippewa, Cloquet, Minnesota; Alfred Lane, III, Confederated Tribes of Siletz Indians of Oregon, Siletz; Phyliss J. Anderson, Mississippi Band of Choctaw Indians, Choctaw; Jefferson Keel, Chickasaw Nation, Ada, Oklahoma; and Aaron Payment, Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit, Pamela L. Reeves, to be United States District Judge for the Eastern District of Tennessee, Vince Girdhari Chhabria, to be United States District Judge for the Northern District of California, James Maxwell Moody, Jr., to be United States District Judge for the Eastern District of Arkansas, and Peter C. Tobin, to be United States Marshal for the Southern District of Ohio, and Amos Rojas, Jr., of Florida, to be United States Marshal for the Southern District of Florida, both of the Department of Justice.

CARTEL PROSECUTION

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine cartel prosecution, focusing on stopping price fixers and protecting consumers, after receiving testimony from William J. Baer, Assistant Attorney General, Antitrust Division, and Ronald T. Hosko, Assistant Director, Criminal Investigative Division, Federal Bureau of Investigation, both of the Department of Justice; Hollis Salzman, Robins, Kaplan, Miller and Ciresi, L.L.P., New York, New York, on behalf of the Committee to Support the Antitrust Laws; Christopher B. Hockett, Davis Polk and Wardwell LLP, Menlo Park, California, on behalf of the American Bar Association Section of Antitrust Law; Margaret C. Levenstein, University of Michigan, Ann Arbor; and Mark Rosman, Wilson Sonsini Goodrich and Rosati P.C., Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 3481–3502; 1 private bill, H.R. 3503; and 4 resolutions, H. Con. Res. 64; and H. Res. 411–412, 414 were introduced. **Pages H7109–10**

Additional Cosponsors: **Pages H7111–12**

Reports Filed: A report was filed today as follows:

H. Res. 413, providing for consideration of the bill (H.R. 3350) to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health coverage requirement, and for other purposes (H. Rept. 113–265). **Page H7109**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page H7055**

Recess: The House recessed at 10:49 a.m. and reconvened at 12 noon. **Page H7060**

Chaplain: The prayer was offered by the guest chaplain, Reverend Larry Phillips, Midway Baptist Church, Mount Airy, North Carolina. **Page H7060**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H7060, H7080**

Water Resources Reform and Development Act of 2013—Motion to go to Conference: The House agreed by unanimous consent to the Shuster motion

to take from the Speaker's table H.R. 3080, to provide for improvements to the rivers and harbors of the United States and to provide for the conservation and development of water and related resources, with a Senate amendment thereto, disagree to the Senate amendment, and agree to a conference requested by the Senate thereon. **Pages H7066–69**

Agreed to the Sean Patrick Maloney (NY) motion to instruct conferees by a yea-and-nay vote of 347 yeas to 76 nays with 1 answering "present", Roll No. 582. **Pages H7079–80**

Subsequently, the Chair appointed the following conferees: From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Shuster, Duncan (TN), LoBiondo, Graves (GA), Capito, Miller (MI), Hunter, Bucshon, Gibbs, Hanna, Webster (FL), Rice (SC), Mullin, Rodney Davis (IL), Rahall, DeFazio, Brown (FL), Eddie Bernice Johnson (TX), Bishop (NY), Edwards, Garamendi, Hahn, Nolan, Frankel (FL), and Bustos. **Page H7080**

From the Committee on Natural Resources, for consideration of secs. 103, 115, 144, 146, and 220 of the House bill, and secs. 2017, 2027, 2028, 2033, 2051, 3005, 5002, 5003, 5005, 5007, 5012, 5018, 5020, title XII, and sec. 13002 of the Senate amendment, and modifications committed to conference: Representatives Hastings (WA), Bishop (UT), and Napolitano. **Page H7080**

Later, the Chair removed Representative Graves of Georgia as a conferee and appointed Representative Graves of Missouri to fill the vacancy. The Clerk was instructed to notify the Senate of the change in conferees. **Page H7095**

Lawsuit Abuse Reduction Act of 2013: The House passed H.R. 2655, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, by a recorded vote of 228 ayes to 195 noes, Roll No. 581. **Pages H7069–79**

Rejected the Lewis motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 197 yeas to 225 nays, Roll No. 580. **Pages H7077–78**

H. Res. 403, the rule providing for consideration of the bills (H.R. 2655) and (H.R. 982), was agreed to yesterday, November 13th.

Small Airplane Revitalization Act of 2013: The House concurred in the Senate amendment to H.R. 1848, to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry. **Page H7080**

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H7078, H7078–79, H7079. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:29 p.m.

Committee Meetings

EFFECTS OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT ON SCHOOLS, COLLEGES, AND UNIVERSITIES

Committee on Education and the Workforce: Full Committee held a hearing entitled "The Effects of the Patient Protection and Affordable Care Act on Schools, Colleges, and Universities". Testimony was heard from public witnesses.

OBAMACARE IMPLEMENTATION PROBLEMS: MORE THAN JUST A BROKEN WEBSITE

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Obamacare Implementation Problems: More than Just a Broken Website". Testimony was heard from public witnesses.

IMPACT OF PATENT ASSERTION ENTITIES ON INNOVATION AND THE ECONOMY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "The Impact of Patent Assertion Entities on Innovation and the Economy". Testimony was heard from public witnesses.

EPA'S PROPOSED GHG STANDARDS FOR NEW POWER PLANTS; AND WHITFIELD-MANCHIN

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled "EPA's Proposed GHG Standards for New Power Plants; and a measure regarding the Whitfield-Manchin legislation. Testimony was heard from Senator Manchin; Janet McCabe, Acting Assistant Administrator for Air and Radiation, Environmental Protection Agency; E. Scott Pruitt, Attorney General, State of Oklahoma; Henry Hale, Mayor, Fulton, Arkansas; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Full Committee held a markup on the following legislation: H.R. 3329, to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes; H.R. 3468, the "Credit Union Share Insurance Fund Parity Act";

H.R. 1800, the "Small Business Credit Availability Act"; H.R. 2274, the "Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2013"; and H.R. 3448, the "Small Cap Liquidity Reform Act of 2013". The following bills were ordered reported, as amended: H.R. 3468; H.R. 1800; H.R. 2274; and H.R. 3448. The following bill was ordered reported, without amendment: H.R. 3329.

TSA'S SPOT PROGRAM AND INITIAL LESSONS FROM THE LAX SHOOTING

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled "TSA's SPOT Program and Initial Lessons From the LAX Shooting". Testimony was heard from John S. Pistole, Administrator, Transportation Security Administration, Department of Homeland Security; Daniel Gerstein, Deputy Under Secretary, Science and Technology Directorate, Department of Homeland Security; Stephen M. Lord, Managing Director, Forensic Audits and Investigative Service, Government Accountability Office; and Charles K. Edwards, Deputy Inspector General, Office of Inspector General, Department of Homeland Security.

REGULATORY CRIME: SOLUTIONS

Committee on the Judiciary: Over-Criminalization Task Force held a hearing on Regulatory Crime: Solutions. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on the following legislation: H.R. 1308, the "Endangered Salmon and Fisheries Predation Prevention 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. 2824, the "Preventing Government Waste and Protecting Coal Mining Jobs in America"; H.R. 3008, to provide for the conveyance of a small parcel of National Forest System land in Los Padres National Forest in California, and for other purposes; H.R. 3188, the "Yosemite Rim Fire Emergency Salvage Act"; and H.R. 3189, the "Water Rights Protection Act". The following bills were ordered reported without amendment: H.R. 1308; H.R. 2798; and H.R. 2824. The following bills were ordered reported, as amended: H.R. 3008; H.R. 3188; and H.R. 3189.

REVIEWING ALTERNATIVES TO AMTRAK'S ANNUAL LOSSES IN FOOD AND BEVERAGE SERVICE

Committee on Oversight and Government Reform: Subcommittee on Government Operations held a hearing entitled "Reviewing Alternatives to Amtrak's Annual Losses in Food and Beverage Service". Testimony was heard from Tom Hall, Chief, Customer Services, Amtrak; Ted Alves, Inspector General, Amtrak Office of Inspector General; Ed Howell, Senior Vice President, Smithsonian Enterprises; Paul Worley, Rail Division Director, North Carolina Department of Transportation; and a public witness.

BORDER SECURITY OVERSIGHT

Committee on Oversight and Government Reform: Subcommittee on National Security held a hearing entitled "Border Security Oversight, Part III: Border Crossing Cards and B1/B2 Visas". Testimony was heard from John Wagner, Acting Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, Department of Homeland Security; John P. Woods, Assistant Director, National Security Investigation Division, Homeland Security Investigations, U.S. Immigration and Customs Enforcement; Edward J. Ramotowski, Deputy Assistant Secretary for Visa Services, Bureau of Consular Affairs, Department of State; and Juan Osuna, Director, Executive Office for Immigration Review, Department of Justice.

KEEP YOUR HEALTH PLAN ACT OF 2013

Committee on Rules: Full Committee held a hearing on H.R. 3350, the "Keep Your Health Plan Act of 2013". The Committee granted, by voice vote, a closed rule for H.R. 3350. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Testimony was heard from Representatives Burgess and Pallone.

STRENGTHENING TRANSPARENCY AND ACCOUNTABILITY WITHIN THE ENVIRONMENTAL PROTECTION AGENCY

Committee on Science, Space, and Technology: Full Committee held a hearing entitled "Strengthening Transparency and Accountability within the Environmental Protection Agency". Testimony was heard from Gina McCarthy, Administrator, Environmental Protection Agency.

SELF-INSURANCE AND HEALTH BENEFITS: AN AFFORDABLE OPTION FOR SMALL BUSINESS

Committee on Small Business: Subcommittee on Health and Technology held a hearing entitled "Self-Insurance and Health Benefits: An Affordable Option for

Small Business?''. Testimony was heard from public witnesses.

PROGRESS REPORT: HURRICANE SANDY RECOVERY—ONE YEAR LATER

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled ''Progress Report: Hurricane Sandy Recovery—One Year Later''. Testimony was heard from Peter M. Rogoff, Administrator, Federal Transit Administration; Victor M. Mendez, Administrator, Federal Highway Administration; Joseph Szabo, Administrator, Federal Railroad Administration; Elizabeth A. Zimmerman, Deputy Associate Administrator, Office of Response and Recovery, Federal Emergency Management Agency; and Lieutenant General Thomas P. Bostick, Commanding General and Chief of Engineers, U.S. Army Corps of Engineers.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1047)*

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). Signed on November 13, 2013. (Public Law 113–48)

H.R. 3302, to name the Department of Veterans Affairs medical center in Bay Pines, Florida, as the ''C.W. Bill Young Department of Veterans Affairs Medical Center''. Signed on November 13, 2013. (Public Law 113–49)

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 15, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Our Nation of Builders: Training the Builders of the Future'', 9:30 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled ''Reviewing FDA's Implementation of FDASIA'', 10 a.m., 2322 Rayburn.

Committee on Homeland Security, Subcommittee on Oversight and Management Efficiency, hearing entitled ''DHS Financial Management: Investigating DHS's Stewardship of Taxpayer Dollars'', 9:30 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on Oversight of the Antitrust Enforcement Agencies, 9 a.m., 2141 Rayburn.

Next Meeting of the SENATE

2 p.m., Monday, November 18

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 5 p.m.), Senate will resume consideration of the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, and vote on the motion to invoke cloture on the nomination at 5:30 p.m.

Following disposition of the nomination of Robert Leon Wilkins, Senate will vote on the motion to invoke cloture on H.R. 3204, Drug Quality and Security Act. If cloture is invoked, Senate will vote on passage of the bill. The filing deadline for first-degree amendments to the bill is at 3 p.m., and the filing deadline for second-degree amendments to the bill is at 4 p.m.

Following disposition of H.R. 3204, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 1197, National Defense Authorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, November 15

House Chamber

Program for Friday: Consideration of H.R. 3350—Keep Your Health Plan Act of 2013 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bentivolio, Kerry L., Mich., E1664
Blumenauer, Earl, Ore., E1667
Brooks, Susan W., Ind., E1661, E1666
Bustos, Cheri, Ill., E1655, E1662
Cleaver, Emanuel, Mo., E1668
Coffman, Mike, Colo., E1668
Cook, Paul, Calif., E1665
Daines, Steve, Mont., E1656
Denham, Jeff, Calif., E1660, E1664
Enyart, William L., Ill., E1657
Eshoo, Anna G., Calif., E1656
Garamendi, John, Calif., E1655
Gibson, Christopher P., N.Y., E1658
Gingrey, Phil, Ga., E1656
Graves, Sam, Mo., E1655, E1658, E1660, E1661
Griffith, H. Morgan, Va., E1664
Hanna, Richard L., N.Y., E1666
Higgins, Brian, N.Y., E1656
Hoyer, Steny H., Md., E1657
Jackson Lee, Sheila, Tex., E1660
Johnson, Eddie Bernice, Tex., E1661, E1667
Kaptur, Marcy, Ohio, E1662, E1667
Keating, William R., Mass., E1656
LaMalfa, Doug, Calif., E1666
Lipinski, Daniel, Ill., E1655, E1662
McDermott, Jim, Wash., E1669
Marchant, Kenny, Tex., E1663
Messer, Luke, Ind., E1657
Miller, Gary G., Calif., E1669
Moore, Gwen, Wisc., E1666
Norton, Eleanor Holmes, D.C., E1664
Peters, Gary C., Mich., E1662
Schakowsky, Janice D., Ill., E1657, E1663
Schwartz, Allyson Y., Pa., E1657, E1659, E1663, E1666
Sewell, Terri A., Ala., E1661
Sires, Albio, N.J., E1663
Smith, Jason T., Mo., E1660, E1665
Stockman, Steve, Tex., E1658, E1663
Webster, Daniel, Fla., E1655
Welch, Peter, Vt., E1665
Wenstrup, Brad R., Ohio, E1669
Wolf, Frank R., Va., E1658

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.