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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 12, 2014.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN 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 7, 2014, 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.

FREE AMERICA TO PROSPER

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

Mr. BROOKS of Alabama. Madam Speaker, in 1945, at the end of World War II, America's Federal debt to gross domestic product ratio was 120 percent. Washington responded with leadership. In 1946, the Federal budget was slashed a massive 40 percent.

In 1947, the Federal budget was slashed by another 38 percent. The result? America rose to the challenge, and America prospered. By 1980, even though per-capita inflation adjusted Federal spending had tripled, Federal debt had shrunk to 30 percent of GDP.

Since 1980, America's per-capita Federal spending has exploded to five times more than 1948 levels. The result? America faces a skyrocketing $17 trillion debt burden.

America's Comptroller General warns that America's financial path is unsustainable. Instead of confronting our debt dependence, Washington kicks the can down the road and immorally sells our children into the equivalent of indentured servitude and poverty, while driving America's Federal debt to dangerous levels.

To preserve the liberty and prosperity our ancestors sacrificed to give us, we must free Americans to again earn their prosperity and significantly cut Federal non-defense spending to restore financial responsibility and provide the stable monetary environment needed for economic growth.

If the Federal Government will be financially responsible and stop killing job creation, America's economy will soar because we have, within our grasp, a massive new technology and energy boom.

Mark Mills, adjunct fellow, Manhattan Institute states:

> By 2020 or so, the United States is expected to surpass Saudi Arabia in oil output and Russia in gas, according to the International Energy Association's best estimate.
>
> Dan Yergin, one of the world's leading energy experts, estimates that the United States turnaround in energy has generated 1.7 million new jobs . . . and that number should almost double by 2020.

The RAND Corporation adds:

> The pace of technological change—whether through advances in information technology, biotechnology, or such emerging fields as nanotechnology—will most certainly accelerate in the next 10 to 15 years, with synergies across technologies and disciplines generating advances in research and development, production processes, and the nature of products and services.

Amazing economic possibilities abound if the Federal Government will simply allow Americans to seize them.

Unfortunately, too many paternalistic Washington politicians distrust the American people to earn a better life for themselves or to take care of each other without government coercion or intervention.

Financially irresponsible Washington politicians insist on spending money we do not have, risking a debilitating American insolvency and bankruptcy, debasing our currency, punishing success, rewarding destructive behavior, and strangling job creation in bureaucratic red tape.

The Federal Government, by attempting to supply and command all things, saps America's spirit of energy and devours the financial capital needed for innovation, productivity growth, and jobs.

America must stop kicking the can down the road to a day when the debt challenge is even more daunting. The time to act is now, while America has sufficient economic strength to succeed. We cannot wait until America is bankrupt and defenseless, our currency is valueless, and we are overwhelmed by closed businesses, lost jobs, and poverty.

Congress must use the debt limit, the budget, appropriation bills, and every other means available to free America from the growing burden of crushing debt and a dictatorial Federal bureaucracy.

America ended Democrat President Jimmy Carter's economic malaise with one election in 1980, giving us the wildly successful economic policies of Republican President Ronald Regan in 25 years of unparalleled prosperity.

America's choice is between economic depression brought about by socialist, heavy-handed, bureaucratic Big

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Brother economic policies and prosperity brought about by policies centered on free enterprise, individual liberty, and faith in the American people—the same economic policies and freedoms that made America the greatest Nation in world history.

America, please choose wisely. Your future and America's depends on it.

UNEMPLOYMENT INSURANCE IN NEVADA

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

Mr. HORSFORD. Mr. Speaker, right now, thousands of Nevadans have the full-time job of looking for work. It has gotten worse for many since December 28 of last year, when emergency unemployment insurance benefits for many expired.

There are now over 2 million Americans, Mr. Speaker, who have been cut off from unemployment insurance because of Congress' failure to act. That includes 26,023 Nevadans. These are not numbers; these are real people.

Every week that Congress fails to act, it is projected that an additional 842 Nevadans will lose their benefits each week during the first half of 2014.

Nevada's economy has lost over $54 million because Congress has stalled; but I, along with many of my colleagues, have not forgotten about our constituents.

Today, Democrats will sign a discharge petition to force Speaker BOEHNER and the House Republicans to bring up a bill to extend unemployment benefits for all Americans who have lost their jobs through no fault of their own.

These benefits are used to put food on the table, to put gas in the car, so that they can go look for an interview and to pay for rent. Extending these unemployment benefits used to be bipartisan.

On December 14, 2002, in his weekly radio address, then-President George W. Bush scolded Congress, saying, ''No final bill was sent to me extending unemployment benefits for about 750,000 Americans whose benefits will expire on December 28.''

He went on to say, ''These Americans rely on their unemployment benefits to pay for the mortgage or rent, food, and other critical bills. They need our assistance in these difficult times, and we cannot let them down.''

The unemployment rate in December 2002 had just hit 6 percent. Congress then extended unemployment benefits by a vote of 416–4. If it was an emergency then, it is an emergency now. It is time to do the right thing and extend unemployment insurance benefits for Americans.

It is an emergency for my constituents, like Alfordeen, who I met at a local Workforce Connection center as she searched for work.

It is an emergency for Monty, who recently signed up for Medicaid because of the Affordable Care Act. He is homeless now; and because Congress failed to act, his unemployment insurance has been cut.

It is an emergency for Tamika, who I brought as my guest to the State of the Union. She is an electrician, and she knows what it means to work hard, but has fallen on hard times and can't find work.

The Nevadans on unemployment insurance that I meet are scrambling to make ends meet, and no one wants to live on unemployment insurance; and no, Mr. Speaker, they are not lazy.

Despite repeated Democratic efforts, Republicans in Congress refuse to listen and have callously rejected restoring this vital economic lifeline that serves as a financial bridge for those who are looking for work, so this discharge petition is an extraordinary step.

But for my constituents, there is no time for politics, and there is no time for waiting. Action to create jobs and build an economy that works for everyone must start with renewing unemployment insurance benefits for those Americans who were laid off at no fault of their own. It is time to extend unemployment insurance now.

I encourage the Speaker, after this discharge petition is signed by Members, to bring up a vote so that we can provide this important lifeline to 2 million Americans, 26,000 Nevadans, families, and veterans who desperately need this benefit.

REPAY SUPPLIES ACT OF 2013

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, every day, teachers across our Nation reach into their own pockets to pay for classroom supplies like books, software, and pencils, without ever being reimbursed by their schools; and since 2002, teachers could at least count on a $250 above-the-line tax deduction to help defray the cost of these purchases.

But at the end of last year, this tax deduction was allowed to expire, meaning that teachers are not able to claim it on their individual returns this tax season or count on it next year, as they continue to purchase supplies for their classrooms and their students.

The REPAY Supplies Act, introduced by CAROL SHEA-PORTER and cosponsored by more than 50 of our colleagues from both parties, aims to fix this problem and make the educator expense deduction permanent.

Ms. SHEA-PORTER and I were disappointed to learn that this modest deduction was not included in the recent tax reform proposals, and we will send a letter in the coming days to ask that a hearing on the REPAY Supplies Act be held as soon as possible.

I hope that my colleagues will join us in signing this letter to the Ways and Means Committee and give teachers the opportunity to testify before Congress about the impact the deduction has had on their checkbooks and on their classrooms.

Mr. Speaker, I am a former Florida-certified teacher, and I know how important it is that students come to school prepared and ready to learn; but without the basic supplies needed to take part in lessons, students are put at a disadvantage in the classroom, forced to rely on outdated materials and without essential learning tools, and too often, teachers go into their own pockets to make up the difference.

For many educators, teaching is more than a full-time job. They arrive at the school while many of us are still getting ready for work. They stay late into the evening. They prepare lesson plans, grade papers, and deal with parents and grandparents, like us, who can admittedly be a handful when guaranteeing that their child is receiving the best education possible.

Teachers care deeply about their students and are often willing to sacrifice personal needs in order to provide them with the best learning experience possible. According to the latest status of the American public school teacher report by the National Education Association, educators are spending approximately $477 per year on basic school supplies for their students and their classrooms.

Mr. Speaker, we all want the best for our children. We work hard every day in this Congress to make sure that our children have a bright future; and education, we know, is a key to this success, an essential component of that brighter future that we are trying to create for the next generation.

□ 1015

But it doesn't seem to make a whole lot of sense that we are hamstringing the very people we have entrusted with their education. Teachers are giving up their own time and money to help students learn and be engaged in school. The least we can do is to provide them with this modest $250 deduction to help mitigate the financial and personal sacrifices that they are already making.

Every 2 years since 2002, Congress has come together in a bipartisan manner to extend this deduction on behalf of our country's educators. By making this tax deduction permanent, Congress can give teachers certainty that at least some of their purchases will be paid back, that it will improve access to essential learning materials, and that it will give our educators the recognition they deserve.

I urge Members to join Ms. SHEA-PORTER and me in this fight, and I look forward to working with all of us to ensure that our Nation's teachers and our children have the education and the tools necessary to succeed.

PERSONALIZE YOUR CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Recently, the Reverend Billy Graham, in his latest book, talked about the situation that families face in the difficult circumstances surrounding end of life.

Reverend Graham said:

> Refusing to act on the practical issues that confront us as we grow older or simply ignoring them often becomes a sure recipe for turmoil and conflict within a family.

Former Senate Majority Leader Bill Frist, who was a physician long before he entered politics, said in an op-ed that appeared in one of the Capitol Hill publications:

> In the absence of advanced care planning, patients are much more likely to receive medical interventions that can actually prolong or worsen their suffering and will certainly increase expense for their loved ones.

Yesterday, I had an opportunity to work with the American Society of Oncology, who gave us further evidence. They have a report and recommendations that are coming forward that I think ought to be commended to each and every one of us. They pointed out that palliative care is not an either/or choice in terms of therapies. They found in one study that people who receive both palliative care and chemotherapy lived 3 months longer and more comfortably than people who just got the medical intervention.

Additionally, further in their study, they pointed out that it isn't just the patient; it is the people who help serve ill patients who receive palliative care therapy. They suffer less emotional stress. ICU and hospital deaths are associated with more psychiatric illness among bereaved caregivers compared with home hospice.

Yet, as they pointed out, the sad truth is, for many insurance companies and our Federal Government, that although patients are entitled to make informed choices about their palliative care and treatment options, our Nation's health care system currently places no value on conversations that can guide these decisions.

It is true; Medicare will pay $100,000 on a complex surgical procedure on a 90-year-old woman with terminal cancer, but it won't pay $200 for her and her family to understand the circumstances that they face, understand what their choices are and make sure that their choices, whatever they are, are respected.

It, frankly, is embarrassing to me that Congress and the administration have not been able to respond to an issue that is supported by 90 percent of the American public, that will cost us no money, and that will assure that patients receive better treatment and we reduce the stress on their families.

That is why my friend, Congressman PHIL ROE, himself a physician from Tennessee, and I have introduced the Personalize Your Care Act, H.R. 1173. This would provide for voluntary advance care planning consultation in Medicare and Medicaid every 5 years or in case there is a change in health status. It would provide grants to establish or expand physician orders for life-sustaining treatment programs, require that certified electronic health records display current advance directives and physician orders for life-sustaining treatment—what people want—and help make sure that their wishes follow them when they cross State lines.

Currently, we have over 50 bipartisan cosponsors of this simple, commonsense approach to give American families what they need and what they say they want. I would strongly urge my colleagues to look at this legislation, to join us in cosponsoring it, and move in Congress and with the administration to remedy this serious oversight.

THE ENFORCE ACT

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

Mrs. WAGNER. Mr. Speaker, I rise today in support of the ENFORCE Act.

When crafting the timeless document that is our Constitution, the Founding Fathers emphasized the need to prevent the emergence of an imperial monarch. In their wisdom, they gave Congress the power to make laws and tasked the President with the responsibility to enforce those laws—not just the laws he agrees with or the laws that are politically convenient, but every law.

Mr. Speaker, President Obama has not lived up to this responsibility. By picking and choosing which laws are worthy of enforcement, this administration is undermining the very foundation of our representative democracy.

The ENFORCE Act seeks to restore the balance of powers that the Framers of our Constitution envisioned. The Constitution grants Congress—not the President—the power to make the laws. Mr. Speaker, this is why I support the ENFORCE Act, to provide Congress with the ability to push back against the Obama administration's executive overreach.

EXTEND FEDERAL UNEMPLOYMENT INSURANCE

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

Mr. CLEAVER. Mr. Speaker, sometimes you just have to say enough is enough. I stand before you today in the hopes that we can come together and understand that today is that day. Enough is enough.

Federal unemployment insurance must be extended—and extended quickly. It is time. In fact, it is past time. There are now more than 2 million Americans struggling to get some kind of existence in place each day after having this critical lifeline cut off this past December. The number climbs each day.

I could talk to you about the human toll of this disgraceful play of putrid and petty partisan politics, like the 57-year-old woman preparing to live in her car, the 34-year-old mother wondering how she will pay rent and feed the kids at the same time, and the 47-year-old man who made himself a career in manufacturing but lost his job due to layoffs a year ago and now describes himself as ''in a panic.''

These and millions of other Americans, including almost 35,000 in my home State of Missouri alone, are hard-working people who have played by the rules and found themselves out of work through no fault of their own. And now new data shows that some 200,000 of those who have been brushed aside are veterans. They have gone to Iraq. They have gone to Afghanistan. These are men and women we should not throw aside.

Let's stop the harmful and fact-free rhetoric that paints these fellow Americans—our neighbors, our friends, and our veterans—as people trying to game the system, people trying to get something for nothing, people who just ''don't want to work.'' Phooey. Rats. Sheesh. Yecch. It is time for us to act.

The contrary is true. Recipients of unemployment insurance are a very diverse group, with almost half having completed at least some college and almost 5 million of them holding bachelor's degrees or higher. The stereotypes don't work here; and when we stereotype, we move our constituents to corroborate.

These are people for whom the stakes could not be higher. These are people who have worked all or most of their lives and gotten hit—and hit hard—in the recession that ominously hit in 2008. These are people who want to work, spend their days trying to find work, and now are slowly sinking into a financial abyss while we here in Washington play games.

Sometimes you just have to say enough is enough. There are times when we must just put politics aside and act on what is in the best interests of the country.

It is my hope, Mr. Speaker, that this Congress will act—and act quickly.

REMEMBERING COLONEL GERALD F. RUSSELL

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the world recently lost a great American hero and one among the last remaining of the Greatest Generation, Colonel Gerald F. Russell of Centre County, Pennsylvania. Today, I rise to honor the life and the legacy of this brave combat veteran. One of only two surviving Iwo Jima battalion commanders, Colonel Russell passed away on Monday, February 24, 2014, at the age of 97. It is an honor to have called Gerry my friend.

As one of the most decorated marines in World War II and with over 28 years of military service, Colonel Russell spent a life serving his country. And while his military career was second to none, Russell's humanitarian and philanthropic work was equally remarkable. Indeed, it was his commitment to service and serving others that made him a pillar for both the Nation's military and his local community, which encompasses much of central Pennsylvania and well beyond.

A graduate of Boston College, Russell was one of the first alternates for the 1940 U.S. Olympic track team in the 800 meters, a sport he loved with a passion.

Immediately following his completion of undergraduate studies, Russell began his career in uniform when he enlisted in the United States Marine Corps. During his service, Colonel Russell took part and played a role in seminal moments in the country's history.

As one of the youngest battalion commanders in World War II, at the age of 27, Russell was responsible for leading 1,000 troops during the first major offensive by Allied forces against the Empire of Japan—the Battle of Guadalcanal. Russell suffered shrapnel wounds during the campaign after being hit by Japanese aircraft during landing.

At the ripe age of 29, Russell landed in the third assault wave on Iwo Jima, Red Beach One, and fought for all 36 days. Again wounded during battle, Russell went on to witness the historical raising of the American flag on Mount Suribachi.

These are just a few of the many remarkable experiences of this amazing individual, Mr. Speaker.

Following his retirement from the Marine Corps, Russell went on to serve others through roles in academia and philanthropy, including as associate dean of the College of Health and Physical Education at Pennsylvania State University.

During this time and after, Russell was always a tireless community and volunteer advocate.

He was the founder and chairman of the local United Way Day of Caring, served as a member of the United Way board of directors, and played an active role in the Pennsylvania Special Olympics, the Centre Country Toys for Tots, and many other programs that benefit our local community.

Mr. Speaker, in all of these endeavors, Russell inspired so many to give back and pushed his community to do the same. He led a life built on service, sacrifice, and a commitment to others.

Colonel Russell once stated that he hoped that he would be remembered for the impact that his life had on others and that he made a difference. Well, Mr. Speaker, I rise today as one more voice among the countless others across Pennsylvania, the country, and the world to praise Colonel Russell for doing just that. We thank you for your unparalleled service to this Nation and our community. May you rest with God, my friend.

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 30 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 Jason Parks, Refuge Church, Huntsville, Alabama, offered the following prayer:

Father God, thank You for the rich blessings You've lavished on the United States of America.

We are so unworthy of Your grace and Your mercy. Today, we pray for the men and women of the United States House of Representatives.

Give them great wisdom, protection, and steadfast resolve. In their personal lives we ask that You replace turmoil with peace, bitterness with joy, and doubt with encouragement.

For our country, Father, we ask that You give us a renewed sense of gratitude, an unquenchable zeal for serving those who are in need, and unity toward the common purpose of liberty.

Above all else, Father, we honor You today. We humbly intercede on behalf of our country and her leaders.

In Jesus' 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.

PLEDGE OF ALLEGIANCE

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

Ms. JENKINS 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 JASON PARKS

The SPEAKER. Without objection, the gentleman from Alabama (Mr. BROOKS) is recognized for 1 minute.

There was no objection.

Mr. BROOKS of Alabama. Mr. Speaker, it is with great privilege that I welcome Pastor Jason Parks to the House of Representatives and thank him for serving as today's guest chaplain.

Jason is the lead pastor of Refuge Church in Huntsville, Alabama.

He received an undergraduate degree in communications arts from the University of North Alabama, an MBA from Liberty University, and a master of divinity from Rockbridge Seminary.

Pastor Jason currently serves on the ALS Association Patient Care Committee, Calhoun Community College EMS Advisory Board, and as faculty at Huntsville Bible College. He is also a former Crestwood Medical Center associate chaplain and is credentialed as a board-certified pastoral counselor.

Pastor Jason resides in Hazel Green, Alabama, with his wife and three children.

I appreciate the work he has done for our community and his passion for serving the people of north Alabama.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

K9S FOR WARRIORS

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to recognize K9s for Warriors, a remarkable Florida organization that is providing therapeutic service dogs for veterans suffering from issues like posttraumatic stress disorder, PTSD.

One in five of our heroes returning home from Iraq and Afghanistan have PTSD, a tragic epidemic that can disrupt the transition to civilian life and often causes the loss of hope, damage to family relationships, or harm to themselves and others.

Since its inception, K9s for Warriors has provided over 100 therapy dogs to veterans, at no cost to the veterans, teaching, certifying, housing, and feeding each warrior as they learn to train the dog to address their specific disabilities and assist in mitigating posttraumatic stress.

K9s for Warriors is not only healing invisible disorders and putting suffering veterans on the path to recovery, but it is also giving new hope to the heroes and their families who put their lives on the line to defend ours.

NIAGARA FALLS AIR RESERVE STATION

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

Mr. HIGGINS. Mr. Speaker, the Niagara Falls Air Reserve Station is one of western New York's most critical resources. It is not only an asset to our region's economy, but also to our Nation's security. Niagara Falls Air Reserve Station employs over 3,500 western New Yorkers and has an economic

impact of more than $200 million annually.

I am proud to be a part of a large group of community stakeholders who are deeply invested in the successful future of the Niagara Falls Air Reserve Station. Last year, Customs and Border Protection selected the base as their top choice for construction of a new border patrol station.

Mr. Speaker, I am committed to help see this proposal through, in addition to others that will ensure that the Niagara Falls Air Reserve Station remains a fixture in our community for many years to come.

RELIEF FROM THE HEALTH CARE LAW

(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, today I rise to commend this Chamber for passing three pieces of legislation this week that will offer Americans relief from the President's health care law.

These bills, which passed with bipartisan support, reaffirm America's commitment to the ideals of religious freedom, volunteerism, and military service. Unfortunately, the President's health care law has put all three of these in jeopardy.

As written, the law would force Americans with a conscientious religious objection to buy health insurance and count volunteer firefighters, other emergency responders, Active military members, and our Nation's veterans toward the employer mandate tax thresholds.

I am a proud cosponsor of three of these bills because they all will ensure the Affordable Care Act does not discriminate against Americans on the basis of religion or sacrifice.

EXTEND LONG-TERM UNEMPLOYMENT COMPENSATION

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

Mr. CARTWRIGHT. Mr. Speaker, last week, the number of those cut off from emergency unemployment insurance surpassed 2 million Americans—men and women who worked hard but lost their jobs through no fault of their own.

I represent northeastern Pennsylvania, and my district has been particularly hard hit. In Schuylkill County, Pennsylvania, the unemployment rate is 7.5 percent; in the Scranton/Wilkes Barre area it is 7.7 percent.

Congress could and simply should reinstate the expired Federal program. These Americans lost their jobs due to no fault of their own. They don't deserve to lose their homes as well. I will shortly be introducing legislation to implement a 6-month moratorium on foreclosures for people who have lost their unemployment insurance but are otherwise paid up on their mortgages due to this congressional inaction.

I urge my colleagues to support this legislation and to vote to extend long-term unemployment compensation.

SEPARATION OF POLITICAL POWER

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

Ms. FOXX. Mr. Speaker, as the House takes up the topic of executive overreach this week, we should take a minute to note that this issue is institutional, not partisan.

In a recent LA Times column, Jonathan Turley, after acknowledging that he agreed with many of the policies of the current administration, went on to say:

> In our system, it is often more important how we do something than what we do. Priorities and policies and Presidents change. Democrats will rue the day of their acquiescence to this shift of power when a future President negates an environmental law, or an antidiscrimination law, or tax laws.

The separation of political power among three equal branches was designed to guard against too much power accumulating in the hands of any one person or branch. This system is one of the main reasons our government has endured for nearly a quarter of a millennium.

We should not cast it aside lightly.

PAYING TRIBUTE TO MASTER SERGEANT DAVID POIRIER

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

Mr. CICILLINE. Mr. Speaker, I rise today to pay tribute to Master Sergeant David Poirier, a Rhode Islander who served in the New Hampshire National Guard.

On February 28, Master Sergeant Poirier died in a noncombat-related incident while serving in the United States Air Force in Qatar in support of Operation Enduring Freedom. He was laid to rest on March 10 with military honors.

Master Sergeant Poirier was from North Smithfield, Rhode Island. After serving in the United States Air Force, he joined the Rhode Island National Guard, where he was trained as a life support journeyman. In 1995, he transferred to the New Hampshire Air National Guard and continued his service as a member of the 157th Operations Support Squadron for over 19 years.

Our Nation calls upon our brave men and women in uniform to protect our great democracy. There are no greater heroes than the men and women who answer this call and make the ultimate sacrifice to keep us safe. It is because of their service that we are able to enjoy the great freedoms, privileges, and rights we have here at home.

Master Sergeant Poirier will be remembered for his friendly personality, warmth, and enduring selflessness, and I extend my thoughts and prayers to Master Sergeant Poirier's family—his wife, Kim, four children, and two grandchildren.

KEYSTONE XL PIPELINE

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

Mr. STEWART. Madam Speaker, every day when I am talking to constituents, their top concern is always the economy and jobs. They are frustrated—as I am—that we have something like 3.8 million Americans who have been unemployed for more than 27 weeks now. And I am consistently asked by people: What can be done? How can we make this better?

In addition to urging the Senate to pass numerous pieces of jobs legislation that have moved through the House, the President needs to approve the Keystone XL pipeline. It has been more than 2,000 days since the pipeline application was submitted for approval, 2,000 days that the administration has delayed something like 20,000 direct jobs and 120,000 indirect jobs. It took less time to fight and win World War II. It took much less time to build the Empire State Building, and it has taken us much longer to do this than to build the first computer.

If we can win world wars and create an entire industry for computers, we can surely make a decision about the Keystone pipeline. Mr. President, do the right thing. Approve the pipeline.

HAPPY BIRTHDAY, NEVADA

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

Mr. HORSFORD. Madam Speaker, I come to the floor today to commemorate my home State of Nevada's upcoming birthday on March 21, which will mark 150 years since Nevada was admitted to the Union in 1864. On that historic day, President Abraham Lincoln signed legislation allowing the Nevada Territory to draft its own constitution and form a State government, making us a true ''Battle Born State.''

Throughout its history, Nevada has embodied the rugged and adventurous spirit of the West. People from all walks of life have journeyed to our State to seek new opportunities, eventually settling down and contributing to Nevada's rich diversity.

On March 21, Nevada will come together to celebrate our State's history and achievements, but we will also be looking toward the future. Nevada's best days are yet ahead, and I look forward to seeing what comes next.

Happy birthday, Nevada.

SUPPORTING MEDICARE ADVANTAGE: LET SENIORS KEEP THE PLANS THEY DEPEND ON

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

Mr. MARCHANT. Mr. Speaker, I hear from seniors in my district every day that they are very pleased with their Medicare Advantage plans but are greatly concerned about the recently announced program cuts caused by ObamaCare. These cuts will result in higher out-of-pocket costs and benefit reductions. These cuts will be especially hard hitting on the 40 percent of Medicare Advantage enrollees who earn $20,000 a year or less. Some plans are already cutting doctors that were previously available to Medicare Advantage beneficiaries.

This is only the tip of the iceberg. Many seniors are only now hearing about these cuts. The larger problem is that most of the cuts to Medicare Advantage are all back loaded in ObamaCare—the worst is yet to come. I call on the administration to give immediate relief to our seniors and allow them to keep the Medicare Advantage plans that they depend on every day.

□ 1215

PASS IMMIGRATION REFORM

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

Ms. HAHN. Mr. Speaker, I rise today to encourage my colleagues to bring real comprehensive immigration reform to this House floor.

This week, the House will consider the ENFORCE Act, which would effectively force the deportation of our Nation's Dreamers. The Dreamers are the young people of this country, children of immigrants who were brought to this country when they were very young and have grown up loving this country just like you or I.

Forcing the President's hand in this way is yet another way of placing politics ahead of people. The President has granted deferred action status for so many of these Dreamers because of the inaction of this House.

Now my Republican colleagues are trying to take away the President's ability to help these young Americans; young Americans such as Laura Nunez, a Dreamer whom I met last month when my office helped her to obtain her deferred action status. Her family came to the United States from Mexico when she was just 7 years old. Today, Laura lives in Wilmington, California, and continues her education at LAUSD. America is Laura's home, and she is just one of 1.4 million Dreamers who need action from this House, not more politics.

Mr. Speaker, I call on my colleagues, please, let's do real comprehensive immigration reform now.

GET WASHINGTON OUT OF THE WAY

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

Mr. BROOKS of Alabama. Mr. Speaker, I rise today to ask a simple question: Are we willing to accept America's economy as a new normal? Is America to accept a growth rate of only 2.4 percent every year? Are we to accept 3.8 million of our fellow Americans being stuck without jobs for 27 weeks or more?

I say that is simply unacceptable. Americans deserve better.

House Republicans have a plan to grow our economy and get more Americans back to work. We want to increase opportunity and help Americans keep more of the money they earn. Step number one is getting Washington out of the way. If Washington will end its job-killing policies, everyday Americans will do what they have always done—strive and work to success and prosperity.

SEPARATION OF POWERS

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

Mr. MORAN. Mr. Speaker, I, too, would like to address the issue of separation of powers. I do think that the administration is entirely in the right when it implements, through the Environmental Protection Agency, the authority given to it by the Clean Water Act and the Clean Air Act.

I do have some concern, though, that the legislative branch continually seems to cede the power of the purse granted to it by the Constitution; in other words, the appropriations process to the executive branch, which obviously would like to fund its spending priorities, many of which I don't disagree with.

What I am most concerned with in regard to this separation of powers was cited in a New York Times editorial today, and that is the fact that two successive Presidents have now absolved the Central Intelligence Agency for its conduct with regard to illegal detention, rendition, torture, and fruitless harsh interrogation of terrorism suspects. I don't care about Khalid Sheikh Mohammad's pain, frankly, but that is not the point. The point is that we have a responsibility in the legislative branch to oversee the conduct of our Intelligence Committees.

When the chairman of the Select Committee on Intelligence in the Senate says that the CIA improperly searched computers that were her committee staff members' computers, that is wrong. The entire legislative branch should stand behind her in upholding our responsibilities as the legislative branch, an equal branch under the Constitution.

CREATING JOBS AMERICANS NEED

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

Mr. OLSON. Mr. Speaker, far too many of our fellow Americans, my fellow Texans, continue struggling in this economy; 3.8 million Americans have been out of work for 27 weeks or more.

Americans and Texans have had enough of this sluggish economy, and massive government overreach is only making things worse. We need to rein in Washington so our economy can grow, so we can create more jobs, and so more people can take home more of their hard-earned money.

House Republicans have never lost our laser focus on creating the jobs America needs. We are committed to real solutions to get our country back to work.

PASS COMPREHENSIVE IMMIGRATION REFORM

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise to speak against the misguided, anti-immigration bills being considered in the House today.

The ENFORCE Act would challenge the executive order that halts the deportation of young people who are studying and working to become contributing members of our society. This is another attack on immigrant communities by my colleagues on the other side of the aisle. It is proof that their actions don't match their rhetoric. They want the Latino community's support, but they refuse to allow a vote on comprehensive immigration reform. Instead of working to keep hard-working families together, they are punishing communities by pushing misguided legislation.

To my Republican colleagues: you can't have it both ways. The facts are simple. Passing comprehensive immigration reform would grow our economy by $1.4 trillion and reduce our deficit by $850 billion. You can't just say you support Latinos, Asians, and other immigration communities. You have to do something about it. You have to walk the walk.

Here is some free advice: if you don't want an empty conference room when you are attempting minority outreach, then pass comprehensive immigration reform.

ENERGY SECURITY AND JOBS

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

Mr. WOODALL. Mr. Speaker, you know, back home, folks don't think we find areas of agreement. I have only

been on the floor for about 20 minutes this morning, and I have already found areas of agreement with my colleague from California. You can't just walk the walk and talk the talk. You have got to get in here and make things happen.

We have an opportunity today as we talk about jobs, as we talk about energy security in Ukraine, we have an opportunity today to move forward on the Keystone pipeline, which has languished for more than 2,000 days. The President cannot say he is interested in energy security and then thwart those very proposals that would provide it. The President cannot commit to energy security for our friends overseas, and then thwart those efforts that would provide it.

Mr. Speaker, we are blessed in this country, blessed by the Lord God Almighty with more energy resources than any other nation on the planet, and yet the President is standing between the American people and those resources.

It is about national security, Mr. Speaker, and yes, it is about jobs.

PROVIDING FOR CONSIDERATION OF H.R. 4138, EXECUTIVE NEEDS TO FAITHFULLY OBSERVE AND RESPECT CONGRESSIONAL ENACTMENTS OF THE LAW ACT OF 2014, AND PROVIDING FOR CONSIDERATION OF H.R. 3973, FAITHFUL EXECUTION OF THE LAW ACT OF 2014

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 511 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 511

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4138) to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-43. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3973) to amend section 530D of title 28, United States Code. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-42 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in part B of the report of the Committee on Rules accompanying this resolution, if offered by Representative Ellison of Minnesota or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. STEWART). The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. NUGENT. Mr. Speaker, I rise today in support of the rule, H. Res. 511, which provides for a structured rule as relates to H.R. 4138, ENFORCE the Law Act, and H.R. 3973, the Faithful Execution of the Law Act. The rule gives the House an opportunity to debate a variety of amendments, all offered by Members from the other side of the aisle.

Both of the underlying bills, the ENFORCE the Law Act and the Faithful Execution of the Law Act, aim to halt an increasingly Imperial Presidency.

The Faithful Execution of the Law Act is straightforward legislation that expands reporting requirements, forcing increased disclosure and transparency when the executive branch employs a policy of nonenforcement of Federal laws.

Current law dictates that a report must be submitted to Congress when the nonenforcement policy is adopted on the grounds that a Federal law is unconstitutional. This bill would simply expand that report to include any instance in which a policy of not enforcing Federal law is established, regardless of the reason. For the self-proclaimed ''most transparent administration in history,'' this really shouldn't be a problem.

The other piece of underlying legislation, the ENFORCE the Law Act, puts procedures in place to allow authorizations of lawsuits against the President for failure to faithfully execute the laws. It would also expedite judicial review, which is badly needed given the length of time it takes for these types of cases to be heard; mostly, they are never heard.

The fact of the matter is that we desperately need a way to ensure the executive branch is upholding its responsibility to enforce the law faithfully. Every day it seems the President is using more and more unilateral actions to achieve his agenda. I understand that Congress and the administration are going to have differences over time. Our Constitution basically guarantees there are going to be differences between the administration and the House and the Senate, but I would like to think that a President wouldn't just abandon our constitutional principles of governing because it is difficult to get what he wants.

I am sure some will argue that a legislative fix to the President's unilateral actions aren't needed. They will say the President has prosecutorial discretion and so that entitles him to make these changes in enforcement or delay certain provisions of the law.

□ 1230

But we are really not talking about individual cases, Mr. Speaker. We are not here today because we are concerned with the administration using discretion on a case-by-case basis. What we are concerned with is the President employing blanket policies of nonenforcement. In some instances, the President isn't just ignoring enforcement of the laws; he is effectively rewriting them.

Now, I understand the President isn't the first to expand executive power under his watch. He is not the first President to do that. In fact, Congress has failed to protect article I powers for decades. This House and the Senate have been in dereliction because they haven't actually protected article I powers.

The pace of expansion of power, though, should alarm every Member of this body. Take the President's recess appointments, for example. They have already been deemed unconstitutional by the D.C. circuit court in a unanimous—unanimous—decision.

The court rejected the administration's argument that the President has the discretion to determine when the Senate is in recess.

The court explained:

> Allowing the President to define the scope of his own appointments power would eviscerate the Constitution's separation of powers.

Mr. Speaker, the President's actions aren't in danger of disrupting the legislative process; they already are disrupting it.

What assurances do we have that the President won't just change the law once we have passed it? What guarantees do we have that the President won't suspend parts of the law that we believe are important?

The truth is, Mr. Speaker, we don't have that assurance. The truth is, Mr. Speaker, we can't trust the President to enforce any would-be law equally and faithfully, and that is a shame.

If anyone thinks the President's unilateral actions aren't a big deal because they happen to agree with him on the policy, well then, Mr. Speaker, they have badly missed the point.

All Presidents—all Presidents—have probably pushed the limit of their power, and it is our responsibility, this House, to check that power. We are a nation of laws. We ought to fight to keep it that way. We can no longer sit by and watch Congress' constitutional role in our government eroded.

This rule is to allow us to consider legislative addressing this growing problem. This rule ensures that ideas from Members on either side of the aisle are included in consideration of the underlying legislation.

I support this rule, and I hope all my colleagues will also.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Florida (Mr. NUGENT), my good friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, somehow, against all odds, the Republican leadership of this House keeps coming up with new and creative ways to waste everybody's time. This is getting to be embarrassing, quite frankly.

Last night in the Rules Committee, I joked that I picked the short straw, so I am handling the rule today. The reason why I said that is because what we are doing today really is a joke.

This is not serious legislating. Even if there was some substance to the concerns the gentleman raised, the bills that have been written are written in such a way that they are purely political.

This is not about serious legislating, this is about political statements, this is about political press releases, and I think the American people, quite frankly, have had enough.

The Congressional Research Service says that it costs $24 million a week to run this place. I am going to tell you that what we are doing right now is wasting taxpayers' dollars.

With all that needs to be done—with all that needs to be done, this is another politically motivated week of let's go after the President. That is the way it has been since this President has been elected, and I think people are getting tired of it.

Week after week, month after month, and year after year now, this Republican majority continues to bring bills to the floor that have no chance of passing the Senate and have no chance of being signed into law that are just, again, political press releases.

What is worse, the bills that are being brought forward do nothing—absolutely nothing—to help rebuild our economy or put people back to work. My friend, the gentleman from Florida, talks about our responsibility as Members of Congress.

Well, our responsibility as Members of Congress is to help people, is to legislate, is to deliberate, is to debate serious issues passionately. That is what we are here to do, not this. This belongs in the Republican National Committee. This is a press conference that my friend should have outside of this great building, quite frankly.

Mr. Speaker, this economy is slowly recovering, but Republicans insist on doing nothing to actually strengthen that recovery. They refuse to consider any meaningful jobs legislation. We should have a highway bill to put millions of people back to work.

Putting millions of people back to work with the increased revenue and taxes, you could actually pay down the deficit and the debt, but they don't bring anything like that to the floor. They block every attempt to increase wages for workers.

We need to raise the minimum wage in this country. It is unacceptably low. People who work full-time ought not to live in poverty; yet we can't even get a minimum wage bill scheduled on the floor of the people's House. They won't even talk about it. We can't get them to even allow us to have an amendment on the minimum wage.

They continue to ignore the plight of the long-term unemployed in this country. Over 1.7 million Americans are unemployed. These are people who are looking for jobs and still can't find them. The answer to them from this Republican Congress is you are on your own.

I wonder sometimes whether any of my colleagues on the other side of the aisle have ever met somebody who is unemployed or have talked to anybody who have lost their long-term unemployment benefits.

Their answer is go ask daddy for a loan or go sell some stocks, that will take care of it. They have no idea what people in this country are going through; they have no idea how hard it is to struggle in poverty.

Somehow, they find the time to take 51 votes to repeal the Affordable Care Act, 51 votes. Now, I get it, you don't like it, so you vote to repeal it once; you can vote to repeal it twice, maybe five times, okay. But 51 times that we have wasted the taxpayers' money debating a repeal of the Affordable Care Act, it is ludicrous. It is unreal. People don't understand this behavior outside of the beltway.

Mr. Speaker, they also, quite frankly, find time to waste millions of tax dollars defending an antigay marriage law that is plainly discriminatory. That is okay for them to use taxpayer dollars to do that to stop any kind of reversal of this discriminatory law.

Today's entry in the sweepstakes of useless legislation is the so-called Imperial Presidency of Barack Obama. Never mind the fact that President Obama is using the same kinds of executive authority that President Bush and others before him used.

Let me repeat that. President Obama is using the same kind of executive authority that President Bush and other presidents before him have used.

Never mind the fact that the people supporting this legislation were more than happy to let George W. Bush and Dick Cheney ignore and contravene Congress at every single opportunity.

In fact, they defended what I think is some really questionable behavior of the Bush/Cheney team, and never mind the fact that the last people on Earth who should be complaining about imperialism continue to vote for closed rules, continue to ignore regular order, and continue to shut Democrats out from the legislative process.

By the way, one of the bills that we are debating today was introduced the day before it was marked had no hearings—so much for the promise that Speaker BOEHNER made that we are going to go back to regular order—no hearings, introduced the day before, then going right to America.

Let's be honest, even if President Obama did everything in the world that the Republicans say they are asking him to do, they would still find a reason to complain. My friends on the other side of the aisle, you guys just don't like the President; I get it.

But do you know what? Get over it because, at this point in time, our job is to work with the Senate and with the President to move this country forward; instead, my Republican friends have spent every single second since this President was elected trying to obstruct every single initiative that he has put forward. Even when he puts forward initiatives that they originally proposed, they complain.

The bills that the Republicans bring before us today are likely unconstitutional, violate the separation of powers, would result in scores and scores of

frivolous lawsuits, and would be costly and impractical to apply.

They don't deserve to be on this floor, and they certainly do not deserve to pass. When you read the way they were drafted, as I said before, they are written in a very political partisan way.

Mr. Speaker, I consider myself an institutionalist. I love the House of Representatives. I am proud to serve here. It is a privilege to serve here. Our Founders created the Congress as a coequal branch of government, and this institution should never be overlooked or sidestepped.

There is a strong argument to be made that, over the past 30 years, Congress has allowed itself to become so bogged down in gridlock that it has allowed executive power to grow far too large. That is a worthy debate for us to have.

Now, that being said, the executive branch has the authority to make certain regulations and take certain executive actions, and this President—any President—has a responsibility to lead when Congress can't get its act together and do its job.

We are elected to legislate, but time after time, instead of tackling issues like immigration reform, climate change, jobs, the minimum wage, bringing our troops home safely from Afghanistan, feeding our hungry—we have 50 million people in the richest country in the history of the world that are hungry; we all should be ashamed of that—but instead of dealing with that or issues like ending poverty or rebuilding our infrastructure or helping the long-term unemployed, this Republican majority chooses instead to bring up partisan messaging bills that will justifiably die.

Mr. Speaker, the American people deserve so much better than this. We are wasting time; we are wasting taxpayer dollars doing this kind of stuff. They deserve a Congress that tries to improve the lives of every American, instead of placating an extreme right wing.

They deserve a Congress that actually does its job. I will say to my friends: this is not doing our job. The bills before us today go exactly in the opposite direction of what we should be doing.

I urge my colleagues to defeat this rule and defeat the underlying legislation, and I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

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

I need to go back to when I first took the oath of office as a police officer outside of Chicago and then as a deputy sheriff in Florida and then a sheriff in Florida and then here in this body and also when I joined the military.

It was to support and defend the Constitution, not to ignore the Constitution, not to utilize it when we think it is okay or when it is necessary, not to just skip over article I and say: Do you know what? Forget about it because our Congresses have done that.

My good friend from Massachusetts pointed that out. They have done it for 30 years, but that doesn't make it right. At some point in time, we have got to set the record straight.

Somebody has got to step up and say: Do you know what? The Constitution matters, what we do here matters, and that all of us—the three branches of government—need to work, and they are coequal, not one above the other.

Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, I rise in support of the rule, as well as the underlying bills.

Mr. Speaker, the instances of executive branch overreach are numerous.

Whether it is the multiple episodes of the President of the United States unilaterally delaying and waiving aspects of his signature law, the Affordable Care Act, or the failure to enforce this Nation's immigration laws by unilaterally implementing aspects of the DREAM Act, this President has shown an appalling lack of concern for the laws which his oath demands that he enforce.

Someone who holds the office of the Presidency cannot pick and choose which laws he wants to enforce and which laws he wants to ignore.

I was astonished when, during the State of the Union speech, many in this Chamber stood and applauded when the President said that if Congress didn't act on issues which he felt were important, he would just go around Congress and act on his own.

This followed his now infamous ''I've got a pen and I've got a phone'' statement earlier.

□ 1245

Is that really how the legislative branch should feel about its constitutional position in the Republic?

The ''pen and phone'' approach to his executive duties is disastrous to the Founding Fathers' vision of liberty protected by limited government which is spread across multiple, equal branches.

Where is the President's respect for the rule of law? He expects Vladimir Putin to respect international law with respect to Ukraine while the President, himself, at the same time, continues to disregard the laws passed by the United States Congress.

The legislative branch was designed as an equal branch of government. In fact, the establishment of the executive branch was easy for the Founding Fathers, who didn't wish to see imperialism in a Presidency, and they intentionally chose to limit that branch's powers. It was the legislative branch where they spent most of their time—deliberating, designing, and enumerating the powers which we hold—and it is past time for this body to say ''no'' to Presidential overreach.

No, Mr. President. You cannot write laws via executive orders. No. You must enforce the laws passed by Congress or actually lead in an effort to change the laws with which you may disagree.

In 1787, when asked what form of government the Framers had given us, Ben Franklin reportedly replied, ''A Republic if you can keep it.''

Mr. Speaker, I am afraid we are slowly losing grip on our Republic—the government designed by this Nation's Founding Fathers that has provided over 200 years of freedom and prosperity.

It is time for the people's House to regain its constitutional authority as the sole legislative body.

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

I would urge my colleagues to remember the words ''physician heal thyself.'' While my friends are complaining about the President of the United States, they should kind of look inward and look at the imperial Republican majority that has kind of taken over here in this House of Representatives.

We had the chairman of the Oversight Committee literally stop a member of the Democratic Party from engaging in legitimate and appropriate debate. In fact, he shut off the microphone and ended the hearing. I mean, is that what our Founding Fathers had envisioned for this Congress? Is that what upholding the Constitution is all about?

As someone who serves on the Rules Committee and who welcomed the statement by Speaker BOEHNER that we would return to regular order, I am still looking for it. We just saw the most closed session in the history of this Congress last year. We had the most closed rules in a single year, the most closed rules in a single week, the most closed rules in a single day. I mean, the Rules Committee I love to serve on because of the great history. My former boss Joe Moakley was the chairman of the Rules Committee. I have great admiration for my colleagues on the Rules Committee, but the Rules Committee is becoming the place where democracy goes to die. Serious issues are routinely cut out.

We had a Republican Member yesterday, Mr. GIBSON of New York, who had a great idea about trying to hold the Executive accountable when it comes to the War Powers Act. It is an important issue. That is actually a legitimate issue for us to discuss. It was perfectly germane. On a party line vote, the Rules Committee voted that down. They said we won't have that debate here on the House floor.

The way this place is supposed to operate is that all of us—all 435 of us—whether we are Republicans or Democrats, ought to be considered important, and we all represent the same number of constituents. I understand that the party in control gets to kind of control the agenda, but that doesn't

mean the party not in control gets shut out on a regular basis on very important issues. Yet that has become the pattern here. Not only that, but we have seen more and more instances where committees of jurisdiction are not even relevant anymore—where bills are introduced the day before there is a markup, where there are no hearings. Sometimes we have bills that just mysteriously appear in the Rules Committee.

My colleagues know that I have great difficulty with their approach to dealing with the SNAP program, formerly known as ''food stamps.'' They proposed a $40 billion cut on the poorest of the poor to pay for subsidies for rich agribusinesses. I thought it was a bad thing to do. I am also on the Agriculture Committee. That bill never even went to the Agriculture Committee. We never had a hearing on it. We never had a markup on it. It mysteriously appeared in the Rules Committee, and then it came to the floor.

This is the way this place is being run. So, when you talk about ''imperial'' anything, look in the mirror. We need to change the way we do business here. This place would operate a lot better if you would let the people's House work its will. If you brought the Senate-passed immigration reform bill to this floor, it would pass, but it is being blocked because a small group within the Republican caucus doesn't want to deal with the issue of immigration reform. Important issues are routinely being denied consideration on this floor. This is a place where trivial issues get debated passionately and where important ones not at all, and people are getting fed up with it.

This politically motivated piece of legislation is politically motivated because of Minority Leader CANTOR's memo to, I guess, Republicans after their retreat. They talked about having an Imperial Presidency week to kind of embarrass the President. I guess that is what they call serious legislating, but this really is a joke. I urge my colleagues to vote all of this stuff down.

With that, I reserve the balance of my time.

The SPEAKER pro tempore. All Members are reminded to address their remarks to the Chair.

Mr. NUGENT. Mr. Speaker, all I can tell you is that I don't take it as a joke in our defending and protecting the Constitution, which gives us the ability to serve here today. The people gave us the ability to be here based upon what the Constitution laid out for us. That is the plan.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. I thank the gentleman for yielding.

Mr. Speaker, I rise today on behalf of the people of Alabama's Second Congressional District to lend my support to H.R. 4138, the ENFORCE the Law Act and, of course, to the rule that is being debated here today.

I appreciate my friend and colleague from South Carolina, TREY GOWDY, for bringing forth this very important legislation.

We are here today to answer one question, Mr. Speaker: Will we stand idly by while an imperial President ignores the rule of law and unravels the separation of powers so carefully woven into our Constitution?

The answer is ''no.''

Probably, more than anything else, my constituents ask me: What are we doing to address the pattern of executive overreaches and disregard for the law by President Obama and his administration?

Good, God-fearing Americans who work hard, who pay their taxes, and who obey the law are understandably frustrated by a President who acts as though he is above the law. The abuses are well documented: selective enforcement of immigration laws, waiving compliance for ''welfare to work'' laws and what has become almost weekly attempts to delay, waive, or to just not enforce parts of ObamaCare because of the political implications. These are just to name a few.

Mr. Speaker, our constitutional constraints on government may not be convenient for the President or for his political or policy goals, but they are necessary for preserving the checks and balances that ensure this government still derives its authority from the people and not the other way around.

We now seek the intervention of the judicial branch to rein in the executive branch and reconstitute our proper separation of powers. I believe in our Constitution, and I believe it is worth fighting for. That is why I urge my colleagues to support the ENFORCE the Law Act and the rule and to join the fight to restore the checks and balances.

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

It is funny. Again, I love that this all of a sudden has become an issue for my colleagues.

There is a Washington Post article from July 24, 2006. Let me read the first couple of paragraphs:

> A panel of legal scholars and lawyers assembled by the American Bar Association is sharply criticizing the use of ''signing statements'' by President Bush that assert his right to ignore or not enforce laws passed by Congress.
>
> In a report to be issued today, the ABA task force said that Bush has lodged more challenges to provisions of laws than all previous Presidents combined.
>
> The panel members described the development as a serious threat to the Constitution's system of checks and balances, and they urged Congress to pass legislation permitting court review of such statements.

I can go on and on and on. The point is ''silence'' on the other side during all of that time. Then they said: Well, now we have got religion on this issue, and we want to hold everybody accountable. Yet, when Mr. GIBSON had his amendment yesterday to actually bring up a legitimate focus where, I think, the Executive over the years has kind of abused its powers—and that is on the War Powers Act—he brought a germane amendment to the floor, and that was ruled out of order—we will deal with it another time—the translation of which means in this imperial Congress that it will never see the light of day.

This House is being run in the most imperial way, where anybody who has a different view is routinely shut out from debate, with more closed rules than any Congress in history. I think it is probably more avoiding regular order—never mind the closed rules—than any Congress in history. That is one of the reasons some of the stuff we bring to the floor here is so contentious. It is because it is written in such a flawed way.

I think it is a legitimate topic of discussion to talk about the appropriate powers of the Executive and the appropriate powers of the legislature, but to do that, I think, in a serious way means doing it in a bipartisan way, and there are ways for both Republicans and Democrats to come together. Again, this has never been about a serious attempt to deal with that issue. I mean this was one of their political talking points at their convention, at their retreat, that my friends had. This is not a serious attempt at anything. This is a political press release. We taxpayers spend $24 million a week to keep this place in session here, and this is how my friends use the taxpayers' money—to deal with these kinds of things?

The gentlelady from Alabama talked about her constituents all talking about this issue. Boy, I have got to tell you that, where I am from, what people talk about is: When are you going to pass a highway bill? They want to know when we are going to deal with the issue of jobs. My constituents and the people I meet all over the country want to know what we are going to do about raising the minimum wage. How are we going to deal with a pay equity bill so that women don't get discriminated against and get paid less than men do for doing the same job? They talk about global warming, which is like the worst thing you could talk about here because my friends don't even admit that it exists. They want to know what we are going to do to protect our planet and what we are going to do to help the long-term unemployed.

Those are real issues. Those are about helping people. This is politics, and I think people have had enough of it. So I would urge my colleagues on both sides of the aisle to say ''no'' to this stuff.

I reserve the balance of my time.

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

I just want to make a couple of things clear.

In the Judiciary Committee, they did have two hearings on this. Now, they

took some action to bring forward one of these bills based upon the hearings and the testimony that they did have.

I truly believe in the open process. We want to see that, and I think we agree on that. My good friend from Massachusetts even read an article about George W. Bush and about that Presidency and that someone said that this Congress—or that Congress back then—should actually do something to allow it to go to court. I believe that was the statement. I am paraphrasing it. That is exactly what this does. I can't help it. I wasn't here when George W. Bush was President—I wasn't here 4 years ago—but I am here today, and I am here to defend and support this Constitution.

With that, Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY), a good friend of mine.

Mr. KELLY of Pennsylvania. I thank the gentleman.

Mr. Speaker, this is very clear, the purpose of today's debate. The Take Care Clause is to faithfully execute laws that are passed. This is about standing statute. In fact, this is the centerpiece of the President's whole Presidency. He is choosing what will be enforced and what will not be enforced. The Take Care Clause, known as the ''Faithful Execution Clause,'' was actually derived from Pennsylvania's 1776 constitution, crafted by Pennsylvania's State executives during the Revolutionary War.

I want you to just let your mind drift back to when people left Europe to come to America. They got in rickety, old, wooden boats with not very good nav systems, but they came here for a reason. They set their course true north. They were coming to get away from a monarchy. They were coming to get away from an imperialist. They were coming to get away from tyrants. Why did they come here, and what did they craft? It is so carefully laid out in our Constitution. So why are we having this debate about this being silliness? This is who we are, not as Republicans and Democrats, but who we are as Americans. Why would we turn our backs on our Constitution?

□ 1300

I understand the Executive Office has great power. I also understand that the Constitution harnesses that. It does not allow it to run roughshod over the people.

Mr. DUNCAN very clearly talked about the State of the Union, when the President says to this body:

> America cannot stand still, and neither will I. So whenever and whatever steps I can take with that legislation, that is what I am going to do.

That is chilling. People gave him a standing ovation—and not just a standing ovation, but from the House of Representatives, where that very power is being taken from. That is our responsibility. That is our duty.

You cannot take that pledge and then turn around and say, Well, this is just about some kind of political maneuvering. This is not about a political maneuvering. That is about the protection of our Constitution. These things have been enshrined for us.

It is critical that we look at this. The Executive cannot make exceptions and just enforce the law as he or she wants. That is not who we are as a people. We left monarchs and tyrants to come here.

This is a government by the people, for the people, and of the people. If we ever forget that is what our job is as Members of the House of Representatives, then what are we doing here?

I would just ask my colleagues on the other side to please take a look at this. This is very chilling. You may like where the President is taking us, I may not like where the President is taking us, but there is a process that we all must follow. This is statute that is being trampled upon by an Executive that has an overreach that we have never seen before.

Can we not please return to those days and why those folks came here. What were they seeking? Freedom and liberty. What have we allowed those people to do? Turn their back and turn away from it and turn away from a Constitution that over a million people have given their lives to make sure that we could have this today.

So, Mr. Speaker, I would hope that some sense of responsibility, and not politics, comes into this House.

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

Mr. Speaker, just to make sure the record is correct, what I am understanding from staff is that while there were some hearings on the subject, one of the bills had no hearings. So, again, under regular order I think it would be important that the actual bill have a hearing.

The other thing, my colleague from Florida said that he would like a more open process. Let me make a suggestion: then vote for one. Because consistently in the Rules Committee, my colleagues on the other side of the aisle routinely vote for closed rules. They routinely vote against allowing amendments, including germane amendments, to be made in order, including what I think would be an amendment that has bipartisan support, the one by Mr. GIBSON on the War Powers Act that could have brought us together. That is a legitimate subject.

The reason why this legislation before us is such a waste of time is because it does not reflect deliberative process. It does not reflect any kind of bipartisan cooperation. It is a political press release. It is a waste of taxpayers' money.

I will say to the gentleman from Pennsylvania, I, too, took a pledge to uphold and defend the Constitution, and part of that pledge is to make sure that I represent all of the people, not just some of the people, not just those who give big contributions to political parties, but all of the people.

The fact that we have nearly 2 million people in this country who are cut off from unemployment benefits, what does anybody say to them when you meet people who come up and say that they are looking for a job and they can't find one? Maybe my friends don't talk to those people.

I will tell you it is heartbreaking that this Congress, the people's Congress that is supposed to represent them too, has turned their backs on them. What do you say to people who get cut off of their food benefits, who see their food benefit getting slashed, who end up at food banks trying to make ends meet to put food on the table for their families.

We sit here and debate this, a partisan bill, and we don't do anything about that?

Or, increasing the minimum wage—if you want to help people get off of food stamps, increase the minimum wage. Millions of people would automatically get off of public assistance. We can't even get a vote on that. We are not even allowed to bring that to floor.

People are asking me, When are you going to pass comprehensive immigration reform? The Senate passed it in a bipartisan way. Why can't you bring it on the floor of the House? The answer is because the imperial Republican majority in this House has declared that no, we are not going to even talk about it, and the Rules Committee, again, has been used as a place to shut off democracy and to not have these kinds of important issues brought to the floor.

So here we are debating a partisan bill that is purely partisan. You couldn't write it more partisan if my friends tried. Here we are debating this kind of bill while so many other things need to be addressed. This is a waste of time. It is a waste of taxpayer dollars. It diminishes this institution.

We are better than this. We should be talking about putting people back to work. We should be talking about helping to improve this economy at a more rapid pace. We should be talking about making sure that no one falls through the cracks; that we extend unemployment insurance benefits to people who need it.

We should be talking about those issues. We should be talking about global warming. Instead, we are doing this. Again, written in a very partisan way, which I regret very much.

Again, I urge my colleagues to reject this and reject the rule.

I reserve the balance of my time.

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

All I can say, again, is that as it relates to these bills, there was discussion in the hearings and testimony taken to the concept and the ideas behind these bills.

Mr. Speaker, we hear about, this is partisan. It doesn't say ''President Barack Obama.'' This says ''the President.'' It doesn't matter if it is Republican or Democrat, Mr. Speaker. It says ''the President.'' It has nothing to do

specifically with President Obama, but it has everything to do with protecting the Constitution.

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

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

The gentleman says that this has nothing to do with President Obama. The committee report only cites President Obama, in terms of this issue, and their political document, the memorandum that came from ERIC CANTOR to the House Republicans, talks about the Imperial Presidency, and says President Obama has provided new clarity of what constitutes an Imperial Presidency. President Obama, President Obama, and on and on.

It just defies logic for anybody to think for one second that this isn't about trying to attack this President of the United States, because what we have seen time and time again from the time this President was elected has been nothing but obstructionism and attack, obstructionism and attack, obstructionism and attack. I get it. There are differences in philosophies between the two parties.

What is troubling to me is that in this imperial Republican Congress President Obama's ideas don't even get a chance to have their day on the floor, where we are routinely shut out.

In this imperial Republican Congress we cannot bring to the floor a bill to increase the minimum wage. We cannot bring to the floor a bill to extend unemployment benefits for those over 2 million long-term employed. We cannot bring to the floor a jobs bill. We cannot bring to the floor the bipartisan Senate-passed comprehensive immigration reform bill, which would do the right thing on behalf of a number of immigrants in this country, but would also, by the way, we are told, reduce our deficit.

We can't even bring those things to the floor for debate. Under this imperial Republican leadership, our hands are tried. So we try procedural motions. We are trying discharge petitions. We are trying whatever we can to try to be heard.

I think it is important for the American people to know where people stand. So if my friends on the other side of the aisle don't believe the American people deserve a raise, if they don't believe we should increase the minimum wage, vote against it. Go on record. Let the American people see where you stand. On immigration reform, if you don't want to reform the immigration system, fine. Vote against it when it comes to the floor.

When my friends on the other side of the aisle routinely and regularly deny us the opportunity to even consider these things, that hurts our democracy. It diminishes this institution.

If you want to talk about imperialism, what is that?

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

Mr. NUGENT. Mr. Speaker, I am ready to close.

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

Mr. Speaker, I am urging my colleagues to defeat the previous question. If we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 4209, Mr. JOHN TIERNEY's bill that contains the historic bipartisan, bicameral agreement on a permanent fix to the sustainable growth rate of Medicare, which will ensure fairness to doctors and strengthen Medicare.

My colleagues on both sides of the aisle have heard from the medical community on this issue. My Republican friends, unfortunately, have proposed a ''poison pill'' amendment that would kill this bipartisan agreement with an offset attacking the Affordable Care Act.

Mr. TIERNEY's bill instead includes a commonsense pay-for that finances the bipartisan doc fix by putting limits on our spending on wars overseas. We already have these sorts of caps on spending for almost everything else in the budget, and it is time we capped our war spending as well.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. This amendment simply caps the OCO. We give the administration 1 more year of the Overseas Contingency Operations spending without any contingencies, but beginning in 2016, OCO is subject to budget caps just like everything else.

Funding the war in Afghanistan is not emergency spending. We have been there for over a decade. We all know what the costs entail. The OCO is a so-called emergency account to keep the war in Afghanistan funded.

I don't know about you, Mr. Speaker, but the fact that we have troops in Afghanistan is no longer a surprise and is no longer an unexpected development.

In addition, the OCO has become a slush fund for Congress and the Pentagon to stick in goodies for procurement and operations and maintenance that it couldn't find room for in the Pentagon's half-trillion dollar base budget.

Now that Afghanistan President Karzai has made it perfectly clear that he doesn't want the United States or its military in Afghanistan, we should, at a minimum, cap the OCO and bring our troops home now.

So if we can find billions and billions of dollars to fund a war that nobody wants in a country where the government insults our troops every single day, then we can use those moneys to fund real needs right at home, like permanently fixing the SGR once and for all.

We talk about trying to find common ground. I think there is a lot of common ground on this issue amongst Democrats and Republicans. I think there are a lot of Republicans who are just as sick of this endless war and this over-the-top, unaccounted for spending in these wars as Democrats are.

So I think this is a sensible offset, and I would urge my colleagues to support our initiative.

I urge my colleagues to vote ''no'' and to defeat the previous question, and vote ''no'' on the underlying bills for all the reasons I said before. We should be using the taxpayer dollars to do things to help people on this House floor, not to advance political agendas.

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

Mr. NUGENT. Mr. Speaker, I yield myself such time as I may consume. I agree with much of what my colleague from Massachusetts said, particularly as it relates to our involvement in Afghanistan and the Karzai regime.

Let me read you some quotes, Mr. Speaker, and let's see who we thought said these quotes:

> The power of what has begun to be termed the Imperial Presidency grows, and the ability of our Democratic institutions, especially the Federal legislative branch to constrain it, seems more uncertain.

The next quote:

> We are a coequal branch of government, and if our system of checks and balances is going to operate, it is imperative that we understand how the executive branch is enforcing or ignoring the bills that are signed into law.

And:

> We are talking about a systematic extraconstitutional mode of conduct by the White House. The conduct threatens to deprive the American people of one of the basic rights of any democracy, the right to elect Representatives who determine what the law is, subject only to the President's veto. That does not mean having a President sign those laws but then say he is free to carry them out or not as only he sees fit.

Another quote:

> I believe it is in all of our interests to work together to rein in any excesses of the executive branch, whether it is in Democratic, Republican, or even Libertarian hands.

Lastly, I will suggest to you that all those quotes I just read were from a highly respected Democrat, Mr. CONYERS, talking about the George W. Bush Presidency.

□ 1315

What has changed? That is what we are talking about today.

This isn't about Republicans or Democrats. Even Mr. CONYERS said that that is a problem, that we are giving up what we are supposed to be doing here in the legislative branch, legislating.

The President has a right to veto, but when he signs it into law, he has an obligation to faithfully execute the laws that he signs, he signs into law.

Mr. Speaker, in an interview with The New York Times last July, the President was asked whether or not he had the legal constitutional authority to delay the employer mandates, and

the President's response was this, Mr. Speaker, speaking about Members of Congress: ''I am not concerned about their opinions. Very few of them, by the way, are lawyers, much less constitutional lawyers.''

Well, Mr. Speaker, he is right in one regard. Most of us aren't constitutional lawyers, and I am certainly glad the President is proud of his academic achievements.

It doesn't take a constitutional lawyer to understand that we have separation of powers in this country, and that is what makes us unique. It doesn't take a constitutional lawyer to understand that the President can't just pick and choose which laws to enforce and which ones, don't worry about; we don't have to enforce it. Any eighth-grade civics student can tell you that.

Our Constitution explicitly states, the President shall take care that the laws be faithfully executed. It is even in the oath of office. It doesn't say if I disagree with them that means I don't have to worry about that. It is in the oath of office that he is supposed to do that.

Mr. Speaker, I take that oath to support and defend the Constitution very seriously. I did it when I raised my hand at 18 years old when I went into the Air Force. I did it when I was 21 years old when I became a police officer outside of Chicago. I did it again when I was a deputy sheriff. I did it again when I was sheriff, and I did it when I got elected to Congress, now, a second time. I take that oath personal.

I have three sons that serve this country today. They have all raised their hand to support and defend this Constitution, not when it is convenient, not when it meets what I need out of it. It says you do it.

That is the law. That is the Constitution, and we kind of forget that. We say it is just a document. It is a dusty document.

That is not the case, Mr. Speaker. It talks about how we conduct ourselves as a government of the people and by the people, not because of who we are.

I am concerned, on quite a few instances now, this President clearly hasn't faithfully executed those laws. Just recently, the President yet again announced a delay in the implementation of ObamaCare. The administration says they will continue to allow insurance companies to offer plans that don't meet ObamaCare's coverage requirements.

How many delays does that make, Mr. Speaker?

I have no idea. I have lost count. I haven't kept track. There have been a lot of them because they all hit the front page, most of them hit the front page of the papers.

Just because the President's health care law isn't working doesn't mean the President can just change it on the fly. I understand it is what he wants. It is the implementation of a law, but don't say you can just change it willy-nilly. The President is literally making it up as he goes along.

Delaying the consequences of ObamaCare, however, does not fix them. Perhaps our colleagues are facing frustrated constituents that just aren't quite ready to defend the law yet. Maybe that is the case.

Perhaps it is themselves that these delays are really meant for. I don't know.

Nevertheless, I don't object to delaying ObamaCare, just the President's desire not to have come to Congress to do it. Congress enacted it. Congress has a right, then, to modify it, not the President.

The fact is, a lot of these plans are good fits for consumers. Cancellations they face, the higher premiums and deductibles, are a real hardship. That doesn't change the fact that the means through which the President changed the policy is wrong, and we all know it.

It is time for this body to come together to prevent our constitutional role from disintegrating further. It matters not what has occurred in the last 40 years, it matters what occurs today. It matters to the people I represent that I faithfully support and defend the Constitution.

It is time this body pushed back against any Presidency that would assert itself, whether it was Mr. CONYERS speaking of the prior Presidents or it is us speaking about this current President.

I am confident that the underlying legislation, the rule that it provides for, will start the process, and I urge my colleagues, if you care about protecting our three-branch system of government, support this rule and support the underlying legislation.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to the rule for H.R 4138, The ENFORCE The Law Act of 2014 and the underlying bill.

H.R. 4138 purports to provide a mechanism for one House of Congress to enforce the "take care" clause in article II, section 3 of the United States Constitution, which requires the President to "take Care that the Laws be faithfully executed."

The bill authorizes either chamber of Congress to bring a civil action against the executive branch for failure to faithfully execute existing laws.

My colleagues on the other side argue that lawsuits by Congress to force the administration to enforce federal laws will prevent the president from exceeding his constitutional authority,

But the Supreme Court has constantly held that the exercise of executive discretion being taken by President Obama is within the president's powers under the Constitution.

That is why I offered an amendment to the bill that simply protects the ability of the Executive Branch to comply with judicial decisions interpreting the Constitution or Federal laws.

It is hard to believe that I would even need an amendment which instructs the Executive Branch that it is okay to—ENFORCE THE LAW.

If separation-of-powers principles require anything, it is that each branch must respect its constitutional role.

When a court issues a decision interpreting the Constitution or a federal law, the other branches must abide by the decision.

The Executive Branch's ability to fulfill its obligation to comply with judicial decisions should not be hampered by a civil action by Congress pursuant to this bill.

Basic respect for separation of powers requires adoption of this amendment.

In our constitutional democracy, taking care that the laws are executed faithfully is a multifaceted notion.

And it is a well-settled principle that our Constitution imposes restrictions on Congress' legislative authority, so that the faithful execution of the Laws may present occasions where the President declines to enforce a congressionally enacted law because he must enforce the Constitution—which is the law of the land.

Additionally, H.R. 4138, The ENFORCE Act, has problems with standing, separation of powers, and allows broad powers of discretion incompatible with notions of due process.

The legislation would permit one House of Congress to file a lawsuit seeking declaratory and other relief to compel the President to faithfully execute the law. Any such decision would be reviewable only by the Supreme Court.

These are critical problems. First, Congress is unlikely to be able to satisfy the requirements of Article III standing, which the Supreme Court has held that the party bringing suit have been personally injured by the challenged conduct.

In the wide array of circumstances in which the bill would authorize a House of Congress to sue the president, that House would not has suffered any personal injury sufficient to satisfy Article III's standing requirement in the absence of a complete nullification of ay legislator's votes.

I ask my colleagues to reject this legislation.

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

AN AMENDMENT TO H. RES. 511 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

Strike all after the resolved clause and insert:

That immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4209) to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and improve Medicare payments for physicians and other professionals, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce, the chair and ranking minority member of the Committee on Ways and Means, and the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the

House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4209.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 227, nays 190, not voting 13, as follows:

[Roll No. 118]

YEAS—227

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
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)

NAYS—190

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
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
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
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Amodei
Barton
Cárdenas
Dingell
Ellison
Engel
Gabbard
Gosar
Jackson Lee
Lewis
Lowey
Miller, Gary
Rush

□ 1346

Mr. RANGEL, Ms. MENG, and Mr. CLEAVER changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 229, noes 192, not voting 9, as follows:

[Roll No. 119]

AYES—229

Aderholt
Amash
Bachmann
Bachus
Barber
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
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—192

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
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
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
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
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Amodei
Barton
Dingell
Engel
Gosar
Kuster
Lewis
Miller, Gary
Rush

□ 1353

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. KUSTER. Mr. Speaker, on rollcall No. 119, had I been present, I would have voted "no."

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 12, 2014.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 12, 2014 at 10:52 a.m.:

That the Senate agreed to S.J. Res. 32.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.J. RES. 43

Ms. SPEIER. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.J. Res. 43, removing the deadline for the ratification of the equal rights amendment, a bill originally introduced by Representative Robert Andrews of New Jersey, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

EXECUTIVE NEEDS TO FAITHFULLY OBSERVE AND RESPECT CONGRESSIONAL ENACTMENTS OF THE LAW ACT OF 2014

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4138.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 511 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4138.

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

□ 1457

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4138) to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes, with Mr. THOMPSON of Pennsylvania in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, our system of government is a tripartite one, with each branch having certain defined functions delegated to it by the Constitution. The President is charged with executing the laws, the Congress with writing the laws, and the judiciary with interpreting them.

The Obama administration, however, has ignored the Constitution's carefully balanced separation of powers and unilaterally granted itself the extraconstitutional authority to amend the laws and to waive or suspend their enforcement. This raw assertion of authority goes well beyond the executive power granted to the President and specifically violates the Constitution's command that the President is to take care that the laws be faithfully executed.

Mr. Chairman, from ObamaCare to welfare and education reform to our Nation's drug enforcement laws and other areas of the law, President Obama has been picking and choosing which laws to enforce. In place of the checks and balances established by the Constitution, President Obama has proclaimed that ''I refuse to take 'no' for an answer'' and that ''where Congress won't act, I will.''

Throughout the Obama Presidency, we have seen a pattern: President Obama circumvents Congress when he doesn't get his way, but the Constitution does not confer upon the President the executive authority to disregard the separation of powers and rewrite acts of Congress based on his policy preferences. It is a bedrock principle of constitutional law that the President must faithfully execute the laws passed by Congress.

We cannot continue to allow the President to ignore the constitutional limits on executive power. The President's far-reaching claims of executive power, if left unchecked, will vest this and future Presidents with broad domestic policy authority that the Constitution does not grant.

As prominent law professor, Jonathan Turley, who testified that he voted for President Obama, warned in testimony before the Judiciary Committee:

> The problem with what the President is doing is that he is not simply posing a danger to the constitutional system. He is becoming the very danger the Constitution was designed to avoid, that is, the concentration of power in a single branch.

That is why I join with Representative GOWDY and Chairman ISSA to introduce H.R. 4138, the ENFORCE the Law Act. This legislation puts a procedure in place to permit the House or the Senate to authorize lawsuits against the executive branch for failure to faithfully execute the laws.

The courts have held that lawsuits alleging institutional injuries must be brought by the injured institution itself, and H.R. 4138 is solidly in line with those judicial precedents. In addition, because it is an act of Congress, the ENFORCE the Law Act can apply special court procedural rules to significantly increase the speed at which cases challenging the President's failure to faithfully execute are considered by the courts. These provisions are critical to ensure the President cannot simply stall a lawsuit until his term is up.

In addition, these provisions are similar to those that were in the Line Item Veto Act. Litigation challenging the constitutionality of the line item veto proceeded through the district court and was decided by the Supreme Court within 7 months of being filed.

The ENFORCE the Law Act will help overcome the hostility the courts have shown toward deciding disputes between the political branches in the past.

The Constitution's Framers did not expect the judiciary to sit on the sidelines and watch as one branch aggrandized its own powers and exceeded the authority granted to it by the Constitution; rather, the Constitution gives the Federal courts very broad jurisdiction to hear ''all cases . . . arising under this Constitution and the laws of the United States.'' However, over time, the courts have read their own powers much more narrowly, refusing to exercise a vital check over unconstitutional action by the executive branch.

□ 1400

When the courts refuse to step in and umpire these disputes, they cede the field to this and future Presidents. The separation of powers is not strengthened by the refusal of the judicial branch to referee the division of power between the branches.

As then-Senator Obama observed in 2008:

> One of the most important jobs of the Supreme Court is to guard against the encroachment of the executive branch on the power of other branches. And I think the Chief Justice has been a little bit too willing and eager to give an administration, whether its mine or George Bush's, more power than I think the Constitution originally intended.

The ENFORCE the Law Act will help ensure that, when Congress brings a lawsuit against the administration for its refusal to enforce the laws, the courts take up the cases and decide it expeditiously.

This legislation is a good first step toward ending this crisis and restoring balance to our system of government.

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

Mr. CONYERS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the ENFORCE Act, like so many other bills that we have considered this Congress, is truly a solution in search of a problem.

It was made clear during the two full committee oversight hearings that we held on the Constitution's Take Care Clause, the President, in fact, fully met his obligation to faithfully execute the laws.

So let us acknowledge what this legislation is really about. It is simply yet another attempt by the majority to prevent the President of the United States from implementing duly enacted legislative initiatives that they oppose.

Allowing the flexibility and the implementation of a new program, even where the statute mandates a specific deadline, is neither unusual nor a constitutional violation. It is the reality of administering sometimes complex programs and is part and parcel of the President's duty to ''take care'' that he ''faithfully'' execute laws.

This has been especially true with respect to the Affordable Care Act. The President's decision to extend certain compliance dates to help phase-in the act is not a novel tactic. And even though not a single court has ever concluded that reasonable delay in implementing a complex law constitutes a violation of the Take Care Clause, the majority insists that there is a constitutional crisis.

Additionally, the exercise of enforcement discussion is a traditional power of the Executive. For example, the decision to defer deportation of young adults who were brought to the United States as children, the DREAMers, is a classic exercise of such discretion.

H.R. 4138 could also have the perverse effect of preventing the President from taking steps to protect people's rights.

If H.R. 4138 had been law in 1861, the Congress could have sued President Lincoln for issuing the Emancipation Proclamation because Congress could have concluded that President Lincoln had failed to enforce then-existing laws protecting the institution of slavery, like the Fugitive Slave Law.

Likewise, if H.R. 4138 had been law in 1948, Congress could have sued President Truman for issuing Executive Order 9981, which desegregated the armed services in contravention of then-existing military policy.

And, it is no surprise that the Supreme Court has consistently held that the exercise of such discretion is a function of the President's power under the Take Care Clause.

As the Court held in Heckler v. Chaney:

> An agency's decision not to prosecute or enforce, whether through civil or criminal process, is a decision generally committed to an agency's absolute discretion.

Even assuming there is a problem to address, H.R. 4138 is itself flawed because it violates fundamental separation of powers principles and may be unconstitutional as applied.

The ENFORCE Act would essentially allow Federal courts to second-guess decisions by the executive branch in a potentially vast range of areas that are committed under the Constitution to the discretion of the political branches like the conduct of foreign affairs.

Additionally, it is highly unlikely that Congress could satisfy the standing requirements of Article III of the

Constitution, which are meant to reinforce the Constitution's separation of powers principles.

To meet those standing requirements, a plaintiff must show that it suffered a concrete and particularized injury. The kind of injury that would be the subject of a civil action under H.R. 4138, however, would amount only to an alleged violation of a right to have the administration enforce the law in a particular way.

I reserve the balance of my time.

In closing, I want to ask my colleagues when is enough enough? At what point can we say its time to put away the partisan rhetoric, the demagoguery, and the synthetic scandals and start really working on the issues the American people want solutions to.

The American people are waiting for us to take action on a host of issues that this House refuses to address—from securing fair pay for a fair day's work, extending unemployment insurance, and fixing our broken immigration laws.

So lets stop the games and finally get to work. I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, at this time it is my distinct pleasure to yield 5 minutes to the gentleman from South Carolina (Mr. GOWDY), a member of the Judiciary Committee and the chief sponsor of the legislation.

Mr. GOWDY. Mr. Chairman, I would like to thank Chairman GOODLATTE for his leadership on this bill and a host of others in the Judiciary Committee.

Mr. Chairman, I want to have a pop quiz. That may seem unfair to my colleagues on the other side of the aisle, but I am going to give them a hint: the answer to every one of the questions is the same. I am going to read a quote and then you tell me who said it:

> These last few years, we have seen an unacceptable abuse of power, having a President whose priority is expanding his own power.

Any guess on who said that? Mr. Chairman, it was Senator Barack Obama.

Here is another one:

> No law can give Congress a backbone if it refuses to stand up as the coequal branch the Constitution made it.

That was Senator Barack Obama.

> What do we do with a President who can basically change what Congress passed by attaching a letter saying I don't agree with this part or that part?

Senator Barack Obama.

> I taught the Constitution for 10 years. I believe in the Constitution.

Senator Barack Obama.

And my favorite, Mr. Chairman:

> One of the most important jobs of the Supreme Court is to guard against the encroachment of the executive branch on the power of the other branches. And I think the Chief Justice has been a little too willing and eager to give the President more power than I think the Constitution originally intended.

So my question, Mr. Chairman, is how in the world can you get before the Supreme Court if you don't have standing? What did the President mean by that when he looked to the Supreme Court to rein in executive overreach? If you don't have standing, how can you possibly get before the Supreme Court?

So my question is, Mr. Chairman, what has changed? How does going from being a Senator to a President rewrite the Constitution? What is different from when he was a Senator?

Mr. Chairman, I don't think there is an amendment to the Constitution that I missed. I try to keep up with those with regularity, but what I do know is this: process matters. If you doubt it, Mr. Chairman, ask a prosecutor or a police officer, both of whom, as my friends on the other side of the aisle know, both of them are members of the executive branch. What happens when a police officer fails to check the right box on a search warrant application? The evidence is thrown out even though he was well-intended, even though he had good motivations, even though he got the evidence, because process matters.

What happens when the police go and get a confession from the defendant? He did it. This is not a who-done-it; he admitted he did it. You got the right person for the right crime, but what happens if he doesn't follow the process? The defendant walks free. The criminal defense attorneys who are now Congressmen on the other side of the aisle know that is exactly what they argued when they were before the judge; not that the end justifies the means. Don't look at the motivations, look at the process.

Mr. Chairman, we are not a country where the end justifies the means, no matter how good your motivations may be. We all swore an allegiance to the same document that the President swears allegiance to: to faithfully execute the law. So I will be listening intently during this debate for one of my colleagues to explain to me what does that phrase mean. What does it mean, not to execute the law, but when the Framers thought enough of that phrase to add the modifier ''faithfully''? What does that mean?

If a President does not faithfully execute the law, Mr. Chairman, what are our remedies? Do we just sit and wait on another election? Do we use the power of the purse, the power of impeachment? Those are punishments; those are not remedies. The remedy is to do exactly what Barack Obama said to do: to go to court, to go to the Supreme Court and have the Supreme Court say once and for all.

We don't pass suggestions in this body, Mr. Chairman, we don't pass ideas; we pass laws, and we expect them to be faithfully executed.

□ 1415

Mr. CONYERS. Mr. Chairman, I yield 4 minutes to the gentleman from Tennessee (Mr. COHEN), who is the ranking member of the Constitution Subcommittee of House Judiciary.

Mr. COHEN. Thank you, Mr. Chairman. I appreciate you yielding.

Mr. Chairman, as some of my colleagues said so eloquently during last week's Judiciary markup on this bill, that the majority's attempts to turn routine exercises of Presidential discretion into constitutional violations is nothing but a show and a pretext to attack the President of the United States.

The hearing we had reminded me of a Woody Allen saying in a movie called Bananas. Acting as Fielding Mellish, he said this is ''a travesty of a mockery of a sham of a mockery of a travesty of two mockeries of a sham.'' That is what this bill is, that is what that hearing was, and that is what this proceeding is.

H.R. 4138 would establish a process by which one House of Congress could sue the President when it determines the President failed to faithfully execute a law—one House, not two Houses. They talk about the separation of powers.

The separation of powers is executive and legislative, and legislative is Senate and House. The House originates spending bills, and the Senate confirms judges and things like that.

There was some discussion yesterday, and the chairman brought up a situation where the Senate went to the court on an issue concerning some appointments, which the Senate had exclusive jurisdiction on, but it is when they had exclusive jurisdiction.

In situations where there is a bill passed and the Senate and the House coshare equally, unless the Senate and the House both want to act, it is not separation of powers; it is one House trying to act as a star Chamber to take down the President of the United States.

This bill would, if enacted, represent a massive upending of the carefully calibrated separation of powers of our Constitution—one House, not the two Houses of Congress acting.

One of the gentleman who tried to defend this law in Rules Committee talked about something in Florida. Well, Florida, whatever they have got, they have got some kind of situation; but that was a quo warranto action where the Governor was acting beyond his authority, ultra vires.

It wasn't where the President is acting within his authority in his discretion and determining what is the best way to act, a difference between taking action and not taking action and taking action you are authorized not to take and taking action you are authorized to take. They didn't defend their position once correctly.

Congress lacks the standing to sue, and Mr. CONYERS has brought that up. Standing requirements are necessary. Also, by drafting Federal Courts into deciding what are essentially political questions, the bill further upsets that separation of powers.

Questions about when and how to implement and enforce laws are within the President's discretion as the Take Care Clause makes clear. It is the President's duty alone to take care that the laws be faithfully executed, not the courts' and not Congress'. The

courts rightly avoid involving themselves of disputes between the branches on questions of how law is executed. This bill flies in the face of such.

Ultimately, though, this bill and the larger debate surrounding it have nothing to do with the finer points of constitutional law. That is a red herring. It is a part of a broader attempt by Republicans to delegitimize anything that this President, Barack Obama, does.

Here, the majority complains, among other things, about the fact the President delayed implementation of certain provisions of the Affordable Care Act, like the employer mandates for medium and large businesses. The Rolling Stones had a song, sometimes you get what you want, sometimes you get what you need.

With the Affordable Care Act, they got what they wanted and what the President thought the country needed. Now, they are against it, holding the President up to ridicule and claiming it is the process, even though they are in agreement with the substance.

In Yiddish, that is called chutzpah; in law, it is called estoppel. In a Congress, it is called not being able to take yes for an answer.

I find it odd that this is what they choose to emphasize, that this President is acting in an allegedly unconstitutional way to undermine his own signature legislation.

It shows the depths of what Dana Milbank referred to as Obama derangement syndrome, where the President's opponents are so determined to thwart him, they will say anything, including reversing their own long-held views, if they believe doing so will weaken his stature.

This is unfortunate because President Obama has led where this Republican House has failed on immigration reform, on financial reform, on environmental protection, on the minimum wage, and, yes, on health care.

The thanks President Obama gets from this majority for his efforts to implement and enforce the laws as thoughtfully as he could is to be accused of violating the Constitution.

Mr. GOODLATTE. Mr. Chairman, at this time, it is my pleasure to yield 3 minutes to the gentleman from Pennsylvania (Mr. GERLACH), another chief cosponsor of this legislation.

Mr. GERLACH. I thank the chairman.

Mr. Chairman, I rise today in support of this legislation that strives to restore the coequal balance of power between the legislative and executive branches and would establish a procedure for making sure all Presidents are accountable for meeting their constitutional obligation to faithfully execute all duly-enacted laws.

Chairman GOODLATTE, Congressman GOWDY, and members of the Judiciary Committee have done an outstanding job highlighting the need for such legislation and explaining to the American people why it is important to ensure the legislative and executive branches are functioning as intended by the framers.

The bill before us today represents a collaborative effort to craft an effective legislative response to a series of unilateral actions by the President that he has taken in the last few years to selectively apply, enforce, and ignore duly-enacted laws.

The Affordable Care Act—or ObamaCare—a law written and enacted exclusively by the President and Members of his party, has been delayed, amended, and effectively rewritten about two dozen times in the past year.

The law hasn't changed by coming to Congress and working with us on reasonable changes or following the legislative process we were taught in high school civics. No, the law was modified because the President and his administration simply declared it to be changed, in most cases, on late Friday afternoons or right before a major holiday like Thanksgiving.

Today's vote is not about rehashing the debate over ObamaCare. The President has also unilaterally acted to suspend enforcement of immigration laws, stop the prosecution of nonviolent drug offenses, and nullify sections of Federal laws and education.

It is as if the President thinks our laws are written in pencil and it is his job to take a giant eraser to the parts he doesn't agree with and then scribble in some new words that fit his agenda; or as George Washington University Law Professor Jonathan Turley noted during his testimony recently:

> President Obama's become the very danger the Constitution was designed to avoid, the concentration of power in any one of the branches.
>
> If a President can unilaterally change the meaning of laws in substantial ways or refuse to enforce them, it takes offline that very thing that stabilizes our system.

After that hearing, I was able to introduce legislation to create a fast-track independent judicial review process that would settle disputes over whether a president has exceeded his constitutional authority and whether he has met his duty to faithfully execute the law.

The legislation today before us accomplishes those same goals. It represents a commonsense procedural reform that establishes a practical, effective solution to resolve serious questions of Executive overreach.

Our system of checks and balances was designed to prevent a President—or any other branch of the Federal Government—from being able to unilaterally declare a law by whatever that individual says it is at that point in time after the law was enacted.

No doubt Madison, Jefferson, and other Framers understood that allowing a concentration of power in one branch was a recipe for chaos and instability; so if Congress does not act and fails to hold a President accountable for executing the laws as written, how can we expect citizens to have any respect for the laws passed by this Chamber?

Therefore, I urge my colleagues to support this bill to restore and preserve the delicate constitutional balance among the three branches of our Federal system and to take an important step in restoring the confidence of the public in our system of governance.

Mr. CONYERS. Mr. Chairman, it is my pleasure to yield 3 minutes to the gentlelady from California (Ms. LOFGREN), who is the ranking member of the Immigration Subcommittee on Judiciary.

Ms. LOFGREN. Mr. Chairman, in the committee report that accompanies these bills, on page 13 and 14, there are three items that the majority says that the President can't do.

One is to defer action for the DREAMers, young people who are brought here innocently in violation of immigration laws; two, to allow the wives of American soldiers who are undocumented to stay and not be deported; and, finally, to allow parents who have been arrested for immigration to try and preserve their parental rights.

Is it legal for the President to take these actions? Certainly, it is. In Heckler v. Chaney, as well as in the Arizona v. United States court decision, the Supreme Court makes clear that, in immigration, the ability to enforce or decide not to enforce is part of the broad executive authority; and further, the United States Congress has actually delegated to the executive branch, at 6 U.S. Code 202, the national immigration enforcement priorities and policies to the President.

Now, is this anything new? No. We have paroled-in-place Cubans since John F. Kennedy was President. In 2010, a bipartisan group of members, including Congressman MICHAEL TURNER and MAC THORNBERRY from the Armed Services Committee and myself wrote and said: Please, Mr. President, don't deport the wives of American soldiers.

The President used his authority to do that as prior Presidents had done. The use of parole in place is delegated to the President and nothing new.

Now, why is this important? These bills are drafted to keep the President from doing the things that he did to allow the children to stay and to allow the wives of American soldiers not to be deported.

I think that what the majority wants to do is to not only have a do-nothing Congress, but to have a do-nothing President. When it comes to immigration, this is very serious. We have had one vote on immigration here in the Congress that was on Congressman KING's bill to deport the DREAM Act kids.

We have heard a lot of discussion about a bill supposedly that is going to be brought forward by the majority about the innocent children who have been brought here, but we haven't seen a bill; instead, we see these bills, which would allow the Congress to overrule

the President's action, so that the DREAM Act kids will be deported, so that the wives of soldiers who are in battle in Afghanistan would be deported, so that individuals who are caught up in an immigration problem would lose their children to social services, would lose their parental rights.

Mr. GOODLATTE. Mr. Chairman, at this time, it is my pleasure to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the majority leader.

Mr. CANTOR. Mr. Chairman, I thank Chairman GOODLATTE from Virginia for his leadership on this effort.

Mr. Chairman, I rise today in support of the ENFORCE the Law Act. Our Founders created a series of checks and balances for our democracy, to prevent any one of the three branches of government from becoming too powerful. This separation of powers has always been one of the most important pillars of our political system and an example of good governance for the world to follow.

For over 200 years, America has prospered because we adhere to a Constitution that makes each branch's role explicitly clear: the elected representatives in Congress pass laws, the President faithfully enforces them, and an independent judiciary adjudicates disputes.

This lesson is so important that we teach it to our school children and articulate it to our citizens, so they understand the rules of the road.

When we fail to uphold this system and one branch of government begins to tip the scales of power in its favor, we descend towards chaos. Today, we are seeing the system break down.

This administration's blatant disregard for the rule of law has not been limited to just a few instances. From gutting welfare reform and No Child Left Behind requirements to refusing to enforce immigration and drug laws, the President's dangerous search for expanded powers appears to be endless. Whether one believes in the merit of the end goal or not, this is not how the executive branch was intended by our Founders to act.

These actions not only weaken the credibility of our political institutions, they also threaten our chances of returning to a time of robust job growth by creating uncertainty in the economy.

□ 1430

This has become most evident with the implementation of the President's disastrous health care law, which is wreaking havoc on small businesses, which is wreaking havoc on wage earners and families. Even The Washington Post ran a story this weekend detailing how arbitrary changes to ObamaCare are creating mass confusion for consumers. Our constituents deserve better.

Steps taken by this administration show that it doesn't care for the rule of law or for the balance of powers designed by our Founders. The only way to reestablish the intent of our Constitution is to create a process by which either Chamber of Congress can take the matter to court, which is what this legislation does. It goes hand in hand with the Faithful Execution of the Law Act, which we will consider later today. That bill requires the administration to tell Congress when they have decided that they don't like a law and are refusing to do the constitutional duty and enforce it.

These bills are not just about President Obama. What if future Republican Presidents decide that they don't like the tax increases enacted by Democrats in Congress or by a past Democratic President? Can that President just refuse to collect those taxes or resist enforcing laws he doesn't like? No. Any future President must work with Congress to seek changes in laws that need to be reformed. As James Madison said, ''To see the laws fruitfully executed constitutes the essence of the executive authority.''

We have an opportunity today to stand together in a bipartisan manner and put mechanisms in place to prevent the executive branch from continually abusing its power, and they will remain in place no matter which party controls the White House. So let us pass this legislation and show the American people that we are committed to a government that functions the way it was intended to—within the framework of our Constitution.

I want to thank Chairman GOODLATTE, Representative GOWDY, Representative DESANTIS, and the rest of the Judiciary Committee, who have worked so hard on this very important issue. I strongly urge my colleagues in the House to support the bill.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIERREZ. Mr. Chairman, the goal of the ENFORCE Act is to ensure that this do-nothing Congress forces President Obama to be a do-nothing President as well. It is not enough for the Republican majority to be setting records for how little they are doing. They expect the same do-nothingness from the President, especially on immigration.

What the Republicans have failed to do is to work with their Democratic colleagues to bring serious, realistic, and achievable immigration reform legislation to the floor, reform that is overwhelmingly popular with the American people. They worked with us for months. Then they decided they would rather deploy their sound bite strategy that the President can't be trusted to enforce the law—and walked away from negotiations. The Republicans put forward broad, vague but sensible principles they said would guide their reform efforts. Then, just as quickly, they decided they would deploy their sound bite strategy that the President can't be trusted to enforce the law—and walked away from the legislation.

I want to take a moment to show you this, and I want to point it over to my Republican colleagues in case they forgot. It is signed by LAMAR SMITH and Henry Hyde.

Here is what it says:

> There has been widespread agreement that some deportations were unfair and resulted in unjustifiable hardships. If the facts substantiate the presentations that have been made to us, we must ask why the INS pursued removal in such cases when so many other, more serious cases existed.

You wrote the President of the United States, and asked then-President Clinton to use his discretionary power.

You said further in your letter:

> It is well-grounded the prosecutorial discretion of the initiation and termination of removal proceedings. See attached referendum. Optimally, removal proceedings should be initiated—that is deportations—or terminated only upon specific instructions from authorized INS officials and issued in accordance with agency guidelines. However, the INS, apparently, has not yet promulgated such guidelines.

That is what the President of the United States did. He promulgated guidelines which you said that then-President Clinton would not promulgate. What were they? It was DACA. That is what he promulgated. He promulgated guidelines, and please don't tell me it was a group of people and that they had to do it individually. Tell the thousands of DREAMers who have been denied DACA that they didn't apply individually. Each and every case was applied individually. Each of them came before the authorities and said: I want to apply for this program under these guidelines promulgated by President Obama.

When he does it, I guess you don't care. I guess then we can't trust them. No, you can't trust them, because you do not want to act, and you want to use it as an excuse.

Moreover, I want to read to you from the Republican principles on immigration. This is what your caucus put forward:

> One of the greatest founding principles of our country was that children would not be punished for the mistakes of their parents. It is time to provide an opportunity for legal residence and citizenship for those who were brought to this country as children through no fault of their own and have no other place.

Yet, today, you want to take that very ability from the President of the United States.

The CHAIR. Members are reminded that they must direct their remarks to the Chair and not to others in the second person.

Mr. GOODLATTE. Mr. Chairman, I yield myself 30 seconds to point out that this legislation does two things: one, it expedites any court consideration of lawsuits brought under this legislation; two, it recognizes the distinction between constitutional standing and other standing that has been court created.

It says that that standing can be waived. That does not in any way determine what a court's ruling might be

or even what its ruling would be on the standing of a particular lawsuit brought, but it strengthens the hand of the Congress—any Congress—and under the control of any leadership to determine whether or not to bring lawsuits.

At this time, it is my pleasure to yield 2½ minutes to the gentleman from Texas (Mr. SMITH), a leader of the House and a former chairman of the Judiciary Committee.

Mr. SMITH of Texas. First of all, I want to thank the gentleman from Virginia, the chairman of the Judiciary Committee, for yielding me time, and I want to thank the gentleman from South Carolina (Mr. GOWDY) for introducing this bill.

Mr. Chairman, very quickly in order to respond to what the gentleman from Illinois just said, quite frankly, he is smarter than that. He knows that the letter had to do with individual prosecutorial discretion, and he knows the President basically exempted broad categories of individuals and went far beyond individual discretionary prosecution.

H.R. 4138 authorizes either Chamber of Congress to challenge, as an institution, the administration's failure to faithfully execute the laws, and in accordance with the constitutional ''separation of powers'' doctrine, it protects the legislative branch of government from an overreaching Executive.

The Obama administration has ignored laws, failed to enforce laws, undermined laws, and changed laws by executive orders and administrative actions. These include laws covering health care, immigration, marriage, drugs, and welfare requirements. Other Presidents have issued more executive orders, but no President has issued so many broad and expansive executive orders that have stretched the Constitution to its breaking point.

As for not enforcing laws, in 2011, the President instructed the Attorney General of the United States not to defend the Defense of Marriage Act in court. Recently, the Attorney General declared that State attorneys general are not obligated to defend laws they believe are discriminatory. At other times, the President has decided not to enforce immigration laws as they apply to entire categories of individuals, as I just mentioned, and the President has decreed a dozen changes to the Affordable Care Act, also known as ObamaCare.

But neither the President nor the Attorney General, himself, has the constitutional right to make or change laws.

The President and the Attorney General have a constitutional obligation to enforce existing laws. If they think a law is unconstitutional, they should wait for the courts to rule. Their opinions are no substitutes for due process and judicial review. It is their job to enforce existing laws, whether they personally like them or not.

Ours is a nation of laws, not a nation of random enforcement. All true reform starts with the voice of the people. If American voters rise up and speak loudly enough, they will be heard. Today, the United States House of Representatives is listening to them by bringing the ENFORCE the Law Act to the floor. I urge its adoption.

Mr. CONYERS. Mr. Chairman, I am pleased now to yield 2 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON), a ranking member of a subcommittee on the House Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to H.R. 4138, the ENFORCE Act.

The ENFORCE Act seeks to diminish the power of the executive branch by giving Congress the ability to act as an enforcement agency.

As the most do-nothingness House of Representatives in American history, this body doesn't need any extra responsibilities, especially that which would be unconstitutional. The seminal case of Marbury v. Madison not only establishes judicial power to review the constitutionality of laws and actions, but it affirms the fact that we have three separate, coequal branches of government. If there is an issue with the President's failing to execute the laws, the Supreme Court has the authority by way of writ of mandamus to compel the President to act.

Have my righteously indignant friends on the other side of the aisle sought to use that process to check the alleged abuse of authority by the President?

No, they have not.

Why haven't they sued to force this President to enforce laws that they contend he has refused to implement?

They haven't sued because they know that they would not present a truthful case. They know that they would lose the case. They know that this President has not exceeded his constitutional authority.

This legislation is simply a showcase for the false narrative that the Republicans continue to perpetuate upon the American people. That false narrative is that this President is not an American, that he is not one of us, and that the President is a Communist-Socialist, who is doing everything he can to turn this Nation into a Third World country. That is a false narrative. Our Forefathers, by way of the United States Constitution, have already put safeguards in place to ensure that the Executive faithfully executes the laws passed by the legislative branch.

The CHAIR. The time of the gentleman has expired.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I offered an amendment to this patently absurd piece of legislation when it was considered by the Judiciary Committee. My amendment stressed the importance of protecting the delicate balance of power that the Constitution affords the legislative and executive branches.

The President has the right to choose how to set enforcement priorities with respect to immigration policy as well as the power to exercise discretion in the implementation of the Affordable Care Act.

Mr. GOODLATTE. Mr. Chairman, at this time, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. POE), a member of the Judiciary Committee.

Mr. POE of Texas. I thank the chairman for yielding time.

Mr. Chairman, the Constitution and the laws of the land are not mere suggestions for any President, whether it is this President, future Presidents, or Presidents before us; but this administration, for some reason, continues to enforce laws that Congress passes and that have been signed by other Presidents.

Despite the constitutional phrase that the executive will ''faithfully execute the law,'' the administration ignores the ''faithful'' part. He has been unfaithful in many cases of executing the laws of the land. The former constitutional law professor in the White House said he will rule by pen and phone.

Whatever happened to ruling by the Constitution? I guess we don't use that anymore.

If the administration doesn't like a law, the administration ignores the law. If the administration wants to change a law rather than to go to Congress and let us work with the President to amend the law, the President just issues an edict and changes the law.

This has created a constitutional nightmare, a constitutional crisis—constitutional chaos—because we never know what is going to happen with the law of the land. Is it a mere suggestion or is it in concrete?

□ 1445

This is a democracy, not a kingdom. The United States President is not supposed to be an emperor, and not supposed to rule down from Mount Sinai about what he thinks the law should be.

We disagree on whether the President has abused that power or not. We will disagree on future Presidents. So what do we do about that?

Well, let's go to court. Let's resolve those issues in a court of law, where the Constitution and the law of the land is followed, Mr. Chairman.

That is all this bill does. It gets us in the courtroom. It allows us to make our case, they make their case on any particular issue, and then we will let an impartial judge make the decision.

I support the legislation.

And that's just the way it is.

Mr. CONYERS. Mr. Chairman, it is my pleasure to yield 1 minute to the distinguished gentlelady from California (Ms. CHU).

Ms. CHU. Mr. Chairman, once again, Republicans are attempting to restrict the President's constitutional authority of prosecutorial discretion.

Deferring deportations of DREAMers is squarely within the President's authority. It is right there under the Constitution's Take Care Clause.

The Deferred Action for Childhood Arrivals program is legally sound, makes sense, and is the right thing to do. These kids study in our schools. They play in our neighborhoods. They pledge allegiance to our flag. All they want to do is to continue calling their home ''home.''

Every day that Republicans stonewall immigration reform, another 1,100 people are deported and families are split up. Instead, the ICE Parental Interest Directive protects the parental rights of detained parents. It does not limit immigration enforcement at all.

The directive is about family values. It is about American values. Bills like this waste time while thousands of families are separated. This must end now.

I urge a ''no'' vote on this bill.

Mr. GOODLATTE. Mr. Chairman, may I inquire how much time is remaining on each side?

The CHAIR. The gentleman from Virginia has 11 minutes remaining, and the gentleman from Michigan has 11½ minutes remaining.

Mr. GOODLATTE. Mr. Chairman, at this time it is my pleasure to yield 1½ minutes to the gentlewoman from Michigan (Mrs. MILLER), the chairman of the House Administration Committee.

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Chair, in our Republic, Congress debates and passes the laws, the President signs and enforces the law, and the judicial branch interprets the law. These checks and balances protect freedom and prevent the kind of tyranny which our revolution defeated by keeping any single branch or individual from gaining too much power.

Article II, section 3 of the Constitution says the President ''shall take care that the laws be faithfully executed,'' and not maybe or not if it isn't really working the way that he would like. It says the President ''shall faithfully execute the law.''

The ENFORCE Act that we are debating today will simply give a House of Congress standing in Federal court to bring suit to make certain that the President upholds his constitutional responsibility to faithfully execute the law.

I have been listening to this debate. If my friends on the other side of the aisle and the President believe that all of the actions this administration has taken on ObamaCare are constitutional, then they should have no fear, Mr. Speaker, of giving Congress this standing.

I would urge all of my colleagues to join me in standing up for our Constitution and ensuring that the rule of law is followed in our great Nation.

Mr. CONYERS. Mr. Chairman, it is with great pleasure I yield 3 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chair, let me thank the ranking member for his kindness, the managers of this legislation, and all of my colleagues that have come to the floor to try to seek truth.

We have often said, Truth to power. The Constitution is the powerful document that all of us abide by. We take an oath of office to do so.

Going through the markup, as we do in regular order, we as the loyal opposition over and over again try to query what was the truth of this legislation, what was the purpose of it, and how was it going to be valid in light of the Constitution and the powers that are inured to the Presidency.

The Presidency has executive powers, and those powers were on the basis of his or her ability to work with the three branches of government. Now we have legislation that wants to do a number of things, like abolish the powers of the Presidency—abolish them because you disagree with policy.

Believe me, all of us would like standing to challenge anything. We understand that when we made that attempt on several occasions, the courts have said, You don't have standing; it is to the people.

So now we want to orchestrate that so that rather than the legislative process, which is given to the Congress, we desire to go and put ourselves in place on immigration reform; on protecting the environment; on questions of justice, whether it has to be ensuring that the election is unimpeded, whether it has to do with correcting policies that need to be corrected. We now want to get in front of that rather than doing it through the legislative process.

I am glad my colleagues have spoken about immigration, because one of the bills that did not come forward was to abolish a position that the administration has every right to utilize dealing with advocacy for undocumenteds who are in a detention center who are not charged particularly with criminal acts.

We already know that there is a veto threat, and it is a veto threat not for the present President of the United States but to uphold the Constitution.

So the charge is that there is no trust in this President and there is a violation of the Constitution—I can assure you that people beyond this body would raise the issue of constitutionality if it was real. It is not.

There are some professors who want to write a variety of law review papers and want to talk about how far we are exceeding our powers. These are purely addressing the question of the law and making sure that the law is applied fairly.

The CHAIR. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlelady an additional 30 seconds.

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

I will conclude by saying that what this bill is doing is seeking to usurp the powers of the President, particularly President Obama, and my friends on the other side, although I never attribute any malfeasance or bad intentions to Members that come on this floor, we never did this with President Bush.

There was some question about signing statements, and some of us wanted to address the question of signing statements, but we never decided to be able to put on the floor of the House the complete abolishment of the powers of the Presidency.

I ask my colleagues to vote down this legislation because it is unconstitutional.

The purpose of the bill is to provide a mechanism for one House of Congress to enforce the "take care" clause in article II, section 3 of the United States Constitution, which requires the President to "take Care that the Laws be faithfully executed."

The bill authorizes either chamber of Congress to bring a civil action against the executive branch for failure to faithfully execute existing laws.

My colleagues on the other side argue that lawsuits by Congress to force the administration to enforce federal laws will prevent the president from exceeding his constitutional authority.

But the Supreme Court has constantly held that the exercise of executive discretion being taken by President Obama is within the president's powers under the Constitution.

But we must uphold the Constitution and that is why my amendment which I will hopefully bring before the House shortly, addresses situations.

It is hard to believe that I would even need an amendment which instructs the Executive Branch that it is okay to—ENFORCE THE LAW.

If separation-of-powers principles require anything, it is that each branch must respect its constitutional role.

When a court issues a decision interpreting the Constitution or a federal law, the other branches must abide by the decision.

The Executive Branch's ability to fulfill its obligation to comply with judicial decisions should not be hampered by a civil action by Congress pursuant to this bill.

Basic respect for separation of powers requires adoption of this amendment.

But that is exactly what this bill is doing—in seeking to usurp the powers of the president—particularly President Obama—my colleague whom I realize was a former prosecutor—has put forth a piece of legislation which baffles me.

In our Constitutional Democracy, taking care that the laws are executed faithfully is a multifaceted notion.

And it is a well-settled principle that our Constitution imposes restrictions on Congress' legislative authority, so that the faithful execution of the Laws may present occasions where the President declines to enforce a congressionally enacted law because he must enforce the Constitution—which is the law of the land.

In fact Mr. Chair, if the legislation raises no question of constitutionality, the laws that we pass in this pose complicated questions, and executing them can raise a number of issues of interpretation, application or enforcement that need to be resolved before a law can be executed.

This bill, H.R. 4138, The ENFORCE Act, has problems with standing, separation of powers, and allows broad powers of discretion incompatible with notions of due process.

The legislation would permit one House of Congress to file a lawsuit seeking declaratory and other relief to compel the President to faithfully execute the law. Any such decision would be reviewable only by the Supreme Court.

These are critical problems. First, Congress is unlikely to be able to satisfy the requirements of Article III standing, which the Supreme Court has held that the party bringing suit have been personally injured by the challenged conduct.

In the wide array of circumstances in which the bill would authorize a House of Congress to sue the president, that House would not have suffered any personal injury sufficient to satisfy Article III's standing requirement in the absence of a complete nullification of any legislator's votes.

Second, the bill violates separation of powers principles by inappropriately having courts address political questions that are left to the other branches to be decided.

And Mr. Chair I thought the Supreme Court had put this notion to rest as far back as Baker v. Carr, a case that hails from 1962. Baker stands for the proposition that courts are not equipped to adjudicate political questions—and that it is impossible to decide such questions without intruding on the ability of agencies to do their job.

Third, the bill makes one House of Congress a general enforcement body able to direct the entire field of administrative action by bringing cases whenever such House deems a President's action to constitute a policy of non-enforcement.

This bill attempts to use the notion of separation of powers to justify an unprecedented effort to ensure that the laws are enforced by the president—and I say one of the least creative ideas I have seen in some time.

I ask my colleagues to reject this legislation.

Mr. GOODLATTE. Mr. Chairman, I yield myself 15 seconds to remind those here that during the time that the other party was in the majority, they sued the Bush administration to enforce a subpoena related to Harriet Miers. All we are trying to do is that, when you do that, we make it very clear that there will be an expedited process.

We have sued to get documents for the Fast and Furious matter. That is more than 4 years old.

So we are only trying to make this process of holding up the powers of the House work better.

At this time I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. MARINO), a member of the Judiciary Committee.

Mr. MARINO. Mr. Chairman, the President has shown a complete disregard for the rule of law. Rather than upholding and enforcing the laws as written by Congress, President Obama has decided to rewrite them however it pleases him.

The United States Constitution, to which every President swears an oath, commands that the President:

> shall take care that the laws be faithfully executed.

As a former U.S. Attorney, I took an oath to execute fully my duties. I took this oath very seriously, and that meant following the rule of law, even though I disagreed with it.

It is time to hold the President accountable for violating his oath of office and restore balance between the three branches of government.

I would like to remind my colleagues that there is an old saying:

> Power corrupts, and absolute power corrupts absolutely.

Just recently, the President was caught on an open mike saying:

> I'm the President; I can do what I want.

My colleagues, I ask you to join me in supporting H.R. 4138, introduced by my esteemed colleague on the Judiciary Committee, Representative TREY GOWDY.

The CHAIR. Members are reminded to refrain from engaging in personalities toward the President.

Mr. CONYERS. Mr. Chairman, I would like to remind my friend, the chairman of the Judiciary Committee, that subpoenas are a regular exercise of power in the House of Representatives.

I yield 1 minute to the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. Mr. Chairman, I rise today in opposition to the ENFORCE Act.

For 20 years, our immigration system has been left to rot due to congressional inaction. As a result, today we have over 11 million undocumented immigrants living in the shadows.

After 20 years of neglect, we finally have a commonsense immigration reform package that has already passed the Senate with bipartisan support and has an unprecedented array of support from religious groups, law enforcement, and business leaders throughout the country. It is rare to find a subject that labor leaders and the Chamber of Commerce can agree on, but both have called on Congress to promptly pass comprehensive immigration reform. Speaker BOEHNER and the House Republican leadership have ignored the millions of voices calling for reform, refusing even to bring it up for a vote.

Now, today, we are preparing to vote on the ENFORCE Act, legislation that would have the practical effect of ripping millions of young men and women away from the only home they have ever known.

The Deferred Action for Childhood Arrivals program has allowed countless undocumented youth to remain in the U.S. to attend our schools and to contribute to our economy.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chair, I yield the gentleman an additional 30 seconds.

Mr. FOSTER. Instead of fixing our broken immigration system, Republicans are doubling down on costly deportation and detention practices that are costing taxpayers millions and tearing families apart.

Mr. Chairman, we can't fix the problem by ignoring the symptoms. We cannot fix our broken immigration system either with more deportations or specious constitutional arguments, which is exactly what Republicans are attempting to do today with the ENFORCE Act.

It is time for Republicans to stop inventing incoherent, self-serving, and self-contradictory lines of constitutional reasoning and to start listening to the millions of voices calling for action and pass comprehensive immigration reform.

Mr. GOODLATTE. Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, in our exceptional system of government the House and Senate pass laws which the President must ''take care to faithfully execute.'' This is a bedrock principle of our Constitution.

President Obama has repeatedly exceeded the boundaries of the executive powers allowed to him in the Constitution. We have worked to check this overreach in the House, but the President has unilaterally decided to ignore, waive, or change laws without authorization from Congress.

Notably, President Obama has repeatedly created exemptions and delayed provisions to cover for the many broken promises of his health care law.

The legislation under consideration today will grant the House and Senate the authority to file suit against the President to simply force him to carry out his constitutional duty and enforce the law.

This should not be a partisan issue. The ENFORCE Act will protect all Americans and our system of government from overreach by Presidents of any political party.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentlelady from Nevada (Ms. TITUS).

Ms. TITUS. I rise today in opposition to both H.R. 4138, the so-called ENFORCE Act, and H.R. 3973, Faithful Execution of the Law Act.

□ 1500

These bills reveal a Republican majority that is more interested in undermining the President that in serving the American people.

These bills could undo the critical actions that President Obama has taken to protect DREAMers. DACA gives DREAMers, including almost 10,000 who have applied in Nevada, the chance to pursue their American Dream. We should be encouraging these bright young people to explore their options and develop their talent, not to hide away in the shadows. These bills would take that opportunity away.

The bills would also undermine another executive action that gives the undocumented families of military members and veterans the chance to stay in the United States as long as they don't have a criminal record. Do

we really want to tear apart the families of those who serve our Nation?

Instead of taking real steps to address the many problems our country faces, we are wasting time with these cheap political gimmicks, these sham constitutional arguments. So I would urge my colleagues to reject those and to vote against these harmful, unconstitutional bills.

Mr. GOODLATTE. Mr. Chairman, may I inquire how much time is remaining on each side?

The Acting CHAIR (Mr. DUNCAN of Tennessee). The gentleman from Virginia has 6¾ minutes remaining. The gentleman from Michigan has 5 minutes remaining.

Mr. GOODLATTE. Mr. Chairman, I yield myself 1 minute.

I want to respond to my good friend and the ranking member of the committee, Mr. CONYERS, regarding his comment about lawsuits brought with regard to a subpoena when the Democrats were in the majority.

I also want to point out, and I will ask at the appropriate time that the first page, since it is voluminous, and only the first page of each of four lawsuits that were brought by the gentleman from Michigan against three separate Presidents, Ronald W. Reagan, George W. Bush, and interestingly, Barack Obama, be inserted into the RECORD.

I would only point out that this legislation simply—when there is consensus, as there was not in those cases because only a few other Members joined the gentleman, but when there is consensus in an entire body, the House or the Senate votes to bring a lawsuit, that this would do two things.

It would expedite that process, so we don't have it drag on for years and years like the Fast and Furious case has been dragging on, and it would also make sure that only the standing issues that are in the United States Constitution would be a bar to bringing the lawsuit, and not court-administered, court-created standing issues.

So I urge my colleagues again to support the legislation.

[From LexisNexis]

John Conyers, Member, United States House of Representatives, et al., Appellants v. RONALD WILSON REAGAN, individually, and as President of the United States, et al.

No. 84–5171

United States Court of Appeals for the District of Columbia Circuit

765 F.2d 1124; 246 U.S. App. D.C. 371; 1985 U.S. App. Lexis 30754

January 18, 1985, Argued

June 28, 1985

Prior History: [**1] Appeal from the United States District Court for the District of Columbia (D. C. Civil Action No. 83–3430)

Counsel: Margaret A. Burnham, a member of the bar of the Supreme Court of Massachusetts, pro hac vice, by special leave of court, with whom Michael D. Ratner, Frank E. Deale, John W. Garland, and William Genego, were on the brief, for Appellants.

John M. Rogers, Attorney, Department of Justice, with whom, Richard K. Willard, Acting Assistant Attorney General, Joseph E. DiGenova, United States Attorney, and Leonard Schaitman, Attorney, Department of Justice, were on the brief, for Appellees.

Theodore M. Lieverman, Ira J. Katz, and Alan Dranitzke, were on the brief for Amici Curiae National Lawyers Guild, et al., urging reversal.

Daniel J. Popco and Paul D. Kamenar, were on the brief for Amici Curiae U.S. Senators Strom Thurmond, et al., urging affirmance.

Judges: Tamm, Wald, and Bork, Circuit Judges. Opinion for the court filed by Circuit Judge Tamm.

Opinion by: Tamm.

Opinion: [*1125] Tamm, Circuit Judge:

This is an appeal from the dismissal, 578 F. Supp. 324, of a suit brought by eleven members of the United States House of Representatives challenging [**2] as unconstitutional the military invasion of Grenada in October of 1983. Because the actions complained of have long since ended, we dismiss the appeal as moot.

I. Background

A. The Invasion of Grenada

On October 25, 1983, United States military forces invaded the island nation of Grenada. At the time of the invasion, the political situation in Grenada was unstable: Prime Minister Maurice Bishop and other government officials had been assassinated on October 19, political power had been seized by a newly established Revolutionary Military Council under the leadership of Army Commander General Hudson Austin, and a 24-hour curfew had been declared. President Reagan stated that he [*1126] ordered the invasion to protect innocent lives, including approximately 1,000 Americans living in Grenada, to prevent further chaos and to assist in restoring law and order and government institutions to Grenada.

[From LexisNexis]

John Doe I, John Doe II, John Doe III, John Doe IV, Jane Doe I, Susan E. Schumann, Charles Richardson, Nancy Lessin, Jeffrey McKenzie, John Conyers, Dennis Kucinich, Jesse Jackson, Jr., Sheila Jackson Lee, Jim McDermott, Jose E. Serrano, Sally Wright, Deborah Regal, Alice Copeland Brown, Jerrye Barre, James Stephen Cleghorn, Laura Johnson Manis, Shirley H. Young, Julian Delgaudio, Rose Delgaudio, Danny K. Davis, Maurice D. Hinchey, Carolyn Kilpatrick, Pete Stark, Diane Watson, Lynn C. Woolsey, Plaintiffs, Appellants, v. George W. Bush, President, Donald H. Rumsfeld, Secretary of Defense, Defendents, Appellees.

No. 03–1266

United States Court of Appeals for the First Circuit

323 F.3d 133; 2003 U.S. App. Lexis 4477

March 13, 2003, Decided

Subsequent History: As Amended March 18, 2003.

Rehearing denied by Doe v. Bush, 322 F.3d 109, 2003 U.S. App. Lexis 4830 (1st Cir., Mar. 18, 2003)

Prior History: [**1] Appeal from the United States District Court for the District of Massachusetts. Hon. Joseph L. Tauro, U.S. District Judge.

Doe v. Bush, 240 F. Supp. 2d 95, 2003 U.S. Dist. Lexis 3451 (D. Mass., 2003)

Doe v. Bush, 257 F. Supp. 2d 436, 2003 U.S. Dist. Lexis 2773 (D. Mass., 2003)

Disposition: Affirmed.

Counsel: John C. Bonifaz, with whom Cristobal Bonifaz, Law Offices of Cristobal Bonifaz, Margaret Burnham, Max D. Stern, and Stern Shapiro Weissberg & Garin were on the brief, for appellants.

Michael Avery on the brief for seventy-four concerned law professors, amici curiae.

D. Lindley Young on the brief amicus curiae in propria persona.

Gregory G. Katsas, Deputy Assistant Attorney General, with whom Robert D. McCallum, Jr., Assistant Attorney General, Michael J. Sullivan, United States Attorney, Douglas N. Letter, Attorney, Civil Division, Scott R. McIntosh, Attorney, Civil Division, and Teal Luthy, Attorney, Civil Division, were on the brief, for appellees.

Judges: Before Lynch, Circuit Judge, Cyr and Stahl, Senior Circuit Judges.

Opinion by: Lynch.

Opinion: [*134] Lynch, Circuit Judge. Plaintiffs are active-duty members of the military, parents of military personnel, and members of the U.S. House of Representatives. They filed a complaint in district court . . .

[From LexisNexis]

Honorable John Conyers, Jr., et al., Plaintiffs, v. George W. Bush, et al., Defendants.

Case No. 06-11972

United States District Court for the Eastern District of Michigan, Southern Division

2006 U.S. Dist. Lexis 80816

November 6, 2006, Decided

Counsel: [*1] For John Conyers, Jr., John D. Dingell, Honorable, Representing Michigan's 15th District, Charles B. Rangel, Representing New York's 15th district, George Miller, Honorable, Representing California's 7th District, James L. Oberstar, Honorable, Representing Minnesota's 8th District, Barney Frank, Honorable, Representing Massachusetts' 4th District, Collin C. Peterson, Honorable, Representing Minnesota's 7th District, Bennie Thompson, Honorable, Representing Mississippi's 2nd District, Fortney Pete Stark, Honorable, Representing California's 13th District, Sherrod Brown, Honorable, Representing New York's 29th District, Louise M. Slaughter, Honorable, Representing New York's 28th District, Plaintiffs: Mayer Morganroth, Lead Attorney, Morganroth and Morganroth, Southfield, MI.

For George W. Bush, President of the United States, Mike Johanns, Secretary of the Department of Agriculture, Carlos Guiterrez, Secretary of the Department of Commerce, Margaret Spellings, Secretary of the Department of Education, Michael O. Leavitt, Secretary of the Department of Health and Human Services, Michael Chertoff, Secretary of the Department of Homeland Security, Alphonso Jackson, Secretary of the [*2] Department of Housing and Urban Development, Norman Mineta, Secretary of the Department of Transportation, John Snow, Secretary of the Treasury, Bradley D. Belt, Executive Director, Pension Benefit Guaranty Corporation, Leonidas Ralph Mecham, Director, Administrative Office of the United States Courts; Defendants: Brian G. Kennedy, U.S. Department of Justice (Civil Division), Washington, DC.

For John F. Bovenzi, Chief Operating Officer, Federal Deposit Insurance Corporation, Thomas Holzman, Lead Attorney, Federal Deposit Insurance Corp (Arlington), Arlington, Va.

Judges: Honorable Nancy G. Edmunds, United States District Judge.

Opinion by: Nancy G. Edmunds.

Opinion: Order Granting Defendants' Motions to Dismiss [17, 18]

This matter comes before the Court on Defendants' motions to dismiss, brought pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. Defendants' motions argue that Plaintiffs do not have standing to bring this lawsuit; and, even if

they did, the ''enrolled bill rule'' announced in *Marshall Field & Co.* v. *Clark, 143 U.S. 649, 12 S. Ct. 495, 36 L. Ed. 294 (1892),* forecloses Plaintiffs' from [*3] stating a claim for the relief they seek. For the reasons discussed below, Defendants' motions are Granted.

[From LexisNexis]

Dennis Kucinich, et al., Plaintiffs, v. Barack Obama, et al., Defendants.

Civil Action No. 11-1096 (RBW)

United States District Court for the District of Columbia

821 F. Supp. 2d 110; 2011 U.S. Dist. Lexis 121349

October 20, 2011, Decided

October 20, 2011, Filed

Counsel: [**1] For Dennis Kucinich, Member, U.S. House of Representatives, Ron Paul, Member, U.S. House of Representatives, Timothy V. Johnson, Member, U.S. House of Representatives, John J. Duncan, Jr., Member, U.S. House of Representatives, Howard Coble, Member, U.S. House of Representatives, Dan Burton, Member, U.S. House of Representatives, Michael E. Capuano, Member, U.S. House of Representatives, Roscoe Bartlett, Member, U.S. House of Representatives, John Conyers, Jr., Member, U.S. House of Representatives, Walter B. Jones, Member, U.S. House of Representatives, Plaintiffs: Jonathan Turley, Lead Attorney, George Washington Law School, Washington, DC.

For Barack Hussein Obama, II, President of the United States of America, Robert Gates, Secretary of Defense, Defendants: Eric R. Womack, Lead Attorney, U.S. Department of Justice, Washington, DC.

Judges: Reggie B. Walton, United States District Judge.

Opinion by: Reggie B. Walton.

Opinion: [*112] *Memorandum Opinion*

Is case in which the plaintiffs, ten members of the United States House of Representatives, filed a five-claim complaint against the defendants alleging, among other things, violations of the War Powers Clause of the United States Constitution, U.S. Const. art. I, §8, cl. 11, [**2] and the War Powers Resolution, 50 U.S.C. §§1541–1548 (2006), is before the Court on the defendants' motion to dismiss. For the reasons explained below, the defendants' motion will be granted.

1 In deciding the defendants' motion, the Court considered the following filings made by the parties: the Complaint for Injunctive and Declaratory Relief (''Compl.''); the Memorandum in Support of Defendants' Motion to Dismiss (''Defs.' Mem.''); the Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants' Motion to Dismiss (''Pls.' Opp'n''); and the Reply in Support of Defendants' Motion to Dismiss (''Defs.' Reply'').

I. Background

2 Because the defendants' motion to dismiss raises purely legal questions, the Court will only briefly describe the facts underlying this lawsuit.

Viewed in the light most favorable to the plaintiffs, the facts currently before the Court are as follows. On . . .

Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. GOWDY).

Mr. GOWDY. Mr. Chairman, I want to thank Chairman GOODLATTE.

I also want to thank my friend and colleague from the great State of South Carolina, Mr. TOM RICE, whose legal research and expertise and acumen and leadership is one of the reasons we are here today.

I also am curious about this notion of prosecutorial discretion. I am curious, even though I was a prosecutor for 16 years. I guess I am curious, Mr. Chairman, as to whether there are any limitations on this thing they call prosecutorial discretion.

Can the President refuse to enforce discrimination laws under that same theory of prosecutorial discretion?

Can the President refuse to enforce election laws under that same theory of prosecutorial discretion?

Mr. Chairman, how about term limits? Do we have to have an election in November?

I mean, if he is well-intentioned, as long as his heart is in the right place, if you can suspend other categories of laws, why not?

If prosecutorial discretion is as broad as our colleagues on the other side of the aisle want us to believe it is, are there any limits, Mr. Chairman, to this thing they call prosecutorial discretion?

There are laws that prohibit conduct, like laws against possession of child pornography. There are laws that require conduct, like filing a tax return in April. Is the Chief Executive equally capable of suspending both categories of law, Mr. Chairman? Is he?

Can he suspend those that require conduct as well as those that prevent conduct?

I am just trying to get an idea of what limits, if any, exist to this thing you call prosecutorial discretion.

Hearing none, Mr. Chairman, I know a little bit about it. It is case by case. It is on the facts. It is not the wholesale refusal to enforce the law.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, this legislation isn't just about bringing a lawsuit. I think it is important to note on page 13, 14 of the committee report, item 3, it says, unlawful extension of parole in place.

I think that shows what the majority thinks about that, and shockingly enough, that is the action that was taken by the President pursuant to express statutory authority, section 212(d)(5) of the Immigration and Nationality Act, to allow the wives of American soldiers to not be deported.

In July of 2010, a letter was sent to the Department signed by nine Democrats and nine Republicans. I will insert the letter into the RECORD. And we said this:

> Although many of the immigration issues experienced by our men and women in uniform require legislative action, Congress has already given you tools to provide some relief to these brave soldiers and their families.

We urged them to consider deferred action, to favorably exercise parole authority for close family members and to forbear from initiating removal in certain cases.

Now, this is nothing new. We have used parole authority pursuant to the Immigration Act in faithful enforcement of the law to prevent Cubans from being deported back to Cuba since John F. Kennedy was President of the United States.

For the majority to suggest that keeping the wives of American soldiers who were under fire in Afghanistan from being deported is, and I quote, ''an unlawful extension of parole in place,'' I think it is a truly shocking, and I would say, very distressing and disturbing phenomenon. We knew that the majority wanted to deport the DREAM Act kids because they voted for the King amendment last year. When Democrats took the DREAM Act up for a vote, all but eight voted against it.

But that you want to deport the wives of American soldiers in Afghanistan, I am sorry, is a new low.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 9, 2010.

Hon. JANET NAPOLITANO,
Secretary of Homeland Security, Department of Homeland Security, Washington, DC.

DEAR SECRETARY NAPOLITANO: We write to commend your attention to a May 8, 2010 New York Times article entitled, ''Illegal Status of Army Spouses Often Leads to Snags.'' It describes the struggle of U.S. Army Lt. Kenneth Tenebro to serve his country while at the same time navigating a complex immigration system that has, thus far, failed to grant legal immigration status for his wife, Wilma.

The article explains that Lt. Tenebro,

> served one tour of duty in Iraq, dodging roadside bombs, and he would like to do another. But throughout that first mission, he harbored a fear he did not share with anyone in the military. Lieutenant Tenebro worried that his wife, Wilma, back home in New York with their infant daughter, would be deported.

Although Lt. Tenebro would like to continue deploying for combat, today he does not volunteer for deployment for fear of losing his wife to deportation and because he does not know what would happen to his three-year-old daughter while he is away on a military mission.

Lt. Tenebro is not alone. Many soldiers are unable to secure legal immigration status for their family members, even as they risk their lives for our country. Some have testified before Congress about their own stories and those of fellow soldiers they seek to assist.

This is not only an issue of keeping U.S. citizen families together. It is a military readiness issue. After 33 years of service, Retired Lieutenant General Ricardo Sanchez, a former commander of ground forces in Iraq, stated in a 2008 letter to the House Committee on the Judiciary, ''We should not continue to allow our citizenship laws and immigration bureaucracy to put our war-fighting readiness at risk.'' He explained:

> As a battlefield commander, the last thing I needed was a soldier to be distracted by significant family issues back home. Resolving citizenship status for family members while serving our country, especially during combat, must not be allowed to continue detracting from the readiness of our forces. When soldiers have to worry about their families, individual readiness falters—which can lead to degradation in unit effectiveness and the risk of mission failure. I have personally witnessed this on the battlefield.

Although many of the immigration issues experienced by our men and women in uniform require legislative action, Congress has already given you tools to provide some relief to these brave soldiers and their families. We hope that you will use all the power at your disposal to assist Lt. Tenebro and other soldiers, veterans, and their close family members to attain durable solutions. For example, DHS can join in motions to reopen cases where there may be legal relief available; consider deferred action where there is no permanent relief available but significant equities exist, such as deployment abroad; favorably exercise its parole authority for close family members that entered without inspection; forbear from initiating removal in certain cases where equities warrant exercise of prosecutorial discretion; and, other tools that would ease the burden for soldiers suffering from immigration-related problems to the extent that the current law allows. Of course, we expect that you will continue to conduct all necessary national security and criminal background checks before providing relief in any case.

As this country is engaged in two wars in Iraq and Afghanistan, we must do everything we can to address the immigration needs of our soldiers. As Lt. Gen. Sanchez stated,

It matters greatly that those who fight for this country know that America values their sacrifices. As leaders, it is our duty to sustain the readiness, morale and war-fighting spirit of our warriors. We must not fail them for America's future depends on their sacrifices and their willingness to serve.

Thank you for your attention to this matter. We look forward to your immediate response.

Sincerely,

Zoe Lofgren; John Conyers, Jr.; Mac Thomberry; Mike Pence; Howard Berman; Silvestre Reyes; Solomon Ortiz; David Price; Henry Cuellar; Xavier Becerra; Susan Davis; Ileana Ros-Lehtinen; Sam Johnson; Michael Turner; Adam Putnam; Lincoln Diaz-Balart; Mario Diaz-Balart; Anh ''Joseph'' Cao.

Mr. GOODLATTE. Mr. Chairman, at this time I yield 1 minute to the gentleman from Virginia (Mr. HURT).

Mr. HURT. Mr. Chair, I thank the chairman for yielding, and I thank the gentleman from South Carolina for his leadership on this issue.

Mr. Chairman, I rise in support of the ENFORCE Act which reins in the growing problem of executive overreach in this administration, and helps reestablish the checks and balances inherent in our Constitution.

Our founders crafted a Constitution with limited and enumerated powers for the three branches of government. Unfortunately, executive branch overreach, especially into the prerogatives of the legislative branch, has significantly increased in recent years.

This overreach is so significant that this administration has not only ignored and undermined statutory requirements, it has effectively made law without congressional consent.

While the executive branch undoubtedly has great powers, the Constitution expressly prohibits it from picking and choosing which laws it will enforce. If the constitutional limits on executive power are simply being ignored, it is up to Congress to demand accountability on behalf of the American people.

This should not be a partisan issue but, instead, should focus on restoring the proper role of the executive to ensure that the laws of Congress that are passed are faithfully executed.

I urge my colleagues to join me in support of this legislation which restores the balance of power to our government and preserves the foundation of our Constitution.

Mr. CONYERS. Mr. Chairman, I am prepared to close if the other side is ready.

Mr. GOODLATTE. Mr. Chairman, we have only one closing speaker remaining, so if the gentleman is prepared to close, we will close right after.

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

Ladies and gentlemen, let's acknowledge that this legislation is really another attempt by some of the Members here in the majority to prevent the President of the United States from implementing duly-enacted legislative initiatives that they oppose. It is rather unusual.

But I want to ask my colleagues, friends, when is enough enough?

At what point can we say, it is time to put away rhetoric of a partisan nature, of demagoguery, and of synthetic scandals and start really working on the issues that many people in this country really want solutions to?

We have constituents, and so do you, that are waiting for us to take action on a host of problems that this House refuses to address, from securing fair pay for a fair day's work, to extending unemployment insurance, and also in the Judiciary Committee, fixing our broken immigration laws. So let's put aside some of the business that has gone on here today and finally get to work.

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

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

This House has passed close to 200 bills that are piled up in the United States Senate that create jobs, that promote domestic energy production, that reform our out-of-control Federal regulatory process in this country, but it is also well worth taking our time to protect this institution's prerogatives and the people.

Here in the people's House, we represent the interests of the people of this country, and to uphold the powers, the article I powers of the House, is vitally important.

The Constitution provides that ''all legislative powers herein granted shall be vested in a Congress of the United States.''

Yet, the current administration has unilaterally sought to rewrite the law, not by working with the people's elected representatives, but through:

blog posts like this one, which removes penalties for employers who would otherwise be required to provide insurance coverage for their employees;

regulatory ''fact sheets'' like this one, which creates an entirely new category of businesses and exempts them from their responsibility under the law;

letters such as this one, which acknowledges that people are having their health insurance terminated under ObamaCare, in violation of the President's promise that ''if you like your health care plan, you can keep it,'' and then claims to suspend the law's insurance requirement to a date uncertain.

This one letter alone suspends the application of eight key provisions of ObamaCare, namely, those requiring fair health insurance premiums, guaranteeing the availability of coverage, guaranteeing renewable coverage, prohibiting exclusions for preexisting conditions, prohibiting discrimination based on health status and others.

Why is this being done?

To delay the terrible consequences of ObamaCare until after the next election. As this headline from The Hill newspaper announced just last week: ''New ObamaCare delay to help midterm Dems: Move will avoid cancelation wave before Election Day.''

These actions are not supported by the United States Constitution. It is time for Congress and the judiciary to act. This bill would empower the Congress and the judiciary to remind the President that ours is a system of government consisting of three separate, coequal branches, not one-branch control of our government.

Support the ENFORCE the Law Act, and restore the constitutional basis for the American system of government and the rule of law.

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

□ 1515

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–43. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 4138

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 ''Executive Needs to Faithfully Observe and Respect Congressional Enactments of the Law Act of 2014'' or the ''ENFORCE the Law Act of 2014''.

SEC. 2. AUTHORIZATION TO BRING CIVIL ACTION FOR VIOLATION OF THE TAKE CARE CLAUSE.

(a) IN GENERAL.—Upon the adoption of a resolution of a House of Congress declaring that the President, the head of any department or agency of the United States, or any other officer or employee of the United States has established or implemented a formal or informal policy,

practice, or procedure to refrain from enforcing, applying, following, or administering any provision of a Federal statute, rule, regulation, program, policy, or other law in violation of the requirement that the President take care that the laws be faithfully executed under Article II, section 3, clause 5, of the Constitution of the United States, that House is authorized to bring a civil action in accordance with subsection (c), and to seek relief pursuant to sections 2201 and 2202 of title 28, United States Code. A civil action brought pursuant to this subsection may be brought by a single House or both Houses of Congress jointly, if both Houses have adopted such a resolution.

(b) RESOLUTION DESCRIBED.—For the purposes of subsection (a), the term ''resolution'' means only a resolution—

(1) the title of which is as follows: ''Relating to the application of Article II, section 3, clause 5, of the Constitution of the United States.''

(2) which does not have a preamble; and

(3) the matter after the resolving clause which is as follows: ''That _____ has failed to meet the requirement of Article II, section 3, clause 5, of the Constitution of the United States to take care that a law be faithfully executed, with respect to _____.'' (the blank spaces being appropriately filled in with the President or the person on behalf of the President, and the administrative action in question described in subsection (a), respectively).

(c) SPECIAL RULES.—If the House of Representatives or the Senate brings a civil action pursuant to subsection (a), the following rules shall apply:

(1) The action shall be filed in a United States district court of competent jurisdiction and shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(2) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(3) It shall be the duty of the United States district courts and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any such action and appeal.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 113–378. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113–378.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

(d) LIMITATION.—Nothing in this Act limits or otherwise affects any action taken by the President, the head of a department or agency of the United States, or any other officer or employee of the United States in order to—

(1) combat discrimination; or

(2) protect the civil rights of the people of the United States.

The Acting CHAIR. Pursuant to House Resolution 511, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, ladies and gentlemen of the House, my amendment would exclude actions to combat discrimination and protect civil rights enforcement from the scope of this bill before us.

The last thing we should want to do as a Congress is to pass legislation that makes it more difficult to protect our citizens' civil rights, by executive action or otherwise; yet if H.R. 4138 had been law, several of the most critical civil rights milestones of our Nation would have been subject to unnecessary congressional challenge in the courts.

In 1863, President Abraham Lincoln issued perhaps the most important executive order in our Nation's history, the Emancipation Proclamation; and by this order, Lincoln freed the slaves in those southern States that were engaged in military conflict with the Union.

By doing so, Lincoln not only encouraged slaves to take up arms in fighting the Civil War for the Union, he also struck a blow for freedom that resonated around the world.

By issuing the order, however, President Lincoln made a decision to not enforce then-existing laws, protecting the institution of slavery, including the Federal Fugitive Slave Act.

Clearly, history has shown Lincoln's decision to be not only a legal and a military turning point, but morally correct; and clearly, had the so-called ENFORCE Act been law, the Emancipation Proclamation could have been subject to an unnecessary and unhelpful legal challenge in the courts from the Congress.

Another example is President Truman's Executive Order 9981 issued in 1948 that desegregated the United States military. With more than 125,000 African Americans serving overseas in World War II, this was a worthwhile and appropriate action by the President.

Nevertheless, by issuing this order, Truman contravened the then-military policy of segregating certain African American military units from white units.

Again, had this bill before us been law, it would have permitted an unnecessary congressional legal challenge in the courts, and such a challenge would not have been politically unpopular in many quarters.

Remember that 1948 was the year that Strom Thurmond bolted from the Democratic Party to form the Dixiecrats and went on to carry four States and strongly compete in many others in the Presidential election.

I urge my colleagues on both sides of the aisle to please consider the unintended consequences of the legislation before us. It would not only represent a permanent stain on the principle of separation of powers written by our Founding Fathers into the Constitution, but it would make it far more difficult to protect our citizens' civil rights and other constitutional protections.

Accordingly, I urge a ''yes'' vote to protect civil rights, and I yield back the balance of my time.

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

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

Mr. GOODLATTE. Mr. Chairman, I oppose this amendment, as it would allow the President to rewrite the civil rights laws on his own without any accountability in court.

The amendment, if adopted, would literally provide that nothing in the bill shall affect any action taken by the President or by the head of an agency or, indeed, any action taken by ''any other officer or employee of the United States,'' with regards to the protections provided under the civil rights laws.

If adopted, this amendment would immunize from accountability in court this President and any President and other Federal employees when they fail to enforce the civil rights laws, as written.

What if a President decides that certain groups should not be protected under the civil rights laws and fails to enforce those laws to protect certain groups?

Indeed, what if any entry-level employee of the Federal Government decides the civil rights laws should not be enforced to protect certain groups that are protected under the clear terms of the civil rights laws?

This amendment, if adopted, would immunize the President or any entry-level employee of the executive branch from accountability.

In fact, this amendment stands for the very policy this bill opposes. This bill provides for holding accountable the President or any other Federal employee whenever they fail to faithfully execute the law.

This amendment, in stark contrast, would prevent the Federal courts from ordering the President and other Federal officials to enforce the civil rights laws when they are failing to faithfully execute them.

It was a sad day when Members of this House stood up and applauded this President when he said, during his State of the Union Address, that he would seek to circumvent Congress when the people's duly elected Representatives oppose his proposals and when a senior member of the Senate called for the President to unilaterally stop enforcing the law against certain individuals if legislation is not passed by September, as Senator SCHUMER did last Thursday.

It is another sad day when an amendment is offered to explicitly shield the President or any other Federal employee from accountability when their actions are not authorized by the laws enacted by the people's elected Representatives.

The President should not be above the law; and by that, I mean any law, not the least of which are the civil rights laws of the United States.

Because this amendment would codify the terrible policy of allowing a President carte blanche to enforce or not enforce the civil rights laws as he deems fit, it should be opposed by every Member of this body, especially those who would like to see the civil rights laws protect everyone, as they are written.

Mr. NADLER. Will the gentleman yield?

Mr. GOODLATTE. I would be happy to yield to the gentleman from New York.

Mr. NADLER. I thank the gentleman.

Isn't it true, sir, that the language that you read from the amendment says ''nothing in this bill''? It means that if the amendment were passed, the ability of the Congress or the courts to enforce the law against the President would be exactly the same as if the bill didn't pass, so it wouldn't immunize the President from the current law.

It would immunize him from whatever new thing the bill would do, but not from the current law and whatever ability the courts have to restrain the President from not enforcing civil rights laws right now.

Mr. GOODLATTE. Reclaiming my time, the amendment is clear that it would prohibit the language of the bill from bringing a lawsuit when the President fails to enforce the civil rights laws.

Mr. Chairman, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. SESSIONS. Mr. Chair, as chair of the Committee on Rules, I want to take a moment to address the procedural status of the resolutions discussed in this measure. It is my understanding that the resolutions contemplated by H.R. 4138 would not be privileged or otherwise subject to expedited procedures in the House. Because there would be no procedural ramifications for a measure failing to adhere to the statutory prescription, there should be no occasion for the Chair to rule on whether or not that measure meets the definition of a ''resolution'' as that term is used in H.R. 4138.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113–378.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

(d) LIMITATION.—Nothing in this Act limits or otherwise affects the constitutional authority of the executive branch to exercise prosecutorial discretion.

The Acting CHAIR. Pursuant to House Resolution 511, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, my amendment adds a new section to the bill to ensure that the President retains the well-established constitutional authority to exercise prosecutorial discretion when enforcing our laws.

H.R. 4138 would empower either the House or the Senate to file a lawsuit whenever one House disagrees with how the executive branch is implementing a law. The bill applies to enforcement decisions made by any officer or employee of the United States, thus reaching into every decision across hundreds of thousands of ''Federal statutes, rules, regulations, programs, policies, or other laws.''

H.R. 4138 is a practical nightmare. It invites endless costly litigation over policy disagreements that do not raise any legitimate constitutional concerns. We need look no further than the examples cited by the sponsors of this bill to see that this is true.

Far from representing a violation of the Take Care Clause, President Obama's decision to delay—not to refuse—enforcement of various deadlines under the Affordable Care Act are reasonable implementation decisions that are designed to ensure the ultimate success of the President's signature law. Delaying implementation of a complex law is not unusual.

Similarly, the administration's setting of immigration enforcement priorities falls well within its exercise of prosecutorial discretion and raises no legitimate constitutional concern.

The administration's decision to provide temporary relief from removal for certain DREAMers—young adults brought to the United States as children—complies both with Congress' statutory directive to establish national immigration enforcement priorities and within the President's responsibility to exercise prosecutorial discretion under the Take Care Clause of the Constitution.

While my colleagues now seek to drag courts into nonjusticiable political disputes, the fact of the matter is that no court has ever found delay in implementation of a law or the routine exercise of criminal or civil enforcement powers to constitute a violation of the Take Care Clause.

The fact is that courts likely will refuse jurisdiction over lawsuits brought by Congress against a President because H.R. 4138 violates bedrock principles of constitutional law.

The Supreme Court has long recognized that the Take Care Clause vests the President with ''broad'' discretion to determine when, against whom, how, and even whether to prosecute apparent violations of the law.

In Heckler v. Chaney, for example, the Court confirmed this core principle when it recognized that:

An agency's refusal to institute proceedings shares to some extent the characteristics of the decision of a prosecutor in the executive branch not to indict—a decision which has long been regarded as the special province of the executive branch, inasmuch as it is the Executive who is charged by the Constitution to ''take care that the laws be faithfully executed.''

The injection of Congress and the courts into decisions that the Constitution squarely commits to the President's discretion raises significant separation of powers concerns. It also lies beyond the purview of the courts to accept any such case under the Supreme Court's political question jurisprudence.

In Baker v. Carr, the Supreme Court made clear that the courts cannot and will not interfere in matters that the Constitution commits to a coordinate branch of government.

My amendment seeks to mitigate H.R. 4138's unconstitutional encroachment into the President's authority to faithfully execute the law by adding a new subsection (d) to ensure that nothing in H.R. 4138 ''limits or otherwise affects the clearly established constitutional authority of the executive branch to exercise prosecutorial discretion.''

My amendment cures one of H.R. 4138's many constitutional infirmities. I urge all of my colleagues to support it.

I reserve the balance of my time.

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

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

Mr. GOODLATTE. Mr. Chairman, Mr. NADLER's amendment purports to clarify that nothing in this legislation limits or otherwise affects prosecutorial discretion. If this amendment is adopted, it will only serve to cause confusion regarding the scope of the President's duty under the Take Care Clause and the ability of Congress to bring a lawsuit pursuant to this legislation.

The underlying bill provides that the House or Senate may authorize a lawsuit based upon adoption of a resolution declaring that the executive branch ''established or implemented a formal or informal policy, practice, or procedure to refrain from enforcing'' Federal law in violation of the Take Care Clause.

Adoption of a ''policy, practice, or procedure'' is not an exercise in prosecutorial discretion; rather, the exercise of prosecutorial discretion involves a determination as to whether a particular individual or entity should be the subject of an enforcement action for past conduct.

□ 1530

In other words, nothing in this bill limits prosecutorial discretion. Thus, inserting into the bill an exception for the undefined term ''prosecutorial discretion'' would only serve to cause confusion.

Worse, including an exception for prosecutorial discretion would also allow the executive branch to move to dismiss every case brought pursuant to this bill on the grounds that it was merely exercising prosecutorial discretion. This would result in costly and wasteful delays in the court's ability to decide the merits of these important separation of powers disputes in a timely manner.

Additionally, if adopted, the amendment would cause confusion as to the meaning of the Take Care Clause itself. The clause imposes an affirmative duty on the President to ''take care that the laws be faithfully executed.'' This amendment proposes to interpret that duty by codifying into statutory law that there is a ''constitutional authority of the executive branch to exercise prosecutorial discretion.''

However, unlike the duty imposed by the Take Care Clause, the words ''prosecutorial discretion'' appear nowhere in the text of the Constitution. We should not place an undefined limit on the Take Care Clause into the United States Code.

Finally, the amendment would, in practice, act to prohibit the Federal courts from further refining the contours of appropriate prosecutorial discretion. The base bill seeks to encourage courts to engage in active constitutional issues, not to put entire categories of subjects off-limits from review by the Federal courts.

I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from New York has 1½ minutes remaining.

Mr. NADLER. I will yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, this is about deporting the DREAM Act students. On page 13 of the committee report, the majority calls out for condemnation the exercise of prosecutorial discretion relative to the DREAMers. It is quite a departure from when Republicans joined with Democrats to say that it is well established that prosecutorial discretion can be used in immigration cases and asking that guidelines be developed and be implemented and used for categories of individuals.

In fact, the ''discretion'' in ''prosecutorial discretion'' comes from the Take Care Clause. That is what the Supreme Court has told us. That is the guidance we have from the highest law in the land.

What this is really about, Mr. Chairman, is about the majority's apparently voracious appetite to deport these young people. That is why the deportation of DREAMers is called out in the committee report. It is why they oppose prosecutorial discretion. I think it is quite a shame.

Mr. GOODLATTE. May I inquire how much time each side has remaining?

The Acting CHAIR. The gentleman from Virginia has 2½ minutes remaining, and the gentleman from New York has 30 seconds remaining.

Mr. GOODLATTE. At this time, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. GOWDY).

Mr. GOWDY. Thank you, Mr. Chairman.

Mr. Chairman, prosecutorial discretion encompasses the executive power to decide whether to bring charges, seek punishment, penalties, or sanctions. This next line is really important. It does not include the power to disregard other statutory obligations.

Mr. Chairman, that is from a United States Supreme Court case. So, I guess my question is: I have heard about immigration. I haven't mentioned immigration. I want to talk about mandatory minimums in drug cases. That has been the law for 20-something years. You have X amount of methamphetamine, you get X amount of time in prison. It is called a mandatory minimum. Are you telling me that the phrase ''prosecutorial discretion'' includes the Attorney General telling his prosecutors to disregard the law, not to not prosecute the case? That would be consistent. He is not telling them not to prosecute the case. He is telling them don't inform the judiciary of the drug amounts. That is not prosecutorial discretion; that is anarchy.

So, yes, Mr. NADLER, I agree—or my friend from New York, I agree, Mr. Chairman, with the concept of prosecutorial discretion. I used it for 16 years. But your amendment does not define it. And my fear is—while my friend from New York would never do this, my fear is some may overread it to include allowing a President to disregard obligations that we place on him or her, and under no theory of prosecutorial discretion is that legal.

Mr. NADLER. Mr. Chairman, I don't have the time to answer all of Mr. GOWDY's arguments except to say that if this bill were to pass, which it won't because the Senate won't look at it, but if the bill were to pass and if my amendment were adopted, it would simply make it easier for the courts to define what prosecutorial discretion is and is not, and I am confident that they would agree with Mr. GOWDY as to some of the horribles not being prosecutorial discretion. But since it would put prosecutorial discretion as an exception to the bill, then you could get a judicial determination as to what prosecutorial discretion is and what it isn't.

I urge my colleagues to vote for this amendment, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, for the reasons already cited, I urge my colleagues to oppose this amendment which would gut the bill, and I yield back the balance of my time.

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

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

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

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

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. GOWDY) assumed the chair.

MESSAGE FROM THE PRESIDENT

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

The SPEAKER pro tempore. The Committee will resume its sitting.

EXECUTIVE NEEDS TO FAITHFULLY OBSERVE AND RESPECT CONGRESSIONAL ENACTMENTS OF THE LAW ACT OF 2014

The Committee resumed its sitting.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR (Mr. DUNCAN of South Carolina). It is now in order to consider amendment No. 3 printed in part A of House Report 113–378.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

(d) LIMITATION.—Nothing in this Act limits or otherwise affects the ability of the executive branch to comply with judicial decisions interpreting the Constitution or Federal laws.

The Acting CHAIR. Pursuant to House Resolution 511, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, frankly, maybe I should offer a good thanks to the distinguished members of the majority, the Republicans, my chairman and others, for giving us an opportunity to have a deliberative constitutional discussion that reinforces

the sanctity of this Nation and how well it is that we have lasted some 400 years operating under a Constitution that clearly defines what is constitutional and what is not.

The ENFORCEMENT Act is not constitutional, but it gives us an opportunity to raise these issues. That is what freedom is. That is what the opportunity of democracy is all about. So the Jackson Lee amendment engages in this discussion to reinforce that there are constitutional problems with the ENFORCE Act.

My amendment excludes from the scope of the bill any executive action taken to comply with judicial decisions interpreting the constitutional Federal laws. The amendment would ensure that one House of Congress cannot initiate dilatory legal challenges when executive actions were taken to comply with the judicial decisions.

A couple of weeks ago, I believe in the month of February, the Speaker of the House came forward regarding a serious issue when they announced that they were prepared to move forward with discussions on immigration reform. Then, less than 5 days later, the Speaker took to the airwaves and indicated that that offer of bipartisanship has been pulled down because of the trust question of the President of the United States.

Mr. Chairman, I cannot tell you what happened in those 5 days. The President led the country; the President provided for the country; the President listened to the American people; the President has been the Commander in Chief; and the President has provided that kind of fiscal responsibility working on the omnibus, the budget, and I don't know what happened.

But what I will say to you is I can see no reason for this kind of legislation to come to the floor of the House and to be able to clearly poke a spear, if you will, in the eye of article 2 that says, ''The executive power shall be vested in a President of the United States of America.'' This President has that power.

My amendment will ensure that whatever passes here allows the President to be able to handle the business of the American people through judicial and Federal statutes without interference. I would ask my colleagues to support my amendment.

I reserve the balance of my time.

Mr. Chair, I thank you for allowing a chance to explain my amendment.

The purpose of H.R. 4138 is to provide a mechanism for one House of Congress to enforce the ''take care'' clause in article II, section 3 of the United States Constitution, which requires the President to ''take Care that the Laws be faithfully executed—but in fact has the opposite effect.''

That is why my amendment protects the ability of the Executive Branch to comply with judicial decisions interpreting the Constitution or Federal laws.

The Jackson Lee Amendment excludes from the scope of the bill any executive action taken to comply with judicial decisions interpreting the Constitution or Federal laws.

The amendment would ensure that one house of Congress could not initiate dilatory legal challenges when executive actions were taken to comply with judicial decisions.

The bill authorizes either chamber of Congress to bring a civil action against the executive branch for failure to faithfully execute existing laws.

My colleagues on the other side argue that lawsuits by Congress to force the administration to enforce federal laws will prevent the president from exceeding his constitutional authority, but the Supreme Court has Constantly held that the exercise of executive discretion being taken by President Obama is within the president's powers under the Constitution.

It is hard to believe that I would even need an amendment which instructs the Executive Branch that it is okay to—ENFORCE THE LAW.

If separation-of-powers principles require anything, it is that each branch must respect its constitutional role.

When a court issues a decision interpreting the Constitution or a federal law, the other branches must abide by the decision.

The Executive Branch's ability to fulfill its obligation to comply with judicial decisions should not be hampered by a civil action by Congress pursuant to this bill.

Basic respect for separation of powers requires adoption of this amendment.

But that is exactly what this bill is doing—in seeking to usurp the powers of the president—particularly President Obama—my colleague whom I realize was a former prosecutor—has put forth a piece of legislation which baffles me.

In our Constitutional Democracy, taking care that the laws are executed faithfully is a multifaceted notion.

And it is a well-settled principle that our Constitution imposes restrictions on Congress' legislative authority, so that the faithful execution of the Laws may present occasions where the President declines to enforce a congressionally enacted law because he must enforce the Constitution—which is the law of the land.

In fact Mr. Chair, if the legislation raises no question of constitutionality, the laws that we pass in this pose complicated questions, and executing them can raise a number of issues of interpretation, application or enforcement that need to be resolved before a law can be executed.

This bill, H.R. 4138, The ENFORCE Act, has problems with standing, separation of powers, and allows broad powers of discretion incompatible with notions of due process.

The legislation would permit one House of Congress to file a lawsuit seeking declaratory and other relief to compel the President to faithfully execute the law. Any such decision would be reviewable only by the Supreme Court.

These are critical problems. First, Congress is unlikely to be able to satisfy the requirements of Article III standing, which the Supreme Court has held that the party bringing suit have been personally injured by the challenged conduct.

In the wide array of circumstances in which the bill would authorize a House of Congress to sue the president, that House would not have suffered any personal injury sufficient to satisfy Article III's standing requirement in the absence of a complete nullification of any legislator's votes.

Second, the bill violates separation of powers principles by inappropriately having courts address political questions that are left to the other branches to decided.

And Mr. Chair, I thought the Supreme Court had put this notion to rest as far back as Baker v. Carr, a case that hails from 1962. Baker stands for the proposition that courts are not equipped to adjudicate political questions—and that it is impossible to decide such questions without intruding on the ability of agencies to do their job.

Third, the bill makes one House of Congress a general enforcement body able to direct the entire field of administrative action by bringing cases whenever such House deems a President's action to constitute a policy of non-enforcement.

This bill attempts to use the notion of separation of powers to justify an unprecedented effort to ensure that the laws are enforced by the president—and I say one of the least creative ideas I have seen in some time.

I ask my colleagues to support the Jackson Lee Amendment, which again, protects the ability of the Executive Branch to comply with judicial decisions interpreting the Constitution or Federal laws.

Mr. Chair, the United States Constitution is sacrosanct—let's support it!

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

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

Mr. GOODLATTE. Mr. Chairman, I oppose this amendment, as it would gut the bill.

Read the text of the amendment. The amendment would explicitly prohibit the bill from affecting the executive branch's compliance with judicial decisions interpreting the Constitution or Federal laws. But that is exactly the point of the base bill.

The base bill encourages the courts to decide constitutional issues relating to the Constitution's separation of powers between the branches of government. We would of course expect the President to obey those decisions from the courts, yet this amendment would grant the President the authority to defy those very court decisions by making sure that the President did not have to be, quote, affected by them.

This amendment only adds insult to injury. It would take a bill designed to encourage the Federal courts to engage in the constitutional issues of the day and amend it to explicitly allow the President to defy the decisions of those courts.

There is no reason to exempt court decisions from the bill's coverage. The base bill allows Congress to bring lawsuits if the President fails to faithfully execute the laws. The President is obligated to follow Federal court decisions to the same extent he must follow Federal statutes, treaty obligations, and, of course, the Constitution itself.

Rather than furthering the bill's goal of enforcing the Take Care Clause, the amendment would create an enormous loophole in the bill's coverage, and so I must urge my colleagues to reject this gutting amendment.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Let me make this point, and I will yield 15 seconds to the distinguished gentlelady from California.

But I thank the gentleman from Virginia for his eloquence. Obviously, he is from the great State of Thomas Jefferson, and I certainly am from the great law school of Thomas Jefferson, the University of Virginia School of Law.

But let me just say that what this bill intends to do, the power the bill purports to assign to Congress to sue the President over whether he has properly discharged his constitutional obligations to take care that the laws be faithfully executed, exceeds—he knows it exceeds any constitutional boundaries. He is challenging the President on decisions that they don't agree with that are political. They don't agree with deferred adjudication. They don't agree with the DREAM Act youngsters. They don't agree that we should move forward on immigration reform. They are challenging him on his right to exert his power.

I yield 15 seconds to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I agree with the amendment.

I would note that the late Henry Hyde signed the letter urging for prosecutorial discretion. That is part of the law recognized by the Supreme Court in the Arizona case. I do not believe that the late Henry Hyde would have urged the administration to do something that did not comport with the Constitution or the law, and I include for the RECORD this letter.

CONGRESS OF THE UNITED STATES,
Washington, DC, November 4, 1999.

Re Guidelines for Use of Prosecutorial Discretion in Removal Proceedings

Hon. JANET RENO,
Attorney General, Department of Justice, Washington, DC.

Hon. DORIS M. MEISSNER,
Commissioner, Immigration and Naturalization Service, Washington, DC.

DEAR ATTORNEY GENERAL RENO AND COMMISSIONER MEISSNER: Congress and the Administration have devoted substantial attention and resources to the difficult yet essential task of removing criminal aliens from the United States. Legislative reforms enacted in 1996, accompanied by increased funding, enabled the Immigration and Naturalization Service to remove increasing numbers of criminal aliens, greatly benefitting public safety in the United States.

However, cases of apparent extreme hardship have caused concern. Some cases may involve removal proceedings against legal permanent residents who came to the United States when they were very young, and many years ago committed a single crime at the lower end of the ''aggravated felony'' spectrum, but have been law-abiding ever since, obtained and held jobs and remained self-sufficient, and started families in the United States. Although they did not become United States citizens, immediate family members are citizens.

There has been widespread agreement that some deportations were unfair and resulted in unjustifiable hardship. If the facts substantiate the presentations that have been made to us, we must ask why the INS pursued removal in such cases when so many other more serious cases existed.

We write to you because many people believe that you have the discretion to alleviate some of the hardships, and we wish to solicit your views as to why you have been unwilling to exercise such authority in some of the cases that have occurred. In addition, we ask whether your view is that the 1996 amendments somehow eliminated that discretion. The principle of prosecutorial discretion is well established. Indeed, INS General and Regional Counsel have taken the position, apparently well-grounded in case law, that INS has prosecutorial discretion in the initiation or termination of removal proceedings (see attached memorandum). Furthermore, a number of press reports indicate that the INS has already employed this discretion in some cases.

True hardship cases call for the exercise of such discretion, and over the past year many Members of Congress have urged the INS to develop guidelines for the use of its prosecutorial discretion. Optimally, removal proceedings should be initiated or terminated only upon specific instructions from authorized INS officials, issued in accordance with agency guidelines. However, the INS apparently has not yet promulgated such guidelines.

The undersigned Members of Congress believe that just as the Justice Department's United States Attorneys rely on detailed guidelines governing the exercise of their prosecutorial discretion, INS District Directors also require written guidelines, both to legitimate in their eyes the exercise of discretion and to ensure that their decisions to initiate or terminate removal proceedings are not made in an inconsistent manner. We look forward to working with you to resolve this matter and hope that you will develop and implenent guidelines for INS prosecutorial discretion in an expeditious and fair manner.

Sincerely,

Representatives Henry J. Hyde; Barney Frank; Lamar Smith; Sheila Jackson Lee; Bill McCollum; Martin Frost; Bill Barrett; Howard L. Berman; Brian P. Bilbray; Corrine Brown; Charles T. Canady; Barbara Cubin; Nathan Deal; Lincoln Diaz-Balart.

David Dreier; Bob Filner; Eddie Bernice Johnson; Sam Johnson; Patrick J. Kennedy; Matthew G. Martinez; James P. McGovern; Martin T. Meehan; F. James Sensenbrenner, Jr.; Christopher Shays; Henry A. Waxman; Kay Granger; Gene Green; Ciro D. Rodriguez.

Ms. JACKSON LEE. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentlewoman from Texas has 1¼ minutes remaining.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time to close.

□ 1545

Ms. JACKSON LEE. Mr. Chairman, as I indicated, this is a political fight. I thought we had settled that fight with Baker v. Carr, a case that hails from 1962. Baker stands for the proposition that courts are not equipped to adjudicate political questions, and that it is impossible to decide such questions. Now our friends want to give Congress the right to expedite their lawsuit over the average citizen on a political question, first in a three-judge court, and then right to the Supreme Court of the United States, while the American people suffer because they want that particular position. It is a political question because it is the Republicans who want to be able to move beyond the authority given in the Constitution.

I yield 15 seconds to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the gentlewoman very much because this is an important amendment. It doesn't gut the bill, and it isn't a loophole. This is a narrow amendment that only ensures that the President can comply with court decisions. The separation of powers principle is very important, and this amendment clarifies and adds to it.

Ms. JACKSON LEE. I thank the gentleman for that very astute analysis, and I want to conclude, if I might, by saying that I respect the separation of powers, and I understand what my colleague said, and Mr. CONYERS is very right. This amendment does not gut the legislation, but I understand what my colleagues are saying. What I would argue is that we all want the same thing—that the authority of the President remains that, the Congress, and the judiciary, and there is no exceeding. I believe we can do it in a better way. I ask my colleagues to support the Jackson Lee amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I will be brief and just say for the reasons already cited, this is a very harmful amendment. It would gut the bill. For that reason, I oppose it and urge my colleagues to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 113–378.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 3. REPORT.

Not later than the last day of the first fiscal year quarter that begins after the date of the enactment of this Act, and quarterly thereafter, the Comptroller General of the United States shall submit to the Committees on the Judiciary of the House of Representatives and the Senate, a report on the

costs of any civil action brought pursuant to this Act, including any attorney fees of any attorney that has been hired to provide legal services in connection with a civil action brought pursuant to this Act.

The Acting CHAIR. Pursuant to House Resolution 511, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, clearly as my colleagues have noted, the ENFORCE Act is a deeply flawed piece of legislation. It would give any legislative majority a blank check to challenge in court by filing a lawsuit any decision of the executive branch that it disagrees with.

Instead of considering legislation to create jobs, to fix our broken immigration system, repair our crumbling infrastructure or raise the minimum wage, today the majority has brought to this floor a partisan measure to increase only one thing: congressional litigation. The bill raises serious constitutional questions, and fails to put in place responsible safeguards to prevent abuse. This is a dangerous attack that threatens the careful balance of power developed by our Founding Fathers.

At a time when the American people have lost so much confidence in Congress, my Republican colleagues are offering yet another bill that will do nothing to improve the lives of Americans. Instead this bill will only add to the American people's scorn and ridicule of Congress. Just what we need, more contention, more division here in Congress by encouraging congressional lawsuits.

In addition to its questionable purpose and substantive defects, the ENFORCE Act also fails to adequately protect taxpayer money, as it would open the floodgates to litigation for nearly any executive branch decision that a majority in either chamber disagrees with, and it would do so without a transparent accounting of taxpayer money spent.

That is why I am offering this amendment today which simply requires quarterly reporting of the costs associated with the litigation under this act. Specifically, it would require the Comptroller General of the United States to issue quarterly reports to the House and Senate Judiciary Committees on the cost of civil actions brought pursuant to this act, including any attorney fees.

Since many of my colleagues have previously and routinely expressed significant concern about ensuring taxpayer dollars are used appropriately and carefully, one would expect the ENFORCE Act to have clear oversight and transparency provisions in place. However, it does not.

That is why I urge my colleagues to support my amendment, which would provide a transparent, quarterly accounting of the costs of pursuing legal action under this act.

As many of my colleagues know, litigation can be extremely expensive. So let's ensure Members of Congress and the public are aware of exactly how much taxpayer resources are being spent on pursuing legal action under this act. While disbursement reporting requirements already exist for Federal expenditures, recent experience underscores their inadequacy to provide timely, transparent disclosure of precisely how much has been spent on litigation.

For example, over the last few years, the House of Representatives, at the direction of the majority and over strong objections by Leader PELOSI and Whip HOYER, hired outside counsel to defend the Defense of Marriage Act in court. What began as a contract for up to $500,000 in legal services to defend DOMA has grown through a series of contract extensions to be up to $3 million, and it is hard to determine at what point and at what cost the majority's pursuits will end.

Today, nearly 9 months since the United States Supreme Court struck down section 3 of DOMA as unconstitutional, we still don't have an adequate accounting of how much the House majority has spent on defending this discriminatory law, or whether it continues to spend taxpayer funding on this matter.

As minority members of the House Administration Committee reported during this legal challenge in 2012:

> No one seems to know where the funds are coming from. There has been no appropriation for this expense. There has been no mention of the funding source in the contract extensions. There is no record of a payment being made in the statement of disbursements.

Clearly, the existing reporting requirements are insufficient to inform Members of Congress and the general public of its litigation disbursements. While Members may disagree on the merits of DOMA, as well as the legislation before us today, we should all recognize that neither side, nor the public interest, is served by obscuring the disclosure of litigation expenses.

Therefore, I urge my colleagues to support my amendment, a simple reporting requirement that will safeguard and provide transparency to ensure that spending under this very misguided legislation is made clear.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise to claim the time in opposition to the amendment even though I do not oppose the amendment.

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

There was no objection.

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

Mr. Chairman, I will support the adoption of this amendment. This amendment basically codifies, at least as far as the House of Representatives is concerned, requirements that already exist regarding reporting the costs of congressional litigation. When the House engages in litigation, the costs of that litigation are already reported to the House Appropriations Committee and the Committee on House Administration. This amendment merely expands these existing reporting requirements to include the Government Accountability Office.

Had the gentleman from Rhode Island prefiled this amendment during Judiciary Committee consideration of the bill, we may have been able to consider it during markup. However, without notice of the amendment, we were not able to determine at markup whether the amendment implicated any attorney-client privilege concerns. We are now satisfied, given existing reporting requirements, that this amendment does not present a privilege problem.

For these reasons, I support the adoption of this amendment, and urge my colleagues to do so.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, I thank the chairman for his support, and I yield back the balance of my time.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 113–378 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. CONYERS of Michigan.

Amendment No. 2 by Mr. NADLER of New York.

Amendment No. 3 by Ms. JACKSON LEE of Texas.

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

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 227, not voting 15, as follows:

[Roll No. 120]

AYES—188

Barber
Barrow (GA)
Bass
Beatty
Becerra
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
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
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
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—227

Aderholt
Amash
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
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
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—15

Amodei
Bera (CA)
DeLauro
Dingell
Edwards
Frankel (FL)
Gosar
Matsui
Meng
Pelosi
Pingree (ME)
Rangel
Rooney
Schakowsky
Velázquez

□ 1621

Messrs. BENTIVOLIO, CAMPBELL, RENACCI, and YOHO changed their vote from ''aye'' to ''no.''

Messrs. MCNERNEY, MAFFEI, and HINOJOSA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. NADLER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 225, not voting 15, as follows:

[Roll No. 121]

AYES—190

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
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Denham
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matheson
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
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
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—225

Aderholt
Amash
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
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)

Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
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
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—15

Amodei
DeLauro
Dingell
Edwards
Frankel (FL)
Gosar
Johnson, E. B.
Matsui
Meng
Pelosi
Pingree (ME)
Rangel
Rooney
Schakowsky
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1629

Mr. COFFMAN changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 231, not voting 14, as follows:

[Roll No. 122]

AYES—185

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
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
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
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—231

Aderholt
Amash
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
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—14

Amodei
DeLauro
Dingell
Edwards
Frankel (FL)
Gosar
Matsui
Meng
Pelosi
Pingree (ME)
Rangel
Rooney
Schakowsky
Velázquez

□ 1635

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4138) to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes, and, pursuant to House Resolution 511, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on the amendment reported from the Committee of the Whole?

If not, the question is on the adoption of the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

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

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

Mr. RUIZ. Mr. Speaker, I am opposed.

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

The Clerk read as follows:

Mr. Ruiz moves to recommit the bill H.R. 4138 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 STATES' RIGHTS.

Nothing in this Act limits or otherwise affects any action taken by the President, the head of a department or agency of the United States, or any other officer or employee of the United States, in order to prevent an unconstitutional intrusion into States' rights.

SEC. 4. RESTORING UNEMPLOYMENT BENEFITS FOR AMERICA'S JOB SEEKERS.

This Act shall not take effect until the most recent percentage of the insured unemployed (those for whom unemployment taxes were paid during prior employment) who are receiving Federal or State unemployment insurance (UI) benefits when they are actively seeking work is at least equal to the percentage receiving such benefits for the last quarter of 2013, as determined by the Department of Labor's quarterly UI data summary measurement of the Unemployment Insurance recipiency rate for all UI programs.

Mr. GOWDY (during the reading). Mr. Speaker, I reserve a point of order.

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

The gentleman from California is recognized for 5 minutes.

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

Right now, House leadership is forcing a vote on a bill that they know will go nowhere. Instead of working to find pragmatic solutions to our most pressing problems, they have chosen to put politics above the needs of the American people.

They have chosen to put politics above jobs, the economy, health care, comprehensive immigration reform and, again, they are playing politics with millions of hardworking families who have lost their job through no fault of their own and are currently looking for jobs.

Currently, over 2 million people have lost unemployment insurance because of these political games. Every week, 72,000 people, on average, are losing their unemployment benefits nationwide while they are looking for jobs. In my home State of California, almost 350,000 people are living on the brink of financial disaster because of these games. This is exactly the kind of political gamesmanship that the American people are sick and tired of.

House leadership continues to refuse to restore these vital economic lifelines that help people support their families and pay their bills while they look for a new job.

Long-term unemployment remains an enormous challenge for millions of Americans and our overall economy, which is exactly why we should put the American people first and renew this important program. We need a focus on creating new jobs and help American families temporarily weather the storm.

I yield back the balance of my time.

Mr. GOWDY. Mr. Speaker, I withdraw my point of order and rise in opposition to the motion to recommit.

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

The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Mr. Speaker, I want to talk for just a moment as colleagues—not as Republicans or Democrats, not as members of the majority or the minority, but colleagues who are blessed to serve in the United States House of Representatives, the people's House, with all the tradition, with all the history, with all the laws that have been passed, with all the lives that have been impacted. I want us to talk as colleagues. Because our foundational document gave us, as the House, unique powers and responsibilities. We run every 2 years because they intended for us to be closest to the people.

□ 1645

The President was given different duties and powers. The President was given the duty to take care that the laws be faithfully executed.

So my question, Mr. Speaker, is what does that mean to you, that the laws be faithfully executed?

We know the President can veto a bill for any reason or no reason. We know the President can refuse to defend the constitutionality of a statute, even one that he signs into law.

We know the President can issue pardons for violations of the very laws that we pass, and we know the President has prosecutorial discretion, as evidenced and used through his U.S. attorneys.

Mr. Speaker, that is a lot of power. What are we to do when that amount of power is not enough?

What are we to do when this President, or any President, decides to selectively enforce a portion of a law and ignore other portions of that law?

What do we do, Mr. Speaker, regardless of motivation, when a President nullifies our vote by failing to faithfully execute the law?

How do we explain waivers and exemptions and delays in a bill passed by Congress and affirmed by the United States Supreme Court?

How do we explain away a refusal to enforce mandatory minimums that were passed by Congress and affirmed by the Supreme Court?

Why pursue, Mr. Speaker, immigration reform if Presidents can turn off the very provisions that we pass?

You know, in the oaths that brand new citizens take, it contains six different references to the law. If it is good enough for us to ask brand new citizens to affirm their devotion to the law, is it too much to ask that the President do the same?

If a President can change some laws, can he change all laws? Can he change election laws? Can he change discrimination laws? Are there any laws, under your theory, that he actually has to enforce?

What is our recourse, Mr. Speaker?

What is our remedy?

Some would argue the Framers gave us the power of the purse and the power of impeachment, but Mr. Speaker, those are punishments, those are not remedies.

What is the remedy if we want the Executive to enforce our work?

This bill simply gives us standing when our votes are nullified. This bill allows us to petition the judicial branch for an order requiring the executive branch to faithfully execute the law.

Mr. Speaker, we are not held in high public esteem right now. Maybe Members of Congress would be respected more if we respected ourselves enough to require that when we pass something, it be treated as law.

Maybe we would be more respected if we had a firmly rooted expectation that when we pass something as law, it be treated as law.

Maybe we would be more respected if we put down party labels and a desire to keep or retain or acquire the gavel and picked up the history, the tradition, and the honor of this, the people's House.

Mr. Speaker, the House of Representatives does not exist to pass suggestions. We do not exist to pass ideas. We make law.

While you are free to stand and clap when any President comes into this hallowed Chamber and promises to do it, with or without you, I will never stand and clap when any President, no matter whether he is your party or mine, promises to make us a constitutional anomaly and an afterthought. We make law.

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

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for any electronic vote on the question of passage of the bill.

The vote was taken by electronic device, and there were—ayes 187, noes 228, not voting 15, as follows:

[Roll No. 123]

AYES—187

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
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Doggett
Doyle
Duckworth
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
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
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—228

Aderholt
Amash
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
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
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—15

Amodei
DeLauro
Dingell
Edwards
Ellison
Frankel (FL)
Gosar
Matsui
Meng
Pelosi
Pingree (ME)
Rangel
Rooney
Schakowsky
Velázquez

□ 1656

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 233, noes 181, not voting 16, as follows:

[Roll No. 124]

AYES—233

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
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
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
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)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
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—181

Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)

Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Pocan
Polis
Price (NC)
Quigley
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
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
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Amodei
DeLauro
Dingell
Edwards
Frankel (FL)
Gosar
Loebsack
Matsui
Meng
Miller, George
Pelosi
Pingree (ME)
Rangel
Rooney
Schakowsky
Velázquez

□ 1703

Mr. CONYERS changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3633

Mr. COURTNEY. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3633.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1239

Mr. CASSIDY. Madam Speaker, I ask unanimous consent that the gentleman from Virginia, Representative RANDY FORBES, be taken off of H.R. 1239, the Accessing Medicare Therapies Act.

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

There was no objection.

FAITHFUL EXECUTION OF THE LAW ACT OF 2014

Mr. FRANKS of Arizona. Madam Speaker, pursuant to House Resolution 511, I call up the bill (H.R. 3973) to amend section 530D of title 28, United States Code, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 511, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–42, is adopted. The bill, as amended, is considered read.

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

H.R. 3973

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 "Faithful Execution of the Law Act of 2014".

SEC. 2. AMENDMENT TO SECTION 530D OF TITLE 28, UNITED STATES CODE.

Section 530D(a)(1)(A) of title 28, United States Code, is amended—

(1) by inserting "or any other Federal officer" before "establishes or implements a formal or informal policy"; and

(2) in clause (i), by striking "on the grounds that such provision is unconstitutional" and inserting "and state the grounds for such policy".

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in part B of House Report 113–378, if offered by the gentleman from Minnesota (Mr. ELLISON) or his designee, which shall be considered read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Arizona (Mr. FRANKS) and the gentleman from Tennessee (Mr. COHEN) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. FRANKS of Arizona. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3973, currently under consideration.

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

There was no objection.

Mr. FRANKS of Arizona. Madam Speaker, I now yield such time as he may consume to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the full Judiciary Committee.

Mr. GOODLATTE. Madam Speaker, article II, section 3 of the United States Constitution declares that the President "shall take care that the laws be faithfully executed."

However, President Obama has failed on many occasions to enforce acts of Congress that he disagrees with for policy reasons and has stretched his regulatory authority to put in place policies that Congress has refused to enact.

Although President Obama is not the first President to stretch his powers beyond their constitutional limits, Executive overreach has accelerated at an alarming rate under his administration.

To help prevent Executive overreach and require greater disclosure when it occurs, the gentleman from Florida, Representative DESANTIS, introduced H.R. 3973, the Faithful Execution of the Law Act.

I want to thank Representative DESANTIS for introducing this commonsense legislation to ensure that there is greater transparency and disclosure regarding the executive branch's enforcement of Federal law.

The Justice Department is currently required by law to report to Congress whenever it decides to adopt a policy to refrain from enforcing a Federal law on the grounds that the law in question is unconstitutional.

The Faithful Execution of the Law Act strengthens this provision by requiring the Attorney General to report to Congress whenever a Federal official establishes or implements a formal or informal policy to refrain from enforcing a Federal law and the reason for the nonenforcement, regardless of whether it is being done on constitutional or policy grounds.

As Professor Jonathan Turley observed regarding this legislation in testimony before the Judiciary Committee:

> It is hard to see the argument against such disclosures. Too often, Congress has only been informed of major changes by leaks to the media.

Congress should not have to rely on media leaks and other unofficial sources to find out that the executive branch has decided not to enforce Federal laws.

Congress cannot possibly know the extent of executive branch nonenforcement of the laws without mandatory disclosure of all nonenforcement policies by the person who should be fully aware of such policies, namely, the Attorney General, the Nation's chief law enforcement officer.

Passage of H.R. 3973 is essential if Congress is going to play an active role in overseeing that the separation of powers between the branches is maintained and that the President is faithfully executing the laws.

I thank the gentleman from Arizona, the chairman of the subcommittee, for yielding me this time, and I urge my colleagues to support this legislation.

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

Madam Speaker, more of the same. As with our consideration of the "ENFORCE Act," H.R. 4138, I must note the lack of deliberative process pertaining to consideration of this bill.

The gentleman from South Carolina spoke eloquently on the other bill and talked about the need for process—the importance of process. Process can be important, but process was not important on this bill.

It wasn't important in the other bill. Like that other bill, the Judiciary Committee failed to hold a single legislative hearing.

The process is you have a hearing. People come in and talk—experts—

then you have a markup. You first start at the subcommittee. The subcommittee has a hearing, and they have a markup, and then you have a hearing and a markup in the full committee.

This one, not a hearing in the subcommittee, not a markup in the subcommittee, not a hearing in the committee; simply, all of a sudden—presto—markup, process nixed. That is how we came up with the last bill and this bill.

When coupled with the fact that my colleagues on the other side of the aisle provided only the minimum notice regarding this bill, it is hard to believe that this is a serious attempt to legislate because it tramples on the legislative process, the rights of the minority to have notice, the rights of the public to have notice, and the right to have a hearing with experts testifying.

Unfortunately, the end product evidences what happens when you don't follow regular order, which is due process, notice, and a hearing. We do the same thing here.

Here are just a few of the problems with this bill: H.R. 3973 would impose burdensome and wasteful requirements on the Justice Department to the detriment of its law enforcement functions. They would probably have to hire new personnel and increase the debt, which, of course, the other side always talks about being passed on to the next generation.

Section 530D of title 28 of the United States Code already requires the Attorney General to report to Congress any instance in which the Attorney General or any Justice Department official establishes or implements a formal or informal policy against enforcing, applying, or administering a provision of Federal law on the grounds that such provision is unconstitutional, and there are 94 U.S. attorneys and a whole bunch of agency heads and a whole bunch of cabinet members and folks.

Current law, therefore, allows an administration to refuse to enforce a law in the extremely limited circumstance where law is deemed unconstitutional. No other reason is sufficient.

H.R. 3973 fails to define exactly which individuals in the Federal Government would qualify as a ''Federal officer.'' There is nowhere in the USCA that I have seen—and we have researched it—where this Congress has defined a Federal officer, and yet we are instructing Federal officers.

□ 1715

Now, the courts might have had some gibberish, but this Congress never did.

As a result of this oversight, the Attorney General would have to review enforcement decisions by hundreds—if not thousands—of individuals who work in the executive branch and may qualify as officers in order to determine whether their decisions trigger the requirements in this bill. This burden would drain already limited resources in the Justice Department for its law enforcement responsibilities, which is its charge.

The majority's real purpose of H.R. 3973 is to prevent the President's implementation of duly enacted legislative initiatives that they oppose and to stymie the President's discretion in enforcement of those laws.

Allowing flexibility in the implementation of a new program, even where the statute mandates a specific deadline, is neither unusual nor a constitutional violation. And it has happened with administration to administration to administration.

Such flexibility is inherent in the President's duty to ''take care'' that he ''faithfully'' execute the laws. And the exercise of enforcement discretion is a traditional power of the Executive.

Not surprisingly, the Supreme Court has consistently held that the exercise of such discretion is a function of the President's powers under the Take Care Clause, and this was reiterated by the Court as recently as 2012 in Arizona v. United States. This is particularly true if the bill's proponents intend to reach decisions like the deferred action on removing DREAMers from the country. That decision was a routine exercise of enforcement discretion, but H.R. 3973 would require the Attorney General to report on every such routine decision to Congress. You can't enforce every law to the fullest, and prosecutors and people make decisions on which are the most important and which are prioritized.

Professor Christopher Schroeder, the minority witness on the Judiciary Committee, noted that the number of such enforcement decisions is simply too numerous to count.

Given the foregoing, I must reiterate that this process is a waste of our time, especially when there are other far more pressing concerns to address.

How many times have we had people call us and tell us that they need unemployment compensation, that they don't have money to buy goods, to buy food for their child, to buy food for themselves, or to provide shelter? And yet unemployment insurance has lapsed.

How many times do we have people say they want to work and get a job, but we haven't passed an infrastructure bill. That is usually a bipartisan measure. For years, it has been bipartisan. Mr. Bill Young worked well on these bills getting things done. We don't have infrastructure bills to keep us going and deliver goods and services and put people to work.

How many times have people come up and talked to us about their concerns about health care, when we could be maybe coming together and finding ways to make health care even more affordable? The Affordable Care Act was a beginning, giving a lot of people health care they otherwise didn't have. In my district, the differential between African American women and White women in morbidity on breast cancer is the greatest it is in the country. And throughout the country, African American women are more likely to die of breast cancer than Caucasian.

Why is that?

It is not in their genes. No, Madam Speaker, it is not in their genes. It is because they have not had access to insurance and health facilities to get mammograms, to get checkups, and to get treated. They don't have the ability to get to those health centers which have been funded through the Affordable Care Act, more and more community health centers because of the Affordable Care Act, and to get insurance, which they are getting insurance. But in the past they haven't gotten it, their morbidity rate is greater, and they have died. Sometimes it is because they don't have transportation to get to the doctors, and that is because of our limited resources that we put in funding mass transit.

So in so many areas which we have neglected and should be dealing with now on health care issues, on the environment, on immigration, taking people out from the shadows and putting them to work legally where they pay taxes and where young people brought here with their parents made great grades in school, could go to college and stay here, participate and fulfill their dream and fulfill their potential, work hard and play by the rules, we are not doing that.

Instead of using this limited legislative time we have got, this is yet another opportunity to bash immigrants or to rail against giving health insurance to those who would otherwise be without it. We should be addressing these broken systems that we have on immigration, helping struggling homeowners and students buried in debt and fighting discrimination among many other challenges facing our great Nation, allowing people every opportunity to vote rather than taking voting opportunities away from them at every opportunity possible. That is the antithesis of America, trying to deny people the opportunity to vote under the veil of identity.

We are doing a disservice to the American people in choosing to spend our time on these issues which are issues that are not going to pass the Senate and see the light of day—and we know it—instead of trying to come together and work with each other. I have reached out to Members on the other side and said: Why don't we find common ground and pass something? They kind of look at me and say: I get my orders, too. Unfortunately, the orders aren't working for the American people.

Madam Speaker, I reserve the balance of my time.

Mr. FRANKS of Arizona. Madam Speaker, I now yield myself such time as I may consume.

I begin by just pointing out, contrary to the gentleman's assertion, the term ''Federal officer'' is mentioned 238

times in the Federal Code, and the Dictionary Act defines ''officer.'' It includes any person authorized by law to perform the duties of the office.

Contrary to some of the other discussions, this bill is focused on trying to make sure that we faithfully enforce the laws and that we understand when the laws are perhaps being not enforced for persons suggesting that they are unconstitutional or otherwise.

So, Madam Speaker, it is inherent, I suppose, in the nature of Washington, D.C., politics that, at a certain point, all of the back-and-forth discussion eventually turns into white noise, and the continual debating, reporting, and blaming is so commonplace that many Americans tune it out entirely.

And just as the partisanship in Washington causes so many to tune out the substance of the debate, so do we also become accustomed sometimes to hearing lofty rhetoric and allusions to our Founding Fathers. But tonight, I pray that we can all truly listen anew to the men whose ideas so revolutionized the world because the challenges we now face were not unforeseen, Madam Speaker.

James Madison, in Federalist Paper 48, expressed his concern that eventually the mere rule of law might not be enough to restrain those who really had a mind to abuse the power of their office. He said:

> Will it be sufficient to mark, with precision, the boundaries of these departments, in the Constitution of the government, and to trust to these parchment barriers against the encroaching spirit of power? But experience assures us, that the efficacy of the provision has been greatly overrated; and that some more adequate defense is indispensably necessary for the more feeble, against the more powerful, members of the government.

When Madison originally published this paper in 1788, he did so using the title, ''These Departments Should Not Be So Far Separated as to Have No Constitutional Control Over Each Other.''

Mr. Madison expressed these concerns only 12 years after America had declared its independence. And I would submit that in the intervening 226 years, these abuses have spiraled out of control.

I would urge Americans to ask themselves: Has this administration moved our Nation back toward the noble dream imagined by men like James Madison when all laws were equally enforced and all people are equal under those laws, or has this administration worsened the trend Madison detected so early on?

President Obama infamously said on this very floor, Madam Speaker:

> We are not just going to be waiting for legislation in order to make sure that we are providing Americans the kind of help they need. I have got a pen, and I have got a phone. And I can use that pen to sign executive orders and take executive actions and administrative actions that move the ball forward.

To this I would humbly respond, Madam Speaker, no, he can't, not if what he is doing is abrogating the Constitution of the United States. That is exactly the sort of overreach Madison warned us about, and it is exactly what we are referencing when we talk about an Imperial Presidency.

Unfortunately, Madam Speaker, we are dealing with a President who has admitted he would prefer to be unconfined by constitutional limitations. He specifically said:

> Wherever and whenever I can take steps without legislation, that is what I am going to do.

Madam Speaker, they say that to be forewarned is to be forearmed. This President has not been shy about his intentions to go beyond the Constitution when he is inclined. Under this administration, the IRS has become a political tool used against those who oppose the President's policies. The Justice Department has adopted a policy of selective law enforcement, essentially rewriting the law by only enforcing the ones they prefer. The Senate's role in the appointment process has been ignored outright, with the administration making so-called recess appointments, even though the Senate was not in recess.

The legislative branch has been deemed little more than an inconvenient hurdle, with legislation like the DREAM Act and ObamaCare being either imposed via fiat or grossly and repeatedly modified without the input, consent, or action on the part of Congress.

We have seen the unconstitutional seizure of reporters' phone records, reported spying even on Members of Congress, and attempting to force small businesses to disclose their political affiliations before being considered for Federal contracts. At what point, Madam Speaker, do we say enough is enough?

I would remind all of us of the pleading words of DANIEL WEBSTER to all Americans when he said:

> Hold on, my friends, to the Constitution, and to the Republic for which it stands, for miracles do not cluster, and what has happened once in 6,000 years may never happen again. So hold on to the Constitution, for if the American Constitution should fall, there will be anarchy throughout the world.

Madam Speaker, the Faithful Execution of the Law Act is one very important step in the right direction. This bill will help prevent executive overreach and require greater disclosure when it does occur.

I want to thank Congressman DESANTIS for bringing this legislation forward. I want to thank Chairman GOODLATTE for his steadfast leadership on bringing this administration's executive overreach to light, and I would urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. COHEN. Before I yield to Ms. LOFGREN, I would just like to comment a couple of things.

Without disrespect to our Founding Fathers—I revere them all alike—but Mr. FRANKS was talking about President Madison and the noble experiment and asked the rhetorical question, all people were equal under the law—except for African Americans who were slaves, people who couldn't pay a poll tax, and women. So let's get away from this homogenized perspective of the way the world was and try to get to the way the world should be.

DANIEL WEBSTER has a quote up there, by bringing forth all of our resources, develop our resources and our land and its institutions, so that while we are here, we, in our day and our generation, may not perform something worthy to be remembered.

Well, we are not doing that today. And the references to the IRS have been debunked. They were equally applied to people who used organizations, 501(c)(4)s, beyond their original purpose. It was not anything political. And that goes to show the basic nature of this, because it is another attack on the President of the United States.

The President said: whenever I can take action without legislation. When he can take it without legislation, when he is permitted.

With that, I yield as much time as she may consume to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Madam Speaker, either this bill does nothing because it is vague or it does something that is a serious problem. In the committee report for this bill, it specifically calls out as something that is wrong the DREAM Act, apparently suggesting that the DREAMers should be deported.

Now, I don't believe that what happened with the DREAMers, the deferred action, was beyond the President's authority. And I have this letter here that was sent in 1999 signed by the late Henry Hyde and two Republicans who went on to chair the Judiciary Committee, Mr. SMITH and Mr. SENSENBRENNER, urging then-President Clinton to do the same thing that President Obama has now done, which is to come up with actual standards that are then applied. So I don't think that this bill should change that.

But let's say it does. Let's say that we would have to report each time a DREAMer applies for deferred action. I think what we are talking about is that 500,000 or so DREAMers, their names and addresses, would have to be reported in to the Congress. Is that really what we want to do, to have all those kids be reported in to the Congress?

Let's talk about another thing mentioned in the earlier bill, specifically on page 14 in the committee report, the so-called point 3, unlawful extension of parole in place. What the President did—as prior Presidents have done—is to parole the immediate family, the husbands and wives, of American soldiers who are in immigration trouble.

□ 1730

The reason for that, and the military asked us to do that, the last thing you want, you have a soldier in Afghanistan dodging bullets, you don't want

that soldier worrying about what is going to happen to his wife, the visa got lost and she is facing deportation, and so parole in place was used.

Now, we believe, and I mentioned, there is a specific statutory authority for that, section 212(d)(5) of the Immigration and Nationality Act, but apparently the majority believes it is unlawful. So what would this bill mean? I guess that all of the wives and husbands who are not deported, and I guess their little children, their names and addresses should be reported in to the Congress. So we have a little list here of people who are Americans in every way but their papers, whose husbands are off fighting for our country, but we are going to create a list of them. I think they are going to feel exposed and at risk.

If the bill does anything, it does something very dangerous and wrong. We should not vote for this. I oppose it. I oppose the deportation of the DREAMers, as the majority has asked be done in these two bills, and I hope my colleagues vote against it.

Mr. FRANKS of Arizona. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DESANTIS).

Mr. DESANTIS. I thank the chairman for yielding me this time.

Madam Speaker, I have to tell you, listening to the other side, I don't know what world they are living in. We didn't have a hearing on the bill? I testified at the hearing; I don't think I made that up, I think that happened.

The idea that we are going to be reporting people's names and phone numbers for this bill—no. The Attorney General will go and say we have established a policy not to enforce ObamaCare mandates, for example. We have a situation now where these policies are illegal under the law. So if you actually looked up the law, they would be illegal, but the executive branch has taken the position that we are not going to enforce that for a couple of years, so there is a divergence between the law on the books and the law in action, and those are the types of instances, policy decisions not to enforce that will be done. That ultimately is what we are talking about here.

Some people want different policy outcomes one way or another, but the important part of this is we are talking about power and we are talking about authority. So in some of these instances, I don't agree with those ObamaCare mandates; I would like to get them off the books, and so policywise I agree with that, but as a matter of authority, the President cannot simply suspend that law that was enacted. That ultimately is what we are talking about, clarity and how the government is operating.

Ultimately, the power resides with the American people, not with Members of Congress or with the President. The people own power under the Constitution, and then we exercise that authority consistent with the power that they have delegated to us. We have the authority under article I of the Constitution to legislate, and we have the exclusive authority to legislate.

The President has the duty to take care that the laws are faithfully executed. He does not have authority delegated him to amend, suspend, or change duly enacted laws, and this is a fundamental principle of our constitutional system, that there are separated powers and checks and balances.

George Washington, in his farewell address, admonished the Nation that to preserve these checks must be as necessary as to institute them.

The problem that I keep running into is, if I don't know what the limiting principle in some of these things is, if you can suspend the ObamaCare insurance mandate and you can suspend the business mandate and you can suspend the individual mandate, can a Republican President come in and just suspend the whole shebang? If not, why not? What is the difference?

Make no mistake about it, when there is a Republican President, there is going to be pressure on that President to suspend provisions of law that those voters who elected that individual don't like. If we start going back and forth where one side enforces what they like and the other side enforces what they like, then you don't really have a legislative body passing laws. We are essentially passing suggestions, and then it is ultimately the Executive who determines what will be enforced and what will not be enforced. That is not a road, I think, we want to go down.

The good thing about this bill is it is just saying put your cards on the table. If you are going to not enforce certain provisions of law, then report it to Congress and let us know about that.

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

Mr. FRANKS of Arizona. Madam Speaker, I yield 3 minutes to the gentleman.

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

So put your cards on the table. We should not in Congress have to rely on a leak to the press or find a blog post or look in some footnote in some unrelated Federal rule to know whether some of these things are being suspended, and the American people deserve to know whether or not their laws are being enforced.

So at the end of the day, this is really a transparency provision. It has worked with, in terms of the constitutional questions—Attorneys General Gonzalez, Mukasey, and Holder have reported to the Congress when the Federal Government has adopted policies of nonenforcement due to constitutional concerns.

So this says if you are going to take the position that as a matter of policy you are not going to enforce clear mandates in law, then provide that to us, offer your justification so we can evaluate it.

Ultimately, I think it is now just common parlance in the press here that a lot of these ObamaCare delays are done to help Democrats in the midterm elections, that maybe they won't lose as many seats if you can do that. Well, this is stuff that I think the American people need to know. That is a completely unacceptable reason to suspend laws.

So ultimately, I urge my colleagues to support this bill.

The only way it could potentially be burdensome is if their people throughout the bureaucracy are instituting nonenforcement policies left and right. The average Federal official does not have the authority to decide to institute a policy of nonenforcement. They may be able to institute discretion on a case-by-case basis. I was a prosecutor, I couldn't just decide not to enforce drug laws anymore, so some of this stuff is a red herring.

I thank the chairman for yielding me the time, and I thank the chairman of the full committee for offering this bill. I urge my colleagues to support it

Mr. COHEN. Madam Speaker, first, I would like to say that Federal officer may be mentioned many times in the code, but not defined; not defined.

Madam Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Madam Speaker, if you look at the actual statute that is being proposed here, it says the report shall be made by any Federal officer, undefined, establishes or implements these policies, to refrain.

I would note, and it was hardly a secret when the deferred action program was started, it was a memorandum on June 15, 2012. It was made available to the committee and to Congress, and it points out on page 2 that the exercise of prosecutorial discretion will be made on an individual basis for those who fit within the category. So I think if this means anything, and it may not because it is vague, it means that each time an individual receives the benefit of that prosecutorial discretion on a case-by-case basis, they would have to be reported to the Congress.

Now, what information would be reported? I don't know; presumably the name or the case file or the phone number. There are many John Smiths in that group of kids, so I presume that you would need more than just the name, perhaps an address or other identifier. The point is, we are creating a little list here. It is a little list that I think will feel very dangerous to those who are identified, and unwarranted by those whose hearts are very touched by DREAM Act kids who were brought here as children. As the principles released by the Republican leadership pointed out, these are young people who committed no offense, whose only country is the United States; and but for pay-for, they would be Americans. I don't think it is something that we should do, to have their names released, to deport them, to turn our backs on them, as this bill would do.

Mr. FRANKS of Arizona. Madam Speaker, I would just point out that this bill does not anticipate the appropriateness of one law or another, just the inappropriateness of ignoring the law in general.

I yield 3 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Madam Speaker, I thank my colleague for yielding.

We talk about this country as a country of law, and transparency gets thrown around, as does accountability, all the time, yet we fail. We come up short time and time again.

The current administration has made multiple attempts to bypass its article II duties and instead assumed the article I legislative powers reserved for Congress. The numerous changes to the Affordable Care Act and the implementation of a one-size-fits-all prosecutorial discretion policy are just a few examples of the Executive's failure to faithfully execute existing Federal laws.

Under current law, the Attorney General must report to Congress whenever a Department of Justice official implements a policy to enforce a Federal law. H.R. 3973, the Faithful Execution of the Law Act, simply extends that requirement to apply to all Federal officials. This is a commonsense bill that will bring transparency to the current and future administrations' execution of the law.

By requiring these reports to Congress, the American people will get clarity on which laws are not being executed and assurance that these decisions are correctly made. This will also bring healthy debate and an opportunity for the Executive to tell Congress why a law is changed, in what fashion it is changed, and why it is necessary. For that reason, I would think the administration would welcome this legislation. However, the administration has stated that this bill would overburden the Attorney General because he would have to know every law in every Federal agency. Madam Speaker, who else but the chief legal officer of the United States is better equipped to argue over whether or not to change existing law?

My colleagues on the other side of the aisle may disagree with the motivation for bringing this bill forward, but they cannot deny that it sets precedent to help both Democrat and Republican Congresses to keep future administrations in check. I ask my colleagues to imagine a Republican President not enforcing the law that they support, and remind them that it is easy to overlook a violation of process when one agrees with the substance.

There could come a day when you, like us today, will not be able to overlook a similar violation of the process. The beauty of our Constitution is that it has no subjective bias or political preference, but rather, it applies equally and without agenda.

I thank my good friend from Florida (Mr. DESANTIS) and the chairman for introducing this straightforward but necessary piece of legislation. I encourage all of my colleagues on both sides of the aisle to support this bill to keep the rule of law and to protect our constitutional Republic.

Mr. COHEN. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. I thank the gentleman for yielding. Madam Speaker, I rise today in opposition to a bill that perhaps could more appropriately be called the ''Failure to Execute Our Legislative Responsibilities Act.''

This bill is a legislative solution in search of a problem. There is no evidence, there is no basis, there is no record to rationally conclude that the President of the United States has breached his obligations under the law in a manner that is inconsistent with the Constitution.

Now I recognize, Madam Speaker, that there are some individuals in this town who believe that the President of the United States broke the law in January of 2009 when he first took the oath of office, but there is no room for hyperbole or hypocrisy or hysteria in the legislative process.

This matter is another diversion from the business of the American people that we actually should be doing. We stand here again today wasting the time and the treasure of the American people. We should be dealing with comprehensive immigration reform, but House Republicans are blocking it. We should be increasing the minimum wage, but House Republicans are blocking it. We should be extending unemployment insurance, but House Republicans are blocking it. This bill is a distraction.

I urge my colleagues to vote ''no'' and let's get back to doing the business of the American people.

Mr. FRANKS of Arizona. Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Madam Speaker, when I rise today, it is amazing that I have actually come to the floor and heard said it is a waste of time, it is problematic talking about the very structure of our government, the very structure that was formed, and how we interact with each other. I just don't get it. I never thought I would come to the floor of the House and actually hear those words actually uttered.

□ 1745

And I do remind my friends from across the aisle that there was that nirvana just a few years ago, and I do it every time because we talk about immigration reform in which there is basically control of everything, and you just chose not to act on it.

So let's move past the point when we can look at what we are doing here today, and that is looking at a law that actually goes back to the understanding of why we are here.

Every time I go home and every time I am up here, I get calls, I get notes, saying: Why is there the ability to change the law?

It is not prosecutorial discretion. It is saying: there is a black letter date, I am changing it, I don't like it.

That is wrong. When you are looking at discretion, it is not an issue of do I want to do it or not; it is an issue of what does the law say?

People back home could care less about Washingtonspeak. They could care less about what goes inside the beltway. They care about their lives, and they care about a government that they read about in textbooks that said here is how a bill becomes a law and here is how it works. We even had a little jingle about it on Schoolhouse Rock.

But we decided to move away from that. In fact, if the Republicans were not here talking about this, you would not have heard about some of these things because they are buried in many places—the very things that we talking about here, but the American people, especially in my district, want us to do more. They want us to say: reaffirm your article I responsibilities.

Now, the interesting thing here is we have had testimony, yes, in committee talking about this issue. The gentleman in which we disagree on policy, Mr. Turley, has said you may not like it, and I like some of what has been done, but this is not the way to do it.

It goes back to just really an understanding of what undermines Congress. We talk about our approval rating, we talk about our lack, but we don't do what we are supposed to do because we are not holding article I responsibility and accounting transparency from an executive who blatantly disobeys it.

So what do we need to do? We have got to reassert that article I authority. It is not only in bills like this and also the one we just passed, but it is also looking at our article I responsibility with budgeting. It is our article I responsibility to say we have got to come to an agreement and say this is the law and the executive has to enforce that law.

This is something that we can—and my good friend from Tennessee, we disagree on a lot of things—but we can agree on one thing today. We can work together on this because I remember, when you all was back watching on C–SPAN just a few years ago, the same outrage. Why would the President make signing statements?

In fact, we talk about Imperial Presidency. I remember the first time Imperial Presidency came up. It happened to be from the ranking member of our committee, Mr. CONYERS, when he wrote about the Imperial Presidency of Bush.

So let's take the hyperbole out.

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

Mr. FRANKS of Arizona. Madam Speaker, I yield 2 minutes to the gentleman.

Mr. COLLINS of Georgia. So the question that comes to mind is: Why are we here?

It is because of the folks that I see every day that want to say: Congress doesn't do anything, the President does whatever he wants to do, why is Congress not doing anything?

We are doing something. These bills that we are passing today move forward and say we are asserting our responsibility and our role.

But this is what breaks my heart, really frankly, is that this should be bipartisan. This should be something we come down here and both agree on. It should be bipartisan that we should work together.

For me, this is not an issue of who resides at 1600 Pennsylvania. That is irrelevant to me. What is important to me is this institution that was set up to make laws, to execute laws, and to judge the constitutionality of laws. That is the way our system was set up.

It has changed through the years. If the Attorney General or the administration feels that there is a law that is wrong or unconstitutional, then the process is to come back to Congress and say here is our ideas, and you come to the elected representatives of the people.

You don't continue to just say I don't like it, I am not going to enforce it; and for many of these, to say this is just simply prosecutorial discretion is an affront to the American people.

The reason we are here today is Congress is asserting itself and asserting its role, and for the Ninth District of Georgia, that is why they sent me, is to do what Congress is supposed to do, but also hold the administration accountable for what they are supposed to do because back home they don't get it.

They remember I am just a bill, just an ordinary bill. That is the way it was supposed to work.

It is time we start rewriting the textbooks. It is time to get back to transparency and faithfully executing the law.

With that, I ask for support of this bill.

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

I would just like to respond a little bit to what was said, and it was said in a previous discussion by my friend from South Carolina about why Congress is in such disrepute. He was thinking, if we pass this bill, people will think better of us.

I would submit the reason Congress is in such disrepute is because the GOP shut down the government. People don't know about how you make a bill, per se, but they know they want their government opened. When they come to Washington, they want to go to different places. The GOP shut down the government for 17 days, and that is wrong.

Madam Speaker, I yield 1 minute to the gentlelady from California (Ms. LOFGREN).

Ms. LOFGREN. Madam Speaker, I would just like to note that, in 2010, the House of Representatives did pass the DREAM Act. Eight Republicans voted against it. It was killed by Republicans in the Senate, but we did our best to pass the DREAM Act.

In fact, it did pass this House, and I still have the gavel that Speaker PELOSI used while presiding over that measure displayed proudly in my office.

I think, also, as we discuss matters, we can help undercut confidence in our system of government. Yes, we are fans of article I because we are in the Congress, but article II has its role as well.

I think it is important to note that the Supreme Court itself has, as recently as last year, noted—and that is in the Arizona case—that Federal immigration officials have broad discretion, including ''whether it makes sense to pursue removal at all'' as part of their authority under the Constitution.

Further, we have delegated to the President by statute, 6 U.S. Code 202, for the administration using its article II authority to establish the national immigration enforcement policies and priorities, which is what the President did.

So let's not instill anxiety and confusion among our constituents by somehow saying, when the President uses the authority that we have granted to him that the Supreme Court has noted he has, that somehow that is improper. It is not.

I would say further, on the merits of the case, this is not just random authority, as the gentleman from Arizona suggested earlier. It is the majority who specifically mentions the DREAM Act on page 2 of their report—of the committee report, as being problematic and a reason for this legislation.

It was the majority report, not me, who suggested that. I think it is very mistaken and wrong on a policy matter, wrong on a legal matter, and wrong constitutionally.

Mr. FRANKS of Arizona. Madam Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Madam Speaker, I thank the gentleman, the chair of the Constitution Subcommittee, for yielding to me.

I rise in support of this act. I am a little bit astonished by some of the debate and the dialogue that has taken place here throughout this day, especially on the topic matter that is Executive overreach.

We have had extensive hearings in the Judiciary Committee. It should be clear to all that, when the liberal constitutional professors are concerned about our country, a tipping point in our Constitution, it is time for maybe a little bit more of an open dialogue here and I think more of an objective dialogue.

I would bring to your attention, Madam Speaker, some language that was in The Wall Street Journal today. It was in support of the Faithful Execution of the Law Act and then the reporting act that we are talking about.

It is a perfect example of why this bill is necessary in a report in The Wall Street Journal. It says, in today's issue, describing yet another ObamaCare delay that flies in the face of the statutory text:

> This latest political reconstruction has received zero media notice, and the Health and Human Services Department didn't think the details were worth discussing in a conference call, press materials, or fact sheet. Instead, the mandate suspension was buried in an unrelated rule that was meant to preserve some health plans that don't comply with ObamaCare benefit and redistribution mandates. Our sources only noticed the change this week.

Madam Speaker, this is not the way Congress should be informed of the President's failure to faithfully execute the law or his utter defiance of the law or his executive endeavor to amend the law outside the bounds of his article II constraints.

Madam Speaker, when the President or any other Federal official adopts a policy of failing to enforce a law or refusing to enforce a law, it should immediately inform Congress in writing, so the duly elected representatives of the American people can respond appropriately.

To have to find out in a newspaper article or find out on a Web site or, worse yet, in one of the earlier unconstitutional overreach efforts of the President to amend the ObamaCare law, we found out on a third-tier U.S. Treasury Web site.

Now, what of 316 million Americans responsible to know what the law says and do our best to comply with it can be cruising around on a third-tier U.S. Department of Treasury Web site, to see if the President has gotten up that morning or gone to bed late the night before, maybe a little bleary-eyed, and issued some kind of an order that there is going to be another change in ObamaCare?

ObamaCare, it has his name on it, Madam Speaker, the President's name, ObamaCare on the top and his signature on the bottom.

We had a constitutional review meeting this morning with constitutional scholars, and I said: Is it 31 times that the President has, by the stroke of his pen or the word of his mouth, amended ObamaCare?

They corrected me. They said: no, it is 38 times.

I don't have that list. I hope I get that list because I would like to examine some of them that I am missing, but the President of the United States has no authority to amend ObamaCare.

Yes, there is executive discretion on the implementation of it, but the starkest violation of the Constitution and the starkest amendment to ObamaCare is the one that people agreed with, and it is this: that the President announced that he was going to delay ObamaCare, the employer mandate, for an extra year when the bill itself says the implementation of the employer mandate shall commence in each month after December of 2013.

Now, I don't know how the gentlelady from California's dialogue gets

around that very, very strict language that was written into ObamaCare. It doesn't say if the President changes his mind; it doesn't say if Democrats are vulnerable. It says shall commence in each month after December of 2013; yet the President decided he would just simply delay that for a year. Now, there are, what, 30 or 37—pick your number—different times the President has done this?

I remember criticism from last summer when I was asked by the press and the public and the demand from people on the other side of the aisle, ObamaCare is the law of the land, so we are obligated to fund it through the appropriations process.

That was a big debate here on the floor of this House. I said, then, we don't know what the law is because the President has so stirred the pot with his executive orders, his executive pen, his cell phone, his ink pen, or his press conferences, that no one today knows what ObamaCare is or says.

Even if we think we knew, we would have to be a contemporary scholar of the bill, and we couldn't go to bed tonight thinking we knew what it would be tomorrow morning because it is likely to change again. That is what is going on, simply, with just ObamaCare.

By the way, I would add conscience protection, when we were assured—and it was to be written into the bill—that the conscience protection would be there for those folks who had a concern.

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

Mr. FRANKS of Arizona. Madam Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Arizona has 3 minutes remaining. The gentleman from Tennessee has 9½ minutes remaining.

Mr. FRANKS of Arizona. I yield an additional 30 seconds to the gentleman.

Mr. KING of Iowa. I thank the gentleman.

I want to make a point. The President even amended ObamaCare by press conference, which is completely outrageous.

Not to get to the immigration components of this, there is nothing in this that deports anyone. The things that we did with my amendment addressing the DACA language are also the President's overreach; and by the way, the prosecutorial discretion says on an individual basis only seven times in that order, but it creates entire classes of people—four classes of people—encompassing hundreds of thousands of people.

You can't describe hundreds of thousands of people of being individuals. They are groups created unconstitutionally by the President.

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

First, I want to set the record straight before we get too much revisionist history here. Yesterday in the Rules Committee, the distinguished chairman of the Rules Committee, Mr. SESSIONS, said that President Obama liked the law so much—the Affordable Care Act—that he had it named for himself. Today, my friend from Iowa said they put his name on it.

□ 1800

Well, he didn't define ''they.'' It wasn't us. It's the Affordable Care Act, Patient Protection Act. It was the opponents of the bill, them, that started calling it ''ObamaCare,'' thinking that would be a pejorative, and they have gotten so used to it, they think we did it. Take credit for what you do, but forgive them, for maybe they don't know what they do.

I yield such time as he may consume to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Speaker, I rise in opposition to this burdensome and unnecessary piece of legislation.

We all know this is a message bill, a one-House bill that is not going anywhere in the Senate and is intended only as political propaganda against the President. It is a sham, and we all know it. In fact, we have come to expect it.

Never mind that there are real problems facing the American people that we can and should be working on, like raising the minimum wage, reforming our broken immigration system, creating jobs, extending unemployment insurance.

I guess it's not enough for my colleagues on the other side of the aisle to ignore America's real problems. They have to waste time on invented problems that don't really exist.

That brings us to the bill before us today. This bill would require the Attorney General to report to Congress any instance when any Federal officer establishes a policy to refrain from enforcing, applying, or administering any Federal law, as well as to state the grounds underlying such a nonenforcement policy.

It expands the current law, which requires the Attorney General to report instances when he determines not to enforce the law because he believes that law to be unconstitutional. This new burdensome mandate would not only result in confusion and drain already-limited law enforcement resources, but would present separation-of-powers concerns as to its constitutionality.

The bill would require the Attorney General to oversee every single Federal officer, every U.S. attorney, every deputy U.S. attorney, every agent of any Federal agency, thousands of people, and would require him to determine in every instance when they prioritize enforcement of some classes of cases over others whether such exercises of discretion constitute a ''policy'' of nonenforcement. What a complete mess. Millions of decisions every year. Talk about your bureaucratic nightmare, not to mention your waste of taxpayers' dollars.

What is even worse is this bill is a thoroughly flawed solution in search of an imaginary problem. Over the course of two oversight hearings on the topic, the bill's supporters have failed to identify a single example of the President really failing to ''faithfully execute'' the law.

It is clear that they have confused constitutional violations with the President's legitimate exercise of enforcement discretion, which is not only well within his authority, but is in fact required by the Constitution's Take Care Clause.

Whether it be increasing the minimum wage with Federal contractors, which he is allowed to do; allowing the DREAMers to stay in the country by deferred deportation orders, for which there is much precedent; or even delaying implementation of certain provisions of the Affordable Care Act, all of these actions are well within the President's legal authority. Of course the President has the authority to set guidelines for Federal contractors or to prioritize immigration enforcement dollars away from deporting children. Even when it comes to delaying deadlines of provisions in the Affordable Care Act, his goal was not to undermine the law. It was the exact opposite—to ensure that the law continues to work well for the millions of Americans who are benefiting from it: the children under age 26 who can remain on their parents' policies, those with preexisting conditions who can get insurance, women and seniors benefiting from increased preventive care services, of course the millions of previously uninsured who now have health insurance.

So, Madam Speaker, I hope my colleagues will be content with their message bill based on half-truths, completely unworkable technically, and completely without any benefit to the millions of Americans who want more from Congress than silly messages.

Americans want results. They want higher wages, a better immigration system, and affordable health care. I guess the Republicans are content to have them wait and to try to entertain them with silly nonsense. It is really sad. I hope we can get down to dealing with serious issues in this Congress.

Mr. FRANKS of Arizona. Madam Speaker, I now yield 1½ minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, I heard my friend from Tennessee talk about revisionist history, and yet he has also talked about the Republicans shutting down the government.

So that we get this accurate, the truth is this body here proposed and passed three different compromises. One was going to suspend ObamaCare for a year. The Senate would not even take that up; they wanted a shutdown. Then we sent down a bill we passed from here that would actually just suspend the individual mandate—that the President has done unconstitutionally

and unilaterally for Big Business. Then when that didn't work, we passed a bill that said: Look, here's our conferees; you appoint yours; we will have a deal worked out by morning. HARRY REID wanted the Congress and all of the Federal Government shut down, and so he did nothing.

So, we know who shut things down, but I want to read a quote:

These last few years we have seen an unacceptable abuse of power at home. We've paid a heavy price by having a President whose priority is expanding his own power. The Constitution is treated like a nuisance.

Barack Obama said that, and he could not be more right as to classification of his own conduct.

Mr. FRANKS of Arizona. Madam Speaker, I would ask if the gentleman is prepared to close.

Mr. COHEN. Yes, I am.

Mr. FRANKS of Arizona. Madam Speaker, I reserve the balance of my time.

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

I would just like to say that while this legislation and the previous legislation is going nowhere, we should be dealing with the issues that face the American people, the serious issue of jobs and the environment and global warming and immigration reform and drug reform and freedom and liberty and justice and the American way.

I admire the Speaker. She is a fine woman and does a great job and has done a good job presiding today. And many of the Republicans, even though I don't agree with them, I think they are nice people, and most people here try to do the right thing. Unfortunately, some of the policies that they have I think put the country in a wrong direction, but they are basically nice people.

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

Mr. FRANKS of Arizona. Madam Speaker, I yield myself the remainder of the time.

I would say, Madam Speaker, in spite of the many unrelated issues that my friends on the left have brought up to bear on this bill, this bill is about the rule of law. Madam Speaker, I would remind all of us that the rule of law is what we had that little unpleasant discussion with England about so many years ago. After that we wrote a Constitution, and every person in this body swore to defend that Constitution, and that is what we are trying to do here.

If we now, as legislators in the United States Congress, are willing to stand idly by and let the President of the United States arrogate legislative power unto himself and dismiss the Constitution, then we would be obligated, Madam Speaker, to apologize for our oaths and dismiss the dream of human freedom and step back and board this place up and go home.

I would suggest to you, Madam Speaker, that some of us are not prepared and willing to do that. And so to that end, to the end that we can uphold the rule of law, I would encourage my colleagues to pass this bill.

I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in opposition to H.R. 3973, The Faithful Execution of the Law Act of 2014.

One of the areas in which the Executive Branch should be least hamstrung is in its ability to respond to imminent threats to national security or public safety and the Jackson Lee Amendment prevents the President from being shackled by Congressional litigation from protecting America.

A fundamental role of government is to ensure citizens' physical security.

While government should not be given unfettered power in the name of security, neither should we allow a lawsuit by Congress to hamper the President in responding to imminent threats.

H.R 3973 expands upon preexisting reporting requirements.

Already, Madam Speaker, under 28 U.S.C. Section 53013(a)(1)(A), the Attorney General is required to report to Congress whenever any officer of the Department of Justice (including the Attorney General himself) ''establishes or implements a formal or informal policy to refrain'' from (i) enforcing any federal statute, rule, or regulation on the grounds that the provision is unconstitutional, or (ii) enforcing or complying with a final decision of any court that interprets or applies the Constitution or a statute, rule, or regulation.

H.R. 3973 would expand 530D(a)(1)(A) in three respects.

First, it would require the Attorney General to report on nonenforcement policies adopted by federal officers outside of the Department of Justice.

Second, it would extend reporting requirements to all nonenforcement policies, regardless of their rationale.

Third, it would require the Attorney General to specify the grounds for declining to enforce any federal statute, rule, or regulation in his report to Congress.

To summarize Madam Speaker, the U.S. Code would look like the following:

(a) REPORT.—

(1) IN GENERAL.—The Attorney General shall submit to the Congress a report of any instance in which the Attorney General or any officer of the Department of Justice or any other Federal officer—

(A) establishes or implements a formal or informal policy to refrain—

(i) from enforcing, applying, or administering any provision of any Federal statute, rule, regulation, program, policy, or other law whose enforcement, application, or administration is within the responsibility of the Attorney General or such officer and state the grounds for such policy on the grounds that such provision is unconstitutional;. . .

Again, Madam Speaker, an area in which the Executive Branch should be least hamstrung is in its ability to respond to imminent threats to national security or public safety, which is the amendment I would have offered in the Rules Committee last night.

A fundamental role of government is to ensure citizens' physical security.

While government should not be given unfettered power in the name of security, neither should we allow a lawsuit by Congress to hamper the President in responding to important matters of state.

I urge my colleagues to reject this Bill.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT NO. 1 OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 3. EFFECTIVE DATE.

Section 2, and the amendments made by section 2, shall take effect only beginning on the date that the Attorney General finds that sufficient amounts have been appropriated to cover the costs of additional reports that the Attorney General is required to submit by reason of such amendments, including costs to Federal agencies and to Congress.

The SPEAKER pro tempore. Pursuant to House Resolution 511, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Speaker, if my colleagues who are offering this bill believe that it is a good idea, they should agree with my amendment. We will see.

My amendment is very simple. It just says that if the voluminous number of reports that may be generated by this bill are so burdensome that they shut down and interfere and gnarl up the instrument of government, then it would be legitimate for the Executive to waive the reporting requirements provided in the bill if sufficient funds are not available to generate the increased volume. It makes simple sense to do so.

My colleagues say they want transparency. They also say all the time that they want to cut red tape, that they want to cut extra reports, that they want to get government out of the way. Their bill is getting government in the way, for sure. If they are sincere about their desire for less government, then I am certain that they would be willing to put in a provision by which we would waive reporting requirements provided in the bill if sufficient funds were not available to deal with all of these reports that they are generating.

But do you know what?

It may just be, Madam Speaker, that, given that we had a 16-day shutdown and given that we just saw the Oversight Committee chairman cut off the mike and given that we have just seen sequestration and the cutting off of government, maybe, right now, what we are seeing is an effort to just bog down government—snarl it, wrap it up, get it twisted up—so that it doesn't really function. Whether you are shutting down or are cutting off or are bogging down, it is all interfering with the American people's government and its ability to serve them.

I would ask for a ''yes'' vote on my amendment because my amendment makes sense given that the general theme around here has been less government, particularly not unfunded

mandates and things like that. We certainly are not sending an appropriation along that is compliant with this bill. We are certainly not sending money along and extra staff to be able to generate the reports that would come about as a result of this bill.

It just seems to me that it would be fair for the Executive to say that that is not a constitutionally implicated provision for which we are using our discretion to either formally or not formally enforce; therefore, we don't need to write a report but for this amendment. Yet, since we don't have the money and since, I am sure, that my friends on the Republican side wouldn't want to bog down government, they should just be able to waive the requirement if there are not sufficient funds to comply.

I want to point out, Madam Speaker, that this particular bill would have the effect of burdening government unless we do have some provision for the Executive to escape it given its overburdening nature. This particular bill would be an undue burden.

I also think it is important to point out—I think it is very important for everyone listening to this debate to know, Madam Speaker—that existing law already requires the Department of Justice to submit a report to Congress when it determines that nonenforcement is recommended because the law is unconstitutional. So, when we need a report, the law already requires that we would get one; but informal? Think about the way this bill is written. It would require a Federal agency to issue a report even in the case of informal nonenforcement.

Does that mean that if somebody decides not to charge out a case that one has to write a report on it? Does that mean that if EPA officials cannot get down to every single polluter because they are dealing with the big ones that they have got to write a report about it? Does that mean that the FBI cannot prioritize the dangerousness of crimes and go after the most dangerous people and work with local law enforcement to deal with the other ones?

This is a ridiculous piece of legislation being offered. It would generate all types of burdens, and in order to meet and comply with it, it would require all types of expenses and extra staff. Since my Republican friends and I agree that it would not be a good idea to just push unfunded mandates on the government, I am sure that I will be able to get a lot of votes from both sides of the aisle that would allow the executive branch to waive reporting requirements.

Mr. COHEN. Will the gentleman yield?

Mr. ELLISON. I yield to the gentleman from Tennessee.

Mr. COHEN. You said you would definitely get a whole bunch of folks on both sides of the aisle?

Mr. ELLISON. In reclaiming my time, I thank the gentleman from Tennessee. I am sure we will get plenty of people on both sides.

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

Mr. FRANKS of Arizona. Madam Speaker, I claim time in opposition to the gentleman's amendment.

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

□ 1815

Mr. FRANKS of Arizona. Madam Speaker, I would oppose the amendment, as it would explicitly grant the Attorney General the unilateral power to negate the entire bill based on his own subjective determination of what constitutes ''sufficient'' appropriations.

This amendment would shield from accountability the President, the Attorney General, and any other Federal employee from the duty to take care that the laws are faithfully executed.

Madam Speaker, we know that this bill will not cost the taxpayers any money, according to the nonpartisan Congressional Budget Office. As stated in their official view submitted, CBO estimates:

Enacting the bill would not affect direct spending or revenues.

CBO estimates that implementation of the bill would not have a significant effect on the budget because such reporting costs are small and subject already to the availability of appropriated funds.

So, Madam Speaker, why does this amendment grant the Attorney General the unilateral authority to conclude otherwise?

Well, Madam Speaker, the Attorney General works for the President, and when given the opportunity to immunize the President from accountability, what does one think the Attorney General would do? It is logical to assume he would shield the President from accountability.

The base bill is specifically designed to hold the President accountable. This amendment, on the other hand, would allow his own Attorney General to shield the President from accountability, thereby gutting the bill, and so this amendment should be roundly defeated.

Madam Speaker, we have had significant debate here, but it is important to remind ourselves what it really is all about. The rule of law is truly the only context in which human freedom on Earth can exist. It is incumbent upon those of us who have taken an oath to uphold the Constitution of the United States to protect that rule of law here tonight. This is the intention of this bill. This is the deep commitment that should be on the part of all of us.

With that, I hope my colleagues would defeat this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment by the gentleman from Minnesota (Mr. ELLISON).

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3973 is postponed.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–97)

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared on March 15, 1995, is to continue in effect beyond March 15, 2014.

The crisis between the United States and Iran resulting from the actions and policies of the Government of Iran has not been resolved. The Joint Plan of Action (JPOA) between the P5+1 and Iran went into effect on January 20, 2014, for a period of 6 months. This marks the first time in a decade that Iran has agreed to and taken specific actions to halt its nuclear program and to roll it back in key respects. In return for Iran's actions on its nuclear program, the P5+1, in coordination with the European Union, are taking actions to implement the limited, temporary, and reversible sanctions relief outlined in the JPOA.

Nevertheless, certain actions and policies of the Government of Iran are contrary to the interests of the United States in the region and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and to maintain in force comprehensive sanctions against Iran to deal with this threat.

BARACK OBAMA.

THE WHITE HOUSE, *March 12, 2014.*

45TH ANNIVERSARY OF THE MINORITY BUSINESS DEVELOPMENT AGENCY

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

Mr. COHEN. Madam Speaker, I rise today to applaud the Minority Business Development Agency on its 45th anniversary.

The Minority Business Development Agency was established by executive order on March 5, 1969, and has worked to promote the growth and global competitiveness of a critical segment of

the U.S. economy, the minority business community. Through their nationwide network of MBDA Business Centers, the MBDA has helped minority firms access contracts, capital, and enter market opportunities, both domestic and global.

Over the last 5 years specifically, this assistance has provided minority firms access to nearly $20 billion in contracts and capital. I thank the MBDA for all it has accomplished over the last 45 years, especially the work at the Memphis MBDA Business Center in Tennessee Nine, my congressional district in Memphis, Tennessee.

In the coming years, the growth of America's workforce will come from minorities, and we need strong minority businesses to achieve maximum economic growth. I am certain the MBDA will lead the Nation to achieving our full potential.

HONORING DON MANN

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

Mr. SCHRADER. Mr. Speaker, I rise today to pay tribute to a man who has spent over 37 years in public service, including 20 years in my district in beautiful Newport, Oregon.

I am speaking, of course, about Don Mann, who recently retired as general manager of the Port of Newport after 18 years at the helm. Don's tenure at the Port was marked by significant changes that will reverberate in that region for years to come. His leadership and vision are beginning to make the central Oregon coast an economic hub.

Don led the charge, putting together the proposal that relocated NOAA's Pacific Marine Operations to Newport, Oregon, against all odds and some pretty big cities to the north. It is an incredible achievement that cannot be understated.

Not to rest on his laurels, Don has continued to work hard improving the international Port of Newport, which will also provide significant economic development for that region.

I just want to say, Don, it has been a pleasure working with you. I have enjoyed it immensely. Your tireless work on behalf of Oregonians is recognized. I wish you and Carolyn all the best in retirement.

Take care, my friend.

SETTING THE RECORD STRAIGHT

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

Mr. GOHMERT. Mr. Speaker, at this time I would like to yield to my dear friend, Mr. LAMALFA.

Mr. LAMALFA. I appreciate my good friend from Texas. Thank you for yielding time tonight.

I wanted to speak a little bit about some issues affecting California and the wise use of U.S. taxpayer dollars.

California's high-speed rail, on its surface, may have sounded promising to voters when they acted on it in the 2008 election—until you take a closer look at it.

Once the planning on the project began, the public found it would take billions of dollars to build and operate beyond what they were promised when it was on the ballot. What had been a $33 billion ballot pricetag was exposed at a November 2011 public hearing as a nearly $100 billion project.

After some scrambling to make plan changes, which likely render it illegal from the enabling legislation voters passed as Prop 1A, we now see the current $69 billion plan, which uses low-speed modes in the urban areas of San Francisco and LA, again, found illegal under Proposition 1A. The tripled, then discounted, doubled pricetag is far from what 52 percent of California voters said ''yes'' to.

High-speed rail's ballot measure was delayed by the State legislature two election cycles before finally placing the High Speed Rail Initiative on the 2008 ballot, where Californians approved what they thought would be a reasonably managed project to connect San Francisco to Los Angeles with a 220-mile per hour train.

Because of Proposition 1A, the State could fund a portion of the construction with $9.95 billion in bond funds, with the assumption that the rest of the money would come from private investors. At the time, the 2009 stimulus act was unknown.

The high-speed rail project that we have today has been plagued with poorly drafted funding plans, with little or no accountability to anyone for the absurd amounts of money spent so far. No accountability means millions of dollars spent on consultants, environmental impact reports, even lobbying here in Washington, D.C., and on numerous lawsuits from Californians who stand to lose their homes, farms, and businesses because they are in the path the high-speed rail would travel.

Recently, a Superior Court judge ruled that the High Speed Rail Authority needed to redraft a 2011 funding plan for the project. The judge halted all bond sales because the Authority hadn't attained the necessary environmental clearances for the areas of the State where construction is planned to begin, nor shown there was even a plan of financing to complete even the first phase of the project.

Meanwhile, the State schemes to inappropriately use truck weight fees or to use cap-and-trade funds in order to prop up the high-speed rail's bottom line.

If a Superior Court judge says that Californians can't spend any more money on the planning and construction of high-speed rail, why should America taxpayers via the Federal Government?

Nearly $3.3 billion in grant money has been awarded to the High Speed Rail Authority by the Federal Government via the aforementioned stimulus package that was approved in 2009 by a different Congress. This is to spend on construction. However, the Federal grant award is based on California's ability to match the Federal dollars with State funds from the bond. So it is my hope the Federal Government will put all the money earmarked for the high-speed rail on hold.

Mr. Speaker, given the judge's recent ruling, I don't believe it is in the best interest of California's taxpayers or America's taxpayers to continue throwing money down this high-speed rathole. These Federal dollars should be used for pretty much anything else, such as building more freeway lanes, expanding airports, or, especially in this time of severe drought in California and the West, redirecting these scarce dollars to alleviate drought now and in the future with new water storage and infrastructure, which all Californians will benefit from.

Instead, even after the judge's ruling, the High Speed Rail Authority said that they would continue to press forward the funding efforts to seize land from farms and businesses and hurriedly perform the necessary and very expensive environmental reviews. They now plan to front-load the project with funding from the U.S. taxpayer via the Federal funds we saw in the stimulus package because the State funding has been put on hold by the judge unless we in D.C. say ''no.''

California has $8.6 billion in bond dollars left to spend on building the high-speed rail, as nearly $1 billion has already been spent without yet turning a shovel. Assuming they still receive the $3.3 in stimulus funding and the total cost to build is the lowball number of $69 billion, this mean the High Speed Rail Authority has less than one-sixth of the funding necessary secured at this time. To me, the math doesn't add up. Perhaps in Fantasyland, where the monorail rail runs, it does.

Would you continue to invest in something that has a majority of the already-secured funding put on hold because your illegal business plan has holes big enough to drive a train through? I think not.

The Authority also hasn't shown any restraint in using taxpayer dollars. To date, they have spent upwards of $600 million on engineering and environmental consultants without ever breaking ground. The Madera-to-Fresno segment alone is going to cost $987 million—an unbelievable amount of taxpayer dollars for a segment that can't even operate trains as a stand-alone project.

So many affected residents of the Central Valley, and all over the State, are happy the funding has been put on hold. Their farms, residences, and businesses are threatened to be seized, shut down, and destroyed for a project that will not ever happen.

I hope California wakes up and realizes that this project is just a pipe dream that has hit none of its goals for cost or ridership. The legislature has had many opportunities to stop this high-speed rail boondoggle, and they will have another chance again next year. State Senator Andy Vidak has revived my ''Revote the Rail'' measure that I tried to get legislated back in 2010 and 2011, and will try to get the high-speed rail issue on the November 2014 ballot.

As the LA Times poll says, 55 percent of Californians would like to vote again on the high-speed rail issue, and 59 percent say they would vote down high-speed rail. I support Senator Vidak's proposal, as I did before. It needs to move forward to give people choice, now that they have seen the real numbers.

Here in D.C., we need to stop Federal dollars for the rail and instead direct those funds towards real needs such as tried and true water storage projects, infrastructure that will turn the water, and the jobs, back on in the Valley, and keep California, the Nation's fruit and vegetable capital that it is, producing, in some cases, over 90 percent of U.S. fresh fruit and nut crops that U.S. consumers need and desire.

Once again, let's not put U.S. taxpayers on the hook for a high-speed rail boondoggle that benefits only those that make money off of it. Californians don't want, don't need, and can't afford it.

(1830)

Mr. GOHMERT. Mr. Speaker, sometimes it is very helpful to set the record straight, as my friend from Tennessee talked about earlier, and I thought that would be highly appropriate, given some of the lighthearted and sometimes mean-spirited barbs that have been sent the way of former Governor, Vice Presidential candidate Sarah Palin.

So I just wanted to set the record straight, Mr. Speaker, so that people will understand, and the CONGRESSIONAL RECORD will properly reflect just how prescient that Sarah Palin has been in the past.

We are going back 5½ years, but this was an interview that Charles Gibson did that gave rise to a ''Saturday Night Live'' skit. This was Charles Gibson, quoting verbatim from him, and then Sarah Palin.

Gibson: Let me ask you about specific national security situations. Let's start, because we are near Russia. Let's start with Russia and Georgia. The administration has said, we have got to maintain the territorial integrity of Georgia. Do you believe the United States should try to restore Georgia and sovereignty over South Ossetia and Abkhazia?

Sarah Palin: First off, we're going to continue good relations with Saakashvili there. I was able to speak with him the other day and giving him my commitment, as JOHN MCCAIN's running mate, that we will be committed to Georgia. And we've got to keep an eye on Russia. For Russia to have exerted such pressure in terms of invading a smaller democratic country, unprovoked, is unacceptable, and we have to keep— Gibson interrupted and said: You believe unprovoked?

Palin: I do believe unprovoked. And we have got to keep our eyes on Russia. Under the leadership there.

Gibson: What insight into Russian actions particularly in the last couple of weeks, does the proximity of this state give you?

This is the operative line here. Sarah Palin said: ''They're our next door neighbors, and you can actually see Russia from land here in Alaska.''

Gibson: You are in favor of putting Georgia and the Ukraine into NATO?

The interview goes on, but that is what Sarah Palin said: ''They're our next door neighbors, and you can actually see Russia from land here in Alaska.''

That should be relevant to people. If you are living next door on 1 acre of land, and the people that own the acre next to you have been guilty in the past of breaking into other neighbors' sheds and buildings, then certainly that is something that you ought to be watching more closely than people on the other side of the town that don't live next door. I mean, proximity can be an important matter.

But here is the text of what ''Saturday Night Live'' did on September 13, 2008. We know that ''Saturday Night Live'' has altered sketches that, in the past, at least once I recall seeing, where they were afraid it might make President Obama look bad, and they certainly didn't want to do that.

Okay to take shots at Republicans, but they certainly didn't want to be fair and hit back at President Obama the same way, and even as Lorne Michaels, comic genius that he is, has indicated, yeah, they do lean left there at ''Saturday Night Live.''

This was a sketch involving Tina Fey as Sarah Palin, Amy Poehler as Hillary Clinton. They were appearing together in the sketch, and these quotes are verbatim from the sketch.

Tina Fey, as Sarah Palin says: ''But tonight we're crossing party lines to address the now very ugly role that sexism is playing in the campaign.''

Then Amy Poehler, as Hillary Clinton: ''An issue which I am frankly surprised to hear people suddenly care about.''

Tina Fey, as Palin: ''You know, Hillary and I don't agree on everything.''

Poehler as Clinton says: ''Anything. I believe that diplomacy should be the cornerstone of any foreign policy.''

Then Tina Fey, acting as Sarah Palin said: ''And I can see Russia from my house.''

So that is where the line came from. There are many in the United States that actually believe Sarah Palin said ''and I can see Russia from my house.'' It was a very clever sketch. It was funny. I laughed when I saw it.

I also knew how intelligent, and what a great leader and Governor Sarah Palin had been, and what a great leader she is, but we can all laugh at ourselves.

I just didn't realize that that was going to take off, and by the writers at ''Saturday Night Live'' giving Hillary Clinton a line that said, ''Anything. I believe that diplomacy should be cornerstone of any foreign policy,'' sounding like a diplomat or a politician, and then trying to make Sarah Palin sound very much less so, when, actually, the best quote remembered from Hillary Clinton will probably go down as the statement made here on Capitol Hill in reference to the four American heroes serving in harm's way whose lives were taken by radical Islamists in an act of terrorism that had nothing to do with the video.

Our Secretary of State, having suffered a blow to the head, we were told that kept her from testifying originally, she was able to say: ''What difference, at this point, does it make?'' Not realizing, obviously, that when Americans are murdered, who are working for this government, and even working for her with her as the boss, it is rather important to find out precisely why those people were murdered.

In fact, some Libyans told me that very thing back before Christmas. They said, so many Americans want to know who killed your four Americans. That is important, but an even more important question is why they were killed.

So we have Hillary Clinton, who is saying, at this point, what difference does it make why they were killed, how they were killed?

Just the reverse of the way ''Saturday Night Live'' made those two individuals look through the caricature, Sarah Palin called the shot with Ukraine years ago. I would say prophetic, but it is not prophetic. It is a bit prescient, but it has more to do with someone who has studied international relations, understands leaders like Putin, understands their lust for power, and understands they have got to be stopped, instead of carrying a plastic button over to dogmatic, totalitarian, wannabe leaders of Russia and saying, here, let's press this button and we will restart, reset everything.

That is no way to conduct foreign policy. The greatest strides in the security and safety and acquiring the security and safety of the world have come when people knew they were dealing with an evil empire and stood up to it.

I was asked just shortly ago, why did you vote ''no'' on the bill that was brought to the House floor to provide money, give loans to the Ukrainian people?

I developed a great love and care for Ukrainian people as a college student on a summer exchange program, and I found a lot of commonality with college students, some of the college students there in Ukraine.

I made the mistake of saying ''the Ukraine,'' Mr. Speaker, but one of my

Ukrainian college friends corrected me when I was there as an exchange student. He said: Do you say I am going home to ''the Texas''? I said, no.

He said: We don't say ''the Ukraine.'' You come to Ukraine. It doesn't need the article ''the.''

So there in Ukraine, people are suffering. They feel the boot of Russian power coming at them, at first from the Crimea, and it may go farther.

I understand, having been there a number of times, in Ukraine, that there are parts of Ukraine that have sympathies with Russia, that love the days of the Soviet Union when they didn't have to look for a job themselves.

The government would tell them how far they were allowed to go in school. They would tell them what their job would be. You step out of line, you could go to Siberia. They actually miss those days.

Whereas most Ukrainians seem to have that yearning that George W. Bush talked about as President, a yearning to be free—not all people have it, as we have seen. Some prefer security over complete freedom, and that needs to be understood.

As Franklin was quoted, paraphrased as saying: Those who would give up liberty for security deserve neither.

I know there were Soviets after the fall of the Iron Curtain, after the demise of the Soviet Union, who were panic-stricken. You mean, I have got to find a job? I mean, the government has always told me everything to do.

I will never forget being in Ukraine in recent years, and I had gone with a Ukrainian translator friend. My Russian has gotten pretty bad since college, not having any need to use it.

We were in a Ukrainian restaurant. It was off the beaten road, and so it was mainly Ukrainians there. But in one area of the restaurant there was a very large, extended Russian family. That was clear. And the patriarch was clearly Russian, speaking Russian. He appeared to have had too much to drink.

A little trio came by, a couple with musical instruments, one, a young Ukrainian, with an incredible operatic voice, and they would perform at tables and do requested songs.

They came over to the extended table with the extended Russian family, and the patriarch called out that he wanted to hear ''Moscow Nights,'' and I bet the group knew ''Moscow Nights,'' but they said that they didn't know that.

□ 1845

So they asked for another song, and they performed it. It was magnificent. Then the boisterous Russian patriarch said—and the translator was helping me—he said: We never knew why you, in Ukraine, wanted to pull away from Russia. We love you Ukrainians. We love you. We wanted to stay together, as brothers. We never understood Ukraine wanting to pull away and not be part of Russia.

And the guy was probably late twenties, maybe 30, that was the singer; and he very politely said in Russian to the Russian: Have you been here to Kiev before?

And the Russian said: Yes, but it has been perhaps 20 years.

And the young Ukrainian said: Ah, so how do you find it now compared to 20 years ago?

And the Russian patriarch, having had too much to drink, said: It is magnificent. You have done a fantastic job. Oh, we love all of the buildings, all of the growth, all of the wonderful things you have done here. We want to be brothers. You have done a magnificent job.

And the young Ukrainian singer yelled: That is why we wanted to be apart from Russia. You kept us oppressed. You took away the best we had. You stepped on us. You mistreated us. You would not let us reach our potential. That is why we want to be separate from Russia. That is why we separated from Russia. That is why we do not want to be part of Russia. You took the best we had and left us nothing. We can do much greater things when you allow us, as Ukrainians, to be in charge of Ukraine.

And I wanted to stand up to give the young man a standing ovation. I was just thrilled that he was so passionate and felt so strongly about Ukrainian freedom.

There are so many in Ukraine who feel that way. They don't want the Russian boot on their throat. Some are not aware that when—perhaps the most evil man of the 20th century, Hitler—Hitler's forces marched into Ukraine, they were actually met initially with banners and lauding that the Ukrainians looked upon them as liberators from Russia.

And if they had not been so consumed by the ridiculous superrace mentality that they had sold themselves on, they would have recognized that the Ukrainians would have helped them; but, instead, they brutalized them, wantonly killed Ukrainians, and forcefully turned the Ukrainians against the Nazis.

Had the Nazis not been so consumed with their narcissism and self-aggrandizement, they probably could have used the Ukrainians' help and never suffered such a brutal winter in Russia as they did. That is history.

And I am very proud that we have a former Governor from Alaska that understands people like Putin, understands that Putin may have suffered from a debility, like Stalin did. Stalin described it—the English translation was ''with power, dizziness.''

So Putin gets a little bit dizzy. Gee, let's take the Crimea—because he has done, as Khrushchev did of our late, great President John Kennedy—Kennedy was a brilliant man. There was no question he was a man of courage, as illustrated during World War II.

We are told that he was taking a number of medications when they met in Vienna in the summer of 1961; but he also acknowledged, after his meeting with Khrushchev, that Khrushchev just brutalized him, and he seemed to be embarrassed with how he performed.

Khrushchev, on the other hand, had said he was immature. He was weak. That was his assessment of Kennedy because he already knew that he had backed Kennedy down during the Bay of Pigs.

The plan that was hatched during the Eisenhower administration, Kennedy was apprized of, but then it was changed. Kennedy takes office as our President, and he finds out there is going to be more American involvement.

Unfortunately, within 3 days of the invasion to be launched into the Bay of Pigs to attempt to overthrow Fidel Castro in Cuba, President Kennedy got cold feet and pulled back on the support that was going to be offered.

The people were devastated, killed, or taken prisoners. It was a disaster. Kennedy said, later, that he would have preferred an all-out invasion to appearing so weak, words to that effect.

A meeting between Khrushchev and Kennedy in Vienna—I believe it was June of 1961—reaffirmed in Khrushchev's mind that this was a weak, immature leader.

Then toward the end of July of 1961, President Kennedy gave a powerful speech, basically making clear that we have a commitment to West Berlin. We have a commitment to West Germany; and we would not, under any circumstances, allow the Soviets to prevent us from making good on our promises.

He even used the word ''force.'' We didn't want to use force; but if it was required, it would be used. Khrushchev had already taken his measure of the man, knew he could push him further, and the Berlin Wall began being built.

The United States did nothing; and it reaffirmed, in Khrushchev's mind, that what he had assessed in Vienna—that Kennedy was immature, was weak—was even more true than he had thought before.

He knew he could push this man; and as a result, he was willing to risk thermal nuclear war to put missiles with nuclear weapons into Cuba. He would never have been so brazen as to put nuclear weapons on missiles within 90 miles of Florida had it not been for his repeated assessment in the first year of John Kennedy's Presidency that he was weak.

Well, he misread him. Kennedy showed weakness in 1961 at least three times, but he did have courage. It just took him a while to get up to it.

But as a result of the weakness that was assessed by Khrushchev, we almost came to mutually assured destruction, where the Soviet Union and the United States would have launched nuclear weapons toward each other. It was a very, very dangerous time for the world.

We are now under the administration of President Barack Obama; and I cannot imagine any Russian leader perceiving anything but just absolute weakness, as a leader, when the microphone picked up what President Obama said before the election: you know, tell Putin that, after the election, I will have a lot more flexibility.

The message was clear. I am willing to cave on all kinds of things. I have to look strong right now, but I will cave on all kinds of things once we get past the 2012 election.

For all the things that he is, Putin is not stupid. He knew exactly what that message was, though most of the voters in the 2012 election did not; and as a result of that and so many other things, Russia believes they can cow America, and we will not stand up. When this President draws led red lines, they won't be enforced.

I am going to go back to something Sarah Palin pointed out in her interview, and this is actually in NewsBusters. It talks about the interview that Sarah Palin gave with Charlie Gibson, and it sets the record straight.

Palin foresaw that, because of Putin's actions and Russia's movement against Georgia, that if we did not send a very clear message that such offensive border-neglecting actions were not rebutted, then there would be other invasions to follow.

She has been skewered for saying, back in 2008, that if Russia was not stopped, then next, they would move against Ukraine. She was belittled for that; and yet, she had read Vladimir Putin far better than anybody in this administration.

She knew what they were capable of. She knew what they wanted to do, and she knew there is only one way to deal with bullies, and it is not to repeatedly give them your lunch money. If you continue to attempt to appease bullies, not only will they continue to take more and more and more, but they will have no respect for you whatsoever.

That is also a problem we have had with radical Islamist leaders in the world. They understand one thing: strength. That is why the United States Marines were sent to the shores of Tripoli.

It was not the negotiations that Thomas Jefferson and others engaged in with the Barbary pirates, those radical Islamists. That didn't do any good. It wasn't until the Marines fought as bloody or tough or tougher than the radical Islamists that they realized, gee, we had better leave these guys alone.

But for the valiant, fervent fighting of the Marines, then we would have continued to have to pay huge portions of our United States budget for extortion to get our sailors back.

Sarah Palin understood that. She understood that you have got to stand up to bullies, so I think it is important that the CONGRESSIONAL RECORD properly reflect that Sarah Palin had it right.

Saturday Night Live assessed her wrong. Sarah Palin had Putin pegged. She had the actions of Russia pegged. She knew what they would do next.

So what have we done? Ukrainian borders are violated by Russia, and we want to go by as our friend is being brutalized, assaulted, and throw money at our friend who is being brutalized.

□ 1900

That is not much of a friend. If I am being assaulted, I would hope a friend would stop and help me and not just throw money on the way by. In fact, we have agreements in writing that require more than simply throwing money at Ukraine when they are being brutalized by Russia. Russia's economy is not all that strong. And I don't know if Ukraine would get this desperate or not, but we know that Putin, just to show Ukraine that they can hurt them, has stopped the flow of natural gas before.

Perhaps at some point, Ukraine will get desperate enough to say: Well, they may have a very weak leader over in the United States that will not come help us, but something we can do to hurt you, Mr. Putin, you do one more thing and those pipelines of yours that bring you so much money into your treasury will be history, and then see how you do.

I hope it never gets to that point. I hope that Russia doesn't continue to push matters until they push us, as Khrushchev did, to the brink of world war again. But in seeing the debate between President Obama and Governor Romney in which President Obama chided him by saying the 1980s called and they want their foreign policy back, we have now seen the appeasement repeatedly of this administration. And that is why I have said before that Neville Chamberlain called to this administration, and he wants his foreign policy back, because it appears it is being utilized once again. It didn't work for England against Hitler, and it will not work now against Russia and Putin.

I was very small as a kid in elementary school, but I learned early on I may get my nose bloodied, but I am going to make the big bully hurt. And when I made him hurt enough, after he had bloodied my nose, he left me alone. He could have hurt me. But it doesn't matter whether you are big or small, if you want to deal with bullies by appeasement over and over and over again, then it is clear you are going to continue to encourage bullying. I was never for bullying. I would stand up to it as a young kid in elementary school, and I am for standing up against it when we have the most powerful military in the history of the world—until this administration finishes with it. We still do for now.

Well, here is something else that is pretty powerful. Sarah Palin in her speech to the Conservative Political Action Committee on March 8, 2014, said this:

> Those policies that the Cabinet have to explain and justify, how do you convey to Putin the threat that sounds like, ''Vladimir, don't mess around, or you're going to feel my flexibility, because I got a phone and I got a pen and, um, I can dial real fast and poke you with my pen. Pinkie promise.''

Well, obviously, she was having some fun herself, but she makes the point. A phone and a pen won't do it. When you are talking about a bully that does not mind violating borders, killing people, and subjugating masses of people, you have to stand up to them.

I think one of the clear indications not only that we had a weak administration on foreign policy, but also we didn't use common sense in protecting ourselves came very clearly before the Boston bombing when the Russians, the Russian leaders—the Russian people like us pretty well, but the Russian leaders don't like us particularly and certainly don't respect us. But even so, they realized that we actually have a common enemy, and that is radical Islam, radical Islam that would love to see Russia fall, Ukraine fall, and the United States fall, would love to see them all fall under a giant global caliphate. So we have that common enemy who wants to destroy each of our ways of life.

So Russia, despite their dislike and distaste in some ways for the United States, actually reached out and said: Hey, we are not sure you realize, but this Tsarnaev, he has been radicalized, and he is dangerous. We are not going to reveal too many secrets here, but any intelligent administration will take what we have said that Tsarnaev is dangerous, he has been radicalized, and he is a threat to you and do some digging. And the best we can find out, even after questioning the Director of the FBI, the best we can find out is they apparently went and talked to Tsarnaev himself.

Well, okay, I guess you've got to do that. Good idea. If somebody is very good at questioning, if somebody really understands the radical Islamist mind, if he knows who the Islamic authors are that have inspired radicalism, if he knows who the imams are that have helped radicalize people, then you can ask the right questions about which imams you have been around, what authors are your favorite authors, what do you think of Qutb in Egypt and the writing that he had, that milestone that Osama bin Laden credited with helping radicalize him. If you know the questions to ask, you can find out whether somebody has really been radicalized.

But as a few of us have found out when we reviewed the material purged from FBI training material, we are not allowing our FBI agents to be properly trained as to the threat and the beliefs of radical Islamists. Again, as one of our intelligence officers has told me, we have blinded ourselves of the ability to see our enemy. And it continues. We continue to have people advise this administration who have known associations with radical Islamists. The Egyptian paper, back when it was controlled

by the Muslim Brotherhood, bragged that they had six Muslim brothers who were top advisers in top positions in this administration. So we are not allowing our FBI, our intelligence officials and agents, to be trained to properly see this threat.

So the Russians say: Hey, this guy is a threat to you. You had better check him out, and you will find out what we are talking about. He had been to an area where people were often radicalized. He had gone to an area that he came to America claiming asylum, to need asylum from, and he goes back to that area? Well, that should have been a red flag right there. He didn't need asylum from that area. He just went back and got radicalized. But our blinded FBI agents were not able to ask those questions, and when I chided the FBI Director for not even going out to the Muslim mosques to talk to people out there, to ask questions, to ask questions to find out if the Tsarnaevs have been radicalized, the FBI Director said that they did go out there to the mosque. I didn't hear it at the time, but I heard it on the replay when he adds, ''as part of our outreach program.''

They didn't go out there to investigate the Tsarnaevs to save Bostonians' lives. He didn't even know that the Islamic Society of Boston was started by a man named Al-Amoudi, who is in prison for 23 years for supporting terrorism. After being a very important adviser, he helped find Muslims to go into the military as Muslim chaplains. He helped the Clinton administration. He actually helped the George W. Bush administration early on until they figured out, whoa, this guy is supporting terrorism, and they had him arrested I believe it was 2003 out at Dulles Airport, and he is in prison now because they recognized what he is. But our FBI Director, the FBI agents didn't even know you had a terrorist supporter that started the mosque where the Tsarnaevs went.

So when the Russians see that we give America—that we don't really like, we don't really trust, but we give them a heads-up to actually save American lives, and even with a heads-up like they gave us, we can't properly protect the people of Boston because of political correctness in this administration, well, it just adds to the assessment by Putin and the other leaders in Russia that these are people that don't recognize danger when it is pointed out to them with a big sign saying ''danger'' on it.

So, of course, just like Khrushchev's assessment that turned out in the end to be wrong, I hope and pray that we don't get to the brink of nuclear war because leaders around the world have assessed, as Khrushchev did, that the American President is weak and can be pushed around indefinitely. I don't think President Obama can be pushed around indefinitely, but I sure don't want him to be pushed all the way to nuclear war before we finally take a stand, as Kennedy did. And you don't have to get that far if you stand up against the bullies early on, as Neville Chamberlain was not willing to do, and as a result, millions and millions died, and millions suffered unthinkable tragic suffering because leaders wanted to go the appeasement route.

For all the flack Sarah Palin has taken, she had Russia pegged. And it is not because she ever said ''I can see Russia from my house.'' She never said that. She accurately said you can see Russia from parts of Alaska—not her house.

□ 1915

She was willing to laugh at the skit, but now we are not talking about laughable things. We are talking about freedom being taken at the point of military weapons in Crimea, in Ukraine.

We see China moving in areas and places they have never had the courage to move because they knew America would not stand for it and we would rally other nations against China. The Chinese leaders know that at times, as good as the economy seemed to be going, they are a fragile economy. As I have said before, I think if China knew that they could call all the debt of the United States and push us into a bankruptcy-type mode in the United States, they would except they would suffer dramatically, and if they ever get to the point where they think that they can take this Nation down financially without losing their own, they would do it. That is why it is a terrible wrong as a government to allow ourselves to become further and further indebted to China.

Today, apparently the news we were seeing, their economy has taken a hit today. I look forward to learning more about that this evening, but it is time Americans woke up, Mr. Speaker, and realize that appeasement of bullies, of thugs, has never worked. It will never work, and when you are the most powerful, have the most powerful military in world history in the face of growing bully power, you don't abandon yours.

We want to help those who cannot feed themselves in America. We want to help those who cannot provide for themselves in America. Certainly we differ on our side of the aisle. For those who are able-bodied and can work, let's get the economy going so that people have a job and can do for themselves and make more. Let's don't continue to make people more and more dependent on the government.

I know my friends across the aisle do not want to see the world fall into war as it did in World War II, do not want to see us come to the brink of thermonuclear annihilation as it almost did during President Kennedy's term, but it is important to understand from history that is where you go when you show weakness.

We can defend ourselves without putting tens of thousands or 100,000 troops into a country like we did in Afghanistan. For heaven's sake, we defeated the Taliban with less than 500 Americans in there helping the Northern Alliance. We helped them with weapons, we helped them with air cover, we helped them with intel, and they defeated our enemy for us, and this administration will point to the Northern Alliance and call them war criminals because they fought like the Taliban fought. We can fight our enemies by empowering the enemy of our enemy. They are Muslims. We can live with the Northern Alliance as long as they don't ever turn on us. As long as they are going to fight our enemy, then let them fight our enemy.

Yet for the government that was given to Afghanistan at our pushing—a tribal, regional country like Afghanistan was given a strong centralized government that would lead to nothing but corruption. We should have known it when it happened, so how do we deal with the problem there? As my friend, former Vice President Masood said, You help us get an amendment into our Constitution that allows us to elect our governors, elect our mayors, pick our own police chiefs, take that power away from the appointment power of the President, and we can protect our regions and keep the Taliban from taking over.

This administration does not seem to want to push for something like that. It can't even get a status of forces agreement that was teed up completely for them by President Bush in Iraq but then was fumbled by this administration.

I was meeting, had a visit with a Baloch friend today. If you have done homework, you know, Mr. Speaker, that the Taliban is apparently getting supplied mainly from Pakistan, and much of the supplies come through the more southern area, the Baloch area of Pakistan. We also know that the Baloch have been victimized, oppressed, persecuted, killed, and terrorized by the Pakistani military, the Pakistani government. Iran has done the same thing because the Baloch people are indigenous to the southern part of Pakistan and on into the most mineral-rich areas of Iran. So we don't have to go to war with Iran, we don't have to go to war with Pakistan, but if you start assisting the Baloch people to stop the oppression and perhaps have their own independent country, the Taliban stop getting supplied by Pakistan. Iran doesn't have all of the minerals. They have those mineral areas, a big part, an important part of them at least are run by the Baloch people, and we can do business with them.

There are ways to deal with the enemy of our enemies so that they keep areas around the world in check so you don't have to lose so much American lives. Most people are not aware that most Americans have been killed under the administration of this President. It is time we stood firm. It is time we let the bullies of the world

know Sarah Palin was right, and we need to stand up to them.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3189, WATER RIGHTS PROTECTION ACT; PROVIDING FOR CONSIDERATION OF H.R. 4015, THE SGR REPEAL AND MEDICARE PROVIDER PAYMENT MODERNIZATION ACT Of 2014; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MARCH 17, 2014, THROUGH MARCH 21, 2014.

Mr. BURGESS (during the Special Order of Mr. GOHMERT), from the Committee on Rules, submitted a privileged report (Rept. No. 113–379) on the resolution (H. Res. 515) providing for consideration of the bill (H.R. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture; providing for consideration of the bill (H.R. 4015) to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and improve Medicare payments for physicians and other professionals, and for other purposes; and providing for proceedings during the period from March 17, 2014, through March 21, 2014, which was referred to the House Calendar and ordered to be printed.

MONEY IN POLITICS

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

GENERAL LEAVE

Mr. SARBANES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. SARBANES. Mr. Speaker, I appreciate the opportunity to speak to the Chamber this evening. I want to talk about the topic of money in politics, which is something I think Americans across the country are increasingly anxious about because it really jeopardizes the voice they should have in their politics, in their democracy in their own government.

Yesterday, there was a special election in Florida's 13th Congressional District, and the results of that election will get commented on at length in the coming days. People will try to make forecasts about what it means for the 2014 election cycle. Generally, they will analyze it. They will look at the data and they will prognosticate as to what the implications of it are going forward.

A lot of that commentary will miss what I think is the most sinister aspect of the election yesterday that was held in Florida, and that is the tremendous amount of money, the tremendous amount of money that poured into that election, not from ordinary, everyday citizens, not from the people who really have a stake in the outcome. They were the ones asked to go to the polls, but the money that poured in there that bought advertisements, to the tune of about $12.7 million, almost $13 million spent on that campaign, about 30 percent of it was donated to the candidates themselves. So 30 percent of that $13 million was donated to the candidates themselves. The rest of the money came from outside sources—party committees, super PACs, anonymous donors, the ones who have been flooding the airwaves in the last couple of election cycles with negative advertising. That is where the great majority of the money that came into that special election yesterday was sourced, and that, I think, is a harbinger of things to come.

If you look back at the 2010 cycle, you look at the 2012 election cycle, both at the congressional level and at the Presidential level, tremendous amounts of money pouring into campaigns and into elections, much of it coming from sources that don't identify themselves, secret money, these big super PACs who weigh in and try to determine the outcome of elections.

Where does that leave the everyday citizen? Where does that leave the person out there who is sitting at their kitchen table, who is watching their television and is seeing all of these negative TV commercials pouring in? Where does that leave them in terms of their feeling about whether they have a voice in the process?

I talk to my constituents, I listen to the way they feel about the current system of funding campaigns, and there is an increasing sense of disillusionment out there, deep cynicism that election outcomes are determined by Big Money and special interests and that the voices and opinions and priorities and concerns of everyday citizens are being cast aside. That is the legacy of the influence of Big Money and special interests on our politics today.

So yesterday's election in the 13th District of Florida put a fine point on it. It demonstrated how much money can go into one special election. It was historic, $13 million being spent. More importantly, it is a lesson as to what we are looking at down the road. This idea that if you have got a big wallet you get an extra voice in our democracy, that somehow your opinion and your ideas count more because of the size of your wallet and your ability to throw millions of dollars into campaigns, well, that is not what a democracy is about; that is plutocracy. That is a government and a system that is dominated by Big Money and special interests and leaves the voices of everyday citizens behind so that they start asking themselves: Does my voice matter? Can I have an impact? Do my ideas count? If I am only able to write a check for $25 to a candidate who I think will do the right thing for me, can that $25 check compete against a $1 million check that some big donor can write to fund a Super PAC?

This is why people across the country, it is not the only reason, but it is one of the main reasons why people across the country are so disaffected with Washington and Congress and government, because they feel like their voice is being drowned out by the big-moneyed interests out there.

Mr. Speaker, we have to do something about this because if we are going to restore the confidence and trust of Americans across this country, they need to believe again that their voice matters. They need to believe that when they are trying to understand the issues in an election and follow the debate and become informed, that that information will come to them from responsible sources, not from these shadowy hidden secret donors out there that have found a way to dominate the airwaves.

So that special election yesterday I think was a warning to us all that this trend towards Big Money and special interests weighing in to what ought to be a democratic process that is owned and invested in by everyday citizens, that that trend is continuing and it is worsening.

□ 1930

At the end of that path lies deep, deep cynicism on the part of the American people. You can feel it; you can almost touch it when you go out into your district and you talk to your constituents who are angry and frustrated and want to see this place respond to their concerns and to their needs.

So what can we do about this? I said a moment ago that we have got to do something soon; we have to address this cynicism that people are feeling, or they are not going to trust us at all. They are not going to believe that we can deliver for them in the people's House.

This is the House of Representatives. It has the name the ''people's House.'' We run every 2 years. We are as close to the people as elected representatives can be. They want to see that we are listening to them.

Right now—I said this last week—in some ways, when it comes to the relevance of this body to the average American out there, we are hanging on by a thread.

We are hanging on by a thread because, increasingly, they think that we answer to Big Money and special interests, and we stop listening to the average person out there.

So we need to do something about this. We need to fix this. We need to

recognize that there is a problem, and we need to take meaningful steps to address it.

That is why, Mr. Speaker, about a month ago, joined by over 125 original cosponsors, I was proud to introduce something called the Government by the People Act, which is an effort to create a new way of funding campaigns that puts everyday citizens back at the center of the equation.

It says: no longer are we going to seed the financing and funding of campaigns to Big Money and special interests. We are going to come up with another way of doing it, a way that puts everyday citizens in a place of owning their democracy again, of feeling like they have a voice.

Already within the last month, we have seen, across this country, more than 400,000 people who have become citizen cosponsors of the Government By the People Act because they are desperate to see a change which gives them their voice back at a time when they feel—as those residents of the 13th District in Florida felt over the last few weeks—that their voice isn't the one that matters; it is the voice of Big Money and special interests and the super-PACs that seems to carry the day.

So the Government by the People Act would encourage people to participate in the funding of campaigns, small donors who would be assisted by a tax credit—a refundable tax credit of $25, to make it easier for them to participate on the funding side of campaigns.

It would bring matching dollars from a freedom from influence matching fund that would come in behind those small donations and amplify them and lift them up, so that candidates would begin to pay attention to everyday citizens for the funding of their campaigns and not be so dependent on Big Money and special interests. That is the promise of reform that is embodied in the Government by the People Act.

We even provide that candidates who are true grassroots candidates who go out there and make the case to their constituents and earn the support of their constituents in these small donations, that those candidates, when they get into the final days of a campaign in an election, if a super-PAC starts to come at them and try to wipe them off the field—off the playing field, there is some additional resources that can help them stay in the game, can keep their voice in the mix, so they can get to Election Day.

I believe that, under those circumstances, many of those candidates who turn to their own constituents, who turn to small donors, who turn to everyday citizens to fund their campaigns can be competitive and can win, even in the face of these super-PACs and the big money that is pouring into campaigns.

So this is real reform, Mr. Speaker. I was very pleased, as I said, that we had a number of original cosponsors who joined us when we introduced the bill about a month ago.

One of them, who has been listening as carefully as anybody out there, to what everyday citizens are saying about this and joined us as a cosponsor on the bill and can really speak to this, I believe, from the heart, is my colleague ALAN LOWENTHAL from California.

I would be happy to yield some time to him now.

Mr. LOWENTHAL. Thank you. I really want to thank the fine gentleman from Maryland, who has worked so long and tirelessly on ensuring that unlimited campaign spending does not drown out the voice of the people. I want to thank him for putting together a bill that gives the public a chance to be heard over big money interests.

A little bit, Mr. Speaker, about my own experience, when I first ran many years ago for city council and then I went on to the State and came here to Congress—when I first ran for city council, it was a very difficult time in my district.

It was a time where we actually had a period of where—when I first was elected, where we had martial law because we had rioting because of—after the Rodney King decision in southern California.

I walked my district, and I heard from everyone that their voices weren't being heard, that the city at the time was not listening to them; so I felt, as important as any piece of legislation, was to give people a chance to come together to create something to have their voices heard.

I spent that first year, when I was elected, working with my community in groups, and we decided that campaign reform limiting the size of contributions would enable our city to move forward again and would bring people together, and they wanted to be able to have a chance to participate. We did it, and we put it on the ballot, and it overwhelmingly passed.

I realized, as I went forward, first to the State legislature and now, here, to Congress, that the best way to fight against unlimited campaign spending by outside individual action committees and individuals who are capable of spending unlimited amounts of money—short of amending the Constitution to repeal Citizens United—is to do exactly what Congressman SARBANES has done, give a voice to ordinary citizens. That is what we should be doing.

Congressman SARBANES' bill, H.R. 20, the Government by the People Act, is a comprehensive reform package, designed to combat the influence of Big Money politics. As equally important, it is to raise civic engagement, and it really is to amplify the voice of ordinary Americans. That is what we should be hearing. That is what we are hearing every day in our districts.

The bill would magnify the impact of small donations from average citizens, allowing Congressional candidates who only take small donations to be competitive with candidates who are backed by outside groups, who are capable of raising and spending large amounts of money.

For example, if this bill becomes law, individuals will be given a $25 refundable ''my voice'' tax credit per year to help incentivize and spur small-dollar donations to candidates for Congressional office. People would be feeling that the government is asking them to contribute and to participate.

Candidates now who forego contributions from super-PACs and only accept donations of under $1,000 would be eligible to a 6 to 1 match by small donors—that is people who are donating under $150—from a newly established freedom from influence fund.

Do you know what this will mean to the average American who says: If I contribute a small amount, it doesn't mean anything?

All of a sudden, we are saying: you count, your contribution means something.

According to the Federal Election Commission, in 2012, individual small donors were outspent 3 to 1 by outside groups. We need to figure out how to empower average citizens whose voices are drowned out by outside money from shadowy organizations.

We have to shift this balance of power away from wealthy interests to ordinary Americans, to people who are asking that their government be responsive to them.

I urge my colleagues to support H.R. 20, the Government by the People Act, and I urge the Speaker of this House to bring this vital bill to the floor of the House of Representatives.

Give us the opportunity to vote for democracy, to vote for the people of this country.

Mr. SARBANES. I thank the gentleman. I might ask him one question because my sense is that, if you have a system like this in place, not only will you empower everyday citizens to feel like their voice truly does count—and that would increase participation—you would have people, I think, coming back into the political town square who have now fled the town square because they are cynical and disillusioned.

But my sense is it would also create more access for candidates who, right now, are shut out of the process because they may not be in a position to raise the big dollars that you have to raise these days to run a race.

There is a lot of good people out there who would like to try to run for Congress, perhaps, but they don't know a lot of people who have a lot of money; but if there was a system that rewarded small donations to their campaign and provided public matching funds coming in behind that, they might be able to run, and they might be able to be competitive.

I wonder if you have some thoughts about that.

Mr. LOWENTHAL. I agree completely.

People decide to run frequently—or want to run—maybe even better than

decide, they don't decide—they want to run because they believe that they can be the voice for those that do not have a voice, for people in their community who feel disenfranchised, people like themselves who just want to participate and feel that they have no voice.

Then they get involved in this process, or they think about it, and they realize that that doesn't matter. It doesn't matter who you are listening to. It doesn't matter who you are accountable to. It doesn't matter that you really care about creating a sense of community and involvement and that people have a responsibility to participate themselves.

All that matters is how much large money you can raise, and that is what the rules are.

I think that that balance between funding elections and listening to people has gotten way out of whack. That has discouraged so many people from wanting to run because they are now confronted with the reality.

It makes no difference that you are tied to a community and you give voice to people in that community. The only thing that makes a difference is how much money you can raise from large interests. I think that does a tremendous disservice to this institution and to all institutions that depend upon public support.

Mr. SARBANES. Again, I want to thank my colleague for his support of this reform effort, for joining us as an original cosponsor of the Government by the People Act.

We think there is real momentum here. We have 140 Members of this body now that have joined as cosponsors; but there is something else happening, which is exciting, and I think offers some new opportunities for this kind of legislation.

We have had these efforts in the past, and some of them have gotten attraction you would like to see; others have not.

But there is something new happening. There are organizations—national organizations across this country who are forming a coalition. This consists of many of the good government groups and reform groups that have been in this space for a long time.

□ 1945

But there are other people coming to this issue. There are other people who are joining the fight to push back on the influence of Big Money and special interests in our politics and in our government. Environmental groups like the Sierra Club and Greenpeace, civil rights organizations like the NAACP, and labor organizations are getting behind this effort because they understand that the change they want to see—protecting the environment, making sure that our civil rights laws are being enforced—too often is being thwarted by the influence of Big Money, so they have adopted this issue as a priority for their organizations. They are joining this coalition.

This is not just about the influence of Big Money on the outcome of elections. Oftentimes, that is where the focus gets placed. This is also the effect that Big Money has when it comes to governing because the reality of it is that, if you have an institution that becomes increasingly dependent on Big Money and special interests, then when it comes time to vote on important policy matters, it is just human nature that the institution will tend to lean in the direction of where that money comes from and lean away from everyday citizens.

The promise of this legislation is that, if everyday citizens and matching funds become the source of powering campaigns, then when the candidates who are elected get here to Washington, the only people they will owe are those everyday folks who helped to power their campaigns. They will have an independence that will allow them when they go to make policy to really think about the issues that are at stake. The fact of the matter is the tremendous amount of money that pours into this place from PACs and other special interests can gum up the system so that it doesn't work.

I would be interested in my colleague's observations on a couple of quotations of former Members of Congress. These are very interesting. I am going to read a quotation from former Senator Bob Dole, Republican minority leader, who said in 1982:

> When these political action committees give money, they expect something in return other than good government. It is making it much more difficult to legislate. We may reach a point where, if everybody is buying something with PAC money, we can't get anything done.

That was Republican Minority Leader Bob Dole in 1982 before the trend had gotten to the point where it is now.

I would be interested in my colleague's observations just on how money comes in and how it can actually begin to influence the way policy gets made here in Washington.

Mr. LOWENTHAL. On many different levels.

Thank you, Congressman.

Mr. Speaker, it is interesting that, today, people say that government—the House of Representatives and the Senate—is dysfunctional. Yet, as you pointed out in that quote, Senator Dole saw a long time ago, when at least some things were getting done and more things were getting done, that we were beginning to go down the wrong path, that the influence of money was stopping us from really looking at the critical policies that affect the Nation and from debating those and listening to ordinary citizens here.

As we talked about, when ordinary citizens are cut out and when the only people who get to visit and to talk to us are those who contribute large amounts of money to our campaigns, it is they who have special access. Theirs are the bills that get brought up. They are the ones we listen to because everyone stops being beholden to the policies that brought them here—what they want to do to form good government—and they are beholden to what will get them reelected and to the large amounts of money that come in.

So I agree. It is interesting that Senator Dole said that. That is now over 30 years ago when we did not heed the warning of listening to citizens of creating a system that not only would decrease the role of large, outside interests but would, as you have done, increase the role of ordinary citizens to actually be listened to and be able to bring their thoughts to bear because we would become accountable to them. I think that is where we are today as that accountability is not there.

Mr. SARBANES. I appreciate it, and I will follow up on what you just said.

There is another quote that I would love to read from Senator Warren Rudman, a Republican from New Hampshire, who was a force here on Capitol Hill when he served.

He said:

> Money affects whom Senators and House Members see, whom they spend their time with, what input they get; and make no mistake about it, the money affects outcomes as well.

This is exactly what you just said. You can understand why everyday Americans are getting so fed up.

I went and hired a film crew. I decided I was going to go interview some people in my district at one of the local fairs. I just wanted to get their views on this issue. So I went out. I spent 2 hours and stood in the central artery of this festival.

I said: I am Congressman SARBANES. I want to just ask you two questions. The first question is: What do you think of Congress?

They said: Do you really want to know?

I said: I wouldn't be here otherwise.

They told me what they thought about Congress, and you know what they think about Congress. All you have to do is look at the latest survey, which shows that our approval rating is hovering around 10 or 12 percent. You can't run a country if the institutions that are supposed to be the instruments of democracy are held in such low esteem.

The second question I asked them was: What do you think about the influence of Big Money on our politics?

What was amazing—these were Republicans, Democrats, Independents—is that it was as though they had gotten together ahead of time and had scripted their answers, because they were all the same: the fix is in; the Big Money crowd runs things in Washington; my voice can't be heard; my voice doesn't matter. This is the way people feel when you actually ask them to talk about this issue, so we have to do something about this.

The good news is that we have a bill that we have worked on really well. We have gotten a lot of people from not just here in the Chamber, who are people who are sensitive to this, but from

people out there in the country who care about this issue. We have crafted something that, I think, passes the test of addressing in a meaningful way the cynicism and anger that people feel, this desire to get their government back, to get their voice back. They should know that there are people here who are determined to make this kind of change with the help and support and momentum and advocacy that can come from people—everyday citizens—around the country.

I am very pleased that we are joined as well this evening with another person who was an original cosponsor of the Government by the People Act. He is relatively new to Congress but not new to a commitment and a passion around this issue. One of the first conversations we had was about: How do you reach out to everyday citizens and make them feel that they are really part of the process? that their voices really can be heard?

It is a real pleasure to yield to my colleague from Texas, BETO O'ROURKE.

Mr. O'ROURKE. Mr. Speaker, I am very honored to be here with my colleagues from California and from Maryland. I am especially honored that my colleague from Maryland would invite me to say a few words today. He has been, truly, one of the real bright spots for me in my first session in Congress.

To give you a little context and a little background on why that is the case, like my colleague from California, I had the privilege of serving on the city council in El Paso for two terms. I represented there a constituency of between 60,000 and 70,000 people, so about a tenth of the constituency that we represent here in Congress.

To win those elections to be able to serve on the city council, like my good friend from California, I went door-to-door to meet my constituents—to meet those who were likely to vote in this election—to make my case for why I might be the best alderman or council member to represent their interests on the city council. Then, by Election Day, after having spent maybe $40,000 or $50,000 total—a tenth of what you would have to spend in a very conservatively managed congressional race—we ended up having the good fortune to win and serve in the city council.

Not only was that the best way to get elected, but it was for me, as a new member of the city council in El Paso, Texas, the best way for me to understand what my constituents' interests were, the questions that they wanted to have answered and what their expectations were of me as their representative on the city council.

So, when I made the decision to run for Congress, I chose to run for a seat that was currently held by an incumbent Member of Congress. I ran for that seat in the primary, which was going to be the decisive election in that election cycle. Precisely because we didn't have access to the kind of big money that we are talking about today—the political action committee money, the big donor money across this country and even the big money in El Paso, Texas—as the mother of invention with the necessity of finding those voters and in being able to connect with them, we went door-to-door again, this time in a constituency of 700,000 people. It was a very broad and a very long canvassing effort that lasted over 9 months and had me knocking personally on more than 16,000 doors.

While my good friend from Maryland has actually modeled the Government by the People Act concept in his own district, I think, more out of virtue and more out of an effort to prove that this works and to understand what the opportunities and limits are of a different campaign funding paradigm—and I can't thank him enough for doing that because he has tested it and has proven it—we did something similar but out of necessity. Again, as with the city council races, we were fortunate enough that the case we made to the voters prevailed. We were fortunate enough to be elected to sit here in this Congress with these great colleagues I serve with now.

I will tell you that a very rude awakening was delivered when after I had won this seat through the primary election, which was the dispositive election of the two in our election cycle, the number one issue that anyone wanted to talk with me about was not what policies were I likely to support, what committees did I want to serve on, what did I want to get done in my first term in Congress. Most of the conversations, unfortunately, revolved around money. Where was I going to raise my money from? Who was I going to give the money that I raised to? Who was I going to hire as the campaign person in Washington, D.C.? I didn't know that the creature existed until that point because we had had the good fortune of being, in some ways, buffered from money in that first race.

So much centered around money as I came to Congress. You don't run for Congress to raise money. You don't run for Congress to spend money. You don't run for Congress to meet lobbyists and to meet those who run political action committees; although, there are plenty of nice people in those categories. You run for Congress because you want to get something done, because you believe in ideas that are bigger than yourself—things that are going to help the communities that you serve, issues that are going to help define your country that you want your communities to have a voice in. Those are the reasons I ran for Congress. Unfortunately and sadly, those were not the things that most people up here wanted to talk about.

I was able to talk with Lawrence Lessig, a professor at Harvard, who is somebody, if you haven't seen his lectures, you can find on YouTube—or if you have the chance to see one in person, you really should. He is someone who has put a lot of thought into and who has written about this subject and who has delivered some very compelling lectures about the influence of money in politics.

So, as I was met with this challenge of how to respond to the demands for money in politics and in my new career as a Member of Congress, I started to do some searches on the Internet, and I found one of Lawrence Lessig's lectures. He brought up a really important point, which was, when we have an election for Congress, there are really two elections.

□ 2000

There is the election that we all think about when we think about an election for Congress, and that is the election that takes place at the ballot box, but there is also an election before that for the money. How do you convince the people who have control and access of the money that typically goes into a congressional race that you are a good bet, that you fit within their interests, and that you are going to be accessible to them should you win that second election at the ballot box? That first election, in most cases, is really the decisive one.

So one of the things I like so much about the Government by the People Act is it opens up that first money election to not just the special interests, not just those who have legislation pending before Congress, who have an ax to grind, literally, here on the floor, but to those people that we represent in all of the different precincts in El Paso County and all the different neighborhoods, the streets, the homes. Those people, through a refundable tax credit, are able to have their voice heard and help decide who the field will be in a congressional race. I think that is awfully important and desperately missing right now to encourage truly competitive congressional elections.

When you look at the reelection rate for a Member of Congress from 1950 to today, when you look at the rate, I think it is somewhere around 93 percent. That really shouldn't be the case. We want this body to reflect the diversity, the difference of opinion of race and gender, and all the great things that make up who this country is.

By and large, it is very difficult to do today, because once you are in Congress, you have access to that money. You win that first election for the money, almost deciding that second election at the ballot box, and it makes it very difficult to have competitive elections against incumbent Members of Congress.

I am sure that we are in the minority of our colleagues here who want to encourage more competition for our jobs. I really think that is the right thing to do.

If we want to renew our democracy, have a Congress truly reflective of this country, I think we want to make sure that every single person has a voice in the elections that decide the makeup of this body.

In conclusion, Mr. Speaker, I am just very honored to be an original cosponsor on this bill, honored to join in this effort, and honored to join all the great grassroots organizations across this country that are raising the level of awareness about the need to change our campaign finance and our election system in this country.

I am very hopeful that we will be able to prevail upon our colleagues, especially those on the other side of the aisle, to see that it is in everyone's interest to have a body that truly reflects the American people.

Mr. SARBANES. I thank my colleague.

Before we wrap up, I want to ask him and my colleague from California as well to comment on the kind of response they are getting as they talk to their constituents about this kind of reform.

We are all very familiar with the cynicism and frustration. We encounter that on a daily basis. Sometimes it is so deep that it can be hard to get the attention of people to say to them, We hear you. We understand the frustration. We are trying to do something about it.

I have begun to find that as I talk to people about the Government by the People Act, about this idea of a My Voice tax credit that would help them make a small contribution to support a good candidate that they want to see be competitive and successful, when I talk to them about the Freedom From Influence Matching Fund, think about that.

Right now this institution is largely shackled by dependence and influence of Big Money. The Freedom From Influence Matching Fund comes in behind those small donations and makes it possible for a candidate to run their campaign by turning to everyday citizens.

So as I talk to people about that and our ability to begin pushing back on super PACs, I am encountering some hope out there. People are skeptical. They have a right to be. I would rather have them be skeptical than cynical. I would rather have them have some hope and be ready to get out there and fight for this reform because I think we can make a difference.

I would be curious to hear from my colleagues because I am starting to feel that. I am seeing a positive, cautious response that this can really make a difference as we move forward in elections and governing.

I would be curious to hear, Alan, what is happening in your district as you talk about it.

Mr. LOWENTHAL. In listening to this discussion and to your presentation about the bill to basically give government back to the people, listening to Congressman O'ROURKE talking about what it is like to go door to door and talk to people, and then you are asking what are people saying, I think what I am hearing as I go out is that we have lost, in many ways—what has happened because of money in politics—the ability to talk to people. It is not necessary anymore.

The thing is, when you talk to people, this is what they say: I want to have a voice. I want to participate. I want to be part of this great democracy.

Less and less does that make any difference. You can win office without talking to people. You don't have to talk to people anymore. You just have to raise large amounts of money and let that money spread a message. What we are saying is, that is not only bad for the institution, that is horrible for the democracy that we live in.

It is time to give back this democracy to our communities. It is time to recreate a sense of community. It is time to do what Congressman O'ROURKE has said, which is to create competitiveness, to create a sense that people can listen and they can participate. They can if they are not part of the purchasing of this House, and that is what it has been now—the purchasing of this House.

Rather than having the selection of people being due to your being able to convince people that you are listening to them and what you are proposing is in their best interest, it is really what is in the best interest of those that are contributing. That is what it is all about. This takes us another step closer.

When I talk to people, first, they are very grateful that I am even talking to them now. They are thankful that I am coming out to talk to them about this. Not enough people are talking because we don't have the time to talk to people because too much time is spent raising money.

Mr. O'ROURKE. I have to agree with much of what my friend from California just said.

El Paso, Texas, just had its primary elections this past week. In El Paso, the turnout was 11 percent. So really one of the smallest minorities of citizens who are able to vote, who have that right, have the freedom do exercise it, actually chose to do that.

That small minority, 11 percent of voting age in El Paso, made the decisions for who is going to represent us in county government, in Congress, and on down the line.

So that cynicism that you heard at the outdoor market in Maryland we see reflected in the polls and the turnout in El Paso. I think it is because of the same reasons that you cited. I think people feel that it is a closed system, they don't have access to it, why bother participating. The rules are going to be the same, regardless.

By nature, we are social people. I don't know that we would be in these positions if we weren't. I like town hall meetings. We hold a general interest town hall every month. We hold special town halls. We have held town halls on the public bus system where we get to talk to our constituents. They have no place to go. They can't get out the doors because the bus is moving. We get to tell them what we are doing up here, and I am accountable to them. I have to answer the questions that they raise with me.

As my friend from California said, it is wonderful. It shouldn't be this way, but they are impressed I am even there and listening. That should be. That should be the bar below which we never drop. We should always be there to listen and engage and solicit opinion and feedback and direction from our constituents.

Government By the People will encourage that. Right now, if you have to raise a lot of money for a congressional race, which probably accounts for many, if not most, of the Members that we serve with, your time simply from a time value perspective is best spent with those large donors who can write the biggest checks.

With Government By the People, you now have the incentive to spend time with your constituents, compel them with your argument and with what you have been able to do in office and what you are committing to do in office that you are the best bet to represent them for their future and for their children's future. With that you earn not only their vote in the ballot box, but that first vote that Professor Lessig talks about—that financial commitment to you as a viable candidate.

I think my constituents want me making that pitch to them, both as voters and potential donors, much more than they want me to make that pitch here to corporate interests who are headquartered in D.C., who may never have been to El Paso, Texas, and have no real understanding or sensitivity to the concerns and needs that we have here.

The last thing that I will say that really contributes to that sense of a closed system, again quoting from my favorite source on this, Professor Lessig, who says:

The pernicious effect of these large-dollar donations is not really on your core issues.

Issues 1 through 10 are your core convictions. That is what you ran on. That is what people expect from. You are never going to sway from them. No amount of money is going buy you off, but issues 11 to 1,000—and we vote on thousands of issues every year—become much more persuadable for Members, I think, when you have large amounts of money involved. If you don't know much about issue number 259 because it doesn't really affect your district, you are not a subject matter expert in it, you have never really thought about it before, and someone is offering to give you $5,000, you are probably going to listen to their side of the story and you may not listen to other one.

So I don't know if that is corruption. It certainly comes quite close to it. It is certainly not the way that I want nor my constituents want this body to run itself and govern our country.

Again, Mr. SARBANES, I am so grateful that you introduced this. I am so

grateful that we have so many cosponsors. I look forward to working with you to hopefully pass this and make this law in this country.

Mr. SARBANES. I want to thank my colleagues for joining me here this evening to talk about this critical issue of the influence Big Money and special interests on our politics and the way we govern here.

Professor Lessig has gotten a good shout out—and he deserves it—because he has really studied the effect of money on this institution.

There is a path to reform, and that is what the Government by the People Act is. I will close by sort of capturing this as a matter of voter empowerment.

In this country we view as sacrosanct the right to vote. We do everything we can—or we should do everything we can—and we even have legislation in front of us to make sure that we are preserving people's access to the ballot box, to the voting booth because the franchise is the most important thing in a democracy. It is the foundation of what American democracy is all about—protecting that franchise and making sure that people have that franchise.

If people go into the voting booth and they pull the lever and they exercise their franchise, and the day the person they send to Washington arrives and has to start representing Big Money and special interests, then what happens to the franchise? What happens to the voice of the person who went in there and pulled that lever?

So the journey of empowerment, getting to the ballot box is just part of it. You have to protect that franchise so that when the candidate gets there, they can keep representing the interests of the people that voted to send them to Washington.

That is what the Government by the People Act is all about, because if you power your campaign with funds from small donors and a Freedom From Influence Matching Fund, when it comes time to cast your vote, the only people you are answering to are those citizens that you represent. That is the promise of the Government by the People Act—to create a government that is truly of, by, and for the people.

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

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2014 BUDGET RESOLUTION

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, March 12, 2014.

MR. SPEAKER: Pursuant to section 404 of H. Con. Res. 25, the Concurrent Resolution on the Budget for Fiscal Year 2014, I hereby submit for printing revisions to the aggregates and allocations set forth pursuant to such Concurrent Resolution, as deemed in force by section 113 of the Bipartisan Budget Act of 2013, Public Law 113–67. The revision reflects the budgetary impact of H.R. 4015, the SGR Repeal and Medicare Provider Payment Modernization Act of 2014. A corresponding table is attached.

This revision represents an adjustment for purposes of enforcing sections 302 and 311 of the Congressional Budget Act of 1974. For the purposes of the Congressional Budget Act, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolution, pursuant to section 101 of H. Con. Res. 25 and H. Rept. 113–17, as adjusted.

Sincerely,

PAUL D. RYAN,
Chairman.

BUDGET AGGREGATES

(On-budget amounts, in millions of dollars)

	Fiscal Year	
	2014	2014–2023
Current Aggregates:		
Budget Authority	2,924,837	[1]
Outlays	2,937,044	[1]
Revenues	2,311,026	31,095,742
SGR Repeal and Medicare Provider Payment and Modernization Act of 2014 (H.R. 4015):		
Budget Authority	900	[1]
Outlays	900	[1]
Revenues	600	−12,700
Revised Aggregates:		
Budget Authority	2,925,737	[1]
Outlays	2,937,944	[1]
Revenues	2,311,626	31,083,042

[1] Not applicable because annual appropriations acts for fiscal years 2015 through 2023 will not be considered until future sessions of Congress

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

(Fiscal years, in millions of dollars)

House Committee on Energy & Commerce	2014		2014–2023 total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	358,134	358,717	4,927,478	4,926,519
SGR Repeal and Medicare Provider Payment and Modernization Act of 2014 (H.R. 4015)	900	900	−46,200	−46,200
Revised Allocation	359,034	359,617	4,881,278	4,880,319

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 32. Joint resolution providing for the reappointment of John W. McCarter as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

ADJOURNMENT

Mr. SARBANES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 13, 2014, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4960. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Modoc and Siskiyou Counties, California, and in All Counties in Oregon, Except Malheur County; Termination of Marketing Order No. 947 [Doc. No.: AMS-FV-13-0036; FV13-947-1 FR] received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4961. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Increased Assessment Rate [Doc. No.: AMS-FV-13-0076; FV13-966-1 FR] received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4962. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Decreased Assessment Rate for Area No. 2 [Doc. No.: AMS-FV-13-0072; FV13-948-2 FIR] received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4963. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington and Imported Potatoes; Modification of the Handling Regulations, Reporting Requirements, and Import Regulations for Red Types of Potatoes [Doc. No.: AMS-FV-13-0068; FV13-946-3 IR] received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4964. A letter from the Under Secretary, Department of Defense, transmitting annual report on the current and future military strategy of Iran; to the Committee on Armed Services.

4965. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting a report on The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran; to the Committee on Energy and Commerce.

4966. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting memorandum of justification; to the Committee on Foreign Affairs.

4967. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4968. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4969. A letter from the Comptroller General, Government Accountability Office, transmitting the U.S. Government's Fiscal years 2013 and 2012 Consolidated Financial Statements; to the Committee on Oversight and Government Reform.

4970. A letter from the Chairman, National Credit Union Administration, transmitting

the Administration's Strategic Plan for 2014 through 2017; to the Committee on Oversight and Government Reform.

4971. A letter from the Chair, Securities and Exchange Commission, transmitting the FY 2013 Agency Financial Report; to the Committee on Oversight and Government Reform.

4972. A letter from the HR Specialist, Small Business Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4973. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 130717633-4069-02] (RIN: 0648-XC772) received February 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4974. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 121018563-3148-02] (RIN: 0648-XD093) received March 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4975. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Property Transferred in Connection with the Performance of Services Under Section 83 [TD 9659] (RIN: 1545-BJ15) received February 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4976. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2014 Calendar Year Resident Population Figures [Notice 2014-12] received February 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4977. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — United States and Area Median Gross Income Figures (Rev. Proc. 2014-23) received March 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4978. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Change of Address for Requests: Testimony by Employees and the Production of Records and Information in Legal Proceedings, Claims Against the Government under the Federal Tort Claims Act of 1948, and Claims under the Military Personnel and Civilian Employees Claim Act of 1964 [Docket No.: SSA-2013-0064] (RIN: 0960-AH65) received February 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4979. A letter from the Secretary and Attorney General, Department of Health and Human Services and the Department of Justice, transmitting the Annual Report on the Health Care Fraud and Abuse Control (HCFAC) Program for Fiscal Year 2013; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 515. Resolution providing for consideration of the bill (H.R. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture; providing for consideration of the bill (H.R. 4015) to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and improve Medicare payments for physicians and other professionals, and for other purposes; and providing for proceedings during the period from March 17, 2014, through March 21, 2014 (Rept. 113–379). 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. GARY G. MILLER of California (for himself, Mr. SHERMAN, Mrs. CAROLYN B. MALONEY of New York, Mr. CALVERT, Mr. MCNERNEY, and Mr. KING of New York):

H.R. 4208. A bill to ensure stability in FHA maximum mortgage amount limitations for areas experiencing decreases in median home prices; to the Committee on Financial Services.

By Mr. TIERNEY:

H.R. 4209. A bill to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and improve Medicare payments for physicians and other professionals, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, the Judiciary, 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 Mr. SCHRADER:

H.R. 4210. A bill to amend the Patient Protection and Affordable Care Act to authorize the extension of the initial open enrollment period for up to 1 month, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WALORSKI:

H.R. 4211. A bill to require the Comptroller General of the United States to conduct studies on enrollment by racial and ethnic minorities and by low-income seniors in the Medicare Advantage program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself, Mr. NEAL, Mr. GERLACH, and Mr. KIND):

H.R. 4212. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself, Mr. PETERS of Michigan, and Mr. WALBERG):

H.R. 4213. A bill to direct the Federal Trade Commission to revise the regulations regarding the definitions for funeral industry practices; to the Committee on Energy and Commerce.

By Mr. COLE:

H.R. 4214. A bill to promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program; to the Committee on Education and the Workforce.

By Mr. CONNOLLY:

H.R. 4215. A bill to strengthen privacy and data security, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONYERS (for himself and Ms. DEGETTE):

H.R. 4216. A bill to amend title V of the Social Security Act to provide grants to States to establish State maternal mortality review committees on pregnancy-related deaths occurring within such States; to develop definitions of severe maternal morbidity and data collection protocols; and to eliminate disparities in maternal health outcomes; to the Committee on Energy and Commerce.

By Mr. FORBES:

H.R. 4217. A bill to prohibit a reduction in funding for the defense commissary system in fiscal year 2015 pending the report of the Military Compensation and Retirement Modernization Commission; to the Committee on Armed Services.

By Mr. GRIJALVA (for himself and Mr. PASTOR of Arizona):

H.R. 4218. A bill to reauthorize the Yuma Crossing National Heritage Area; to the Committee on Natural Resources.

By Mr. LATTA (for himself, Mrs. BLACKBURN, and Mr. MATHESON):

H.R. 4219. A bill to amend the Energy Policy and Conservation Act to provide for the recognition of voluntary certification programs for air conditioning, furnace, boiler, heat pump, and water heater products; to the Committee on Energy and Commerce.

By Mr. NOLAN:

H.R. 4220. A bill to authorize the exchange of certain Federal land and non-Federal land in the State of Minnesota; to the Committee on Natural Resources.

By Mr. SIRES:

H.R. 4221. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Energy and Commerce.

By Mr. SOUTHERLAND:

H.R. 4222. A bill to correct the boundaries of John H. Chafee Coastal Barrier Resources System units in Florida, and for other purposes; to the Committee on Natural Resources.

By Mr. WOLF:

H.R. 4223. A bill to restrict United States nationals from traveling to countries in which foreign governments or anti-government forces allow foreign terrorist organizations to engage in armed conflict for purposes of participating in such armed conflict or from providing material support to entities that are engaged in such armed conflict, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JEFFRIES (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KELLY of Illinois, Ms. LEE of California, Mr. RICHMOND, Ms. CLARKE of New York, Mr. RANGEL, Ms. FUDGE, Mr. RUSH, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. NADLER, Mr. ISRAEL, Mr. CROWLEY, Mr. SEAN PATRICK MALONEY of New York, Mr. TONKO, Ms. SLAUGHTER, Mr. OWENS, and Mr. MEEKS):

H. Res. 514. A resolution honoring Thomas Jennings of New York City as the first African-American to be granted a patent by the

United States; to the Committee on the Judiciary.

By Ms. LINDA T. SÁNCHEZ of California:

H. Res. 516. A resolution expressing support for the designation of Journeyman Lineman Recognition Day; to the Committee on Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. BRADY of Pennsylvania introduced A bill (H.R. 4224) for the relief of Victor Hugo Santos; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GARY G. MILLER of California:

H.R. 4208.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. TIERNEY:

H.R. 4209.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SCHRADER:

H.R. 4210.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. WALORSKI:

H.R. 4211.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the United States Constitution

By Mr. KELLY of Pennsylvania:

H.R. 4212.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. WHITFIELD:

H.R. 4213.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. COLE:

H.R. 4214.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

This bill is enacted pursuant to Article II, Section 2, Clause 2 in order the enforce treaties made between the United States and several Indian Tribes.

By Mr. CONNOLLY:

H.R. 4215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18 of the United States Constitution

By Mr. CONYERS:

H.R. 4216.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay debts and provide for the common defense and general welfare of the United States;

By Mr. FORBES:

H.R. 4217.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress ''to provide for the common Defense'', ''to raise and support Armies'', ''to provide and maintain a Navy'' and ''to make Rules for the Government and Regulation of the land and naval Forces'' as enumerated in Article I, section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 4218.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. LATTA:

H.R. 4219.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, cl. 3

The Congress shall have the power . . . to regulate commerce with foreign nations, and among the states, and with Indian Tribes;

By Mr. NOLAN:

H.R. 4220.

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 1, section 8 of the United States Constitution, specifically clause I (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 Mr. SIRES:

H.R. 4221.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d) (1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Mr. SOUTHERLAND:

H.R. 4222.

Congress has the power to enact this legislation pursuant to the following:

SUCH AS

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill. 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. WOLF:

H.R. 4223.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests in the preamble of the Constitution providing for the ''common defense'' and in the powers governing national security in Article I, Section 8.

Mr. BRADY of Pennsylvania:

H.R. 4224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the US Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. FRANKS of Arizona, Mr. HENSARLING, Mr. FARENTHOLD, and Mr. NEUGEBAUER.

H.R. 118: Ms. SPEIER.

H.R. 460: Mr. STIVERS.

H.R. 485: Mrs. CAPITO.

H.R. 494: Mr. CONYERS.

H.R. 506: Ms. EDWARDS.

H.R. 532: Mr. GRIJALVA and Mr. YARMUTH.

H.R. 596: Ms. LOFGREN.

H.R. 630: Mr. AL GREEN of Texas and Mr. GALLEGO.

H.R. 645: Mr. LEWIS.

H.R. 713: Mr. PASTOR of Arizona.

H.R. 718: Mr. COFFMAN.

H.R. 755: Mrs. CAPITO.

H.R. 792: Mr. PEARCE.

H.R. 820: Mr. QUIGLEY.

H.R. 822: Ms. CLARK of Massachusetts, Mr. HOLT, Mr. CLEAVER, Mr. HUFFMAN, and Mrs. DAVIS of California.

H.R. 921: Mr. RIBBLE, Mr. BRALEY of Iowa, Mr. LARSON of Connecticut, Ms. PINGREE of Maine, and Mr. MASSIE.

H.R. 954: Mrs. BUSTOS and Ms. CLARK of Massachusetts.

H.R. 975: Ms. LORETTA SANCHEZ of California.

H.R. 988: Mr. FITZPATRICK.

H.R. 1008: Mr. GRIMM and Mr. COBLE.

H.R. 1009: Mr. ELLISON.

H.R. 1020: Mrs. DAVIS of California.

H.R. 1078: Mr. DESJARLAIS.

H.R. 1144: Mr. FALEOMAVAEGA and Mr. CÁRDENAS.

H.R. 1175: Mr. SIRES.

H.R. 1179: Mr. DELANEY.

H.R. 1240: Mr. STIVERS.

H.R. 1362: Mr. JOYCE.

H.R. 1380: Mr. YODER.

H.R. 1428: Mr. SCHNEIDER.

H.R. 1507: Mr. DOGGETT, Mr. CARTWRIGHT and Mr. GALLEGO.

H.R. 1515: Ms. MCCOLLUM, Mr. HECK of Washington, and Mr. STIVERS.

H.R. 1528: Mr. LANGEVIN.

H.R. 1563.: Mr. VALADAO and Mr. LATTA.

H.R. 1579: Ms. HAHN.

H.R. 1692: Mr. SCHIFF.

H.R. 1694: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1783: Mrs. CAPPS.

H.R. 1843: Mr. LOEBSACK.

H.R. 1915: Mr. STIVERS, Mr. CICILLINE, and Mr. PASTOR of Arizona.

H.R. 1918: Mrs. BUSTOS and Mr. GRIJALVA.

H.R. 2068: Ms. DELBENE.

H.R. 2143: Mr. LANCE.

H.R. 2235: Mr. MAFFEI.

H.R. 2283: Mr. LOBIONDO, Mr. BISHOP of Georgia, Mr. VAN HOLLEN, and Ms. SHEA-PORTER.

H.R. 2317: Mr. LARSEN of Washington.

H.R. 2377: Mr. VEASEY, Mr. STIVERS, Mr. WENSTRUP, Mr. SCHRADER, and Mr. GOWDY.

H.R. 2413: Mrs. HARTZLER.

H.R. 2414: Mr. HARRIS, Mr. LATHAM, and Mr. JORDAN.

H.R. 2499: Mr. WALZ and Mr. HONDA.

H.R. 2527: Mr. MCGOVERN and Mr. ELLISON.

H.R. 2548: Mr. YOHO and Mr. SENSENBRENNER.

H.R. 2690: Mr. PIERLUISI.

H.R. 2725: Ms. KUSTER.

H.R. 2805: Ms. BASS.
H.R. 2863: Mr. BUTTERFIELD and Ms. MOORE.
H.R. 2870: Ms. SCHWARTZ.
H.R. 2892: Mr. GRIFFIN of Arkansas.
H.R. 2921: Ms. KUSTER.
H.R. 2932: Mr. CARTWRIGHT, Ms. KAPTUR, Mr. KENNEDY, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. MORAN, Mr. NOLAN, Ms. SCHAKOWSKY, Mr. VEASEY, Mr. BARBER, and Mr. SHUSTER.
H.R. 2935: Ms. MOORE.
H.R. 2962: Mr. HONDA.
H.R. 3040: Ms. JACKSON LEE and Mr. GRAYSON.
H.R. 3116: Mr. HUFFMAN and Mr. ROHRABACHER.
H.R. 3240: Mr. VARGAS.
H.R. 3305: Ms. SINEMA.
H. R. 3322: Ms. BROWN of Florida, Mr. BLUMENAUER, Mr. POLIS, and Ms. EDDIE
H.R. 3322: BERNICE JOHNSON of Texas.
H.R. 3335: Mr. AMODEI.
H.R. 3361: Mrs. NAPOLITANO.
H.R. 3364: Mr. TURNER.
H.R. 3446: Mr. COHEN.
H.R. 3453: Mr. BUTTERFIELD.
H.R. 3485: Mr. MESSER.
H.R. 3529: Mr. ROKITA.
H.R. 3530: Ms. BASS and Ms. TITUS.
H.R. 3531: Ms. JENKINS.
H.R. 3544: Mr. ROSKAM, Mr. YODER, Mr. PITTS, Mr. RODNEY DAVIS of Illinois, and Mr. RIBBLE.
H.R. 3546: Mr. SCHNEIDER, Ms. DELBENE, Mr. GENE GREEN of Texas, and Mr. BRADY of Pennsylvania.
H.R. 3548: Mr. MEEHAN.
H.R. 3560: Mr. HONDA and Mr. O'ROURKE.
H.R. 3571: Ms. MATSUI and Mr. SCHIFF.
H.R. 3635: Mr. CONNOLLY.
H.R. 3658: Mr. BARROW of Georgia, Ms. BASS, Mr. BECERRA, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLYBURN, Mr. COSTA, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Mr. DELANEY, Ms. DELAURO, Mr. DEUTCH, Mr. DINGELL, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FOSTER, Mr. GALLEGO, Mr. GARCIA, Mr. GOWDY, Ms. HAHN, Mr. HANNA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HOLT, Mr. HOYER, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KELLY of Illinois, Mr. KIND, Mrs. KIRKPATRICK, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. MAFFEI, Ms. MATSUI, Mr. MATHESON, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. MEEKS, Mr. MICA, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. NOLAN, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Ms. PELOSI, Mr. PERLMUTTER, Mr. PETERS of Michigan, Mr. PETERSON, Ms. PINGREE of Maine, Mr. QUIGLEY, Mr. RAHALL, Mr. RANGEL, Mr. RICHMOND, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHRADER, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SMITH of Washington, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. VAN HOLLEN, Mr. WALZ, Ms. WATERS, Mr. WELCH, and Mr. STOCKMAN.
H.R. 3670: Mr. SARBANES and Mr. BRALEY of Iowa.
H.R. 3678: Mr. CAPUANO.
H.R. 3698: Ms. SLAUGHTER and Mr. KELLY of Pennsylvania.
H.R. 3708: Mr. STUTZMAN, Mr. DESJARLAIS, Mr. POSEY, Mr. CRAMER, Mr. HURT, Mr. MCINTYRE, Mr. SCHWEIKERT, and Mr. CARSON of Indiana.
H.R. 3722: Mr. LOEBSACK.
H.R. 3732: Mr. HENSARLING.
H.R. 3757: Mr. LOEBSACK.
H.R. 3769: Mr. LATHAM.
H.R. 3862: Mr. ROTHFUS.
H.R. 3867: Mr. PETERS of California, Mr. PALLONE, Mr. CONNOLLY, Mr. SIRES, Mr. ROKITA, Mr. MULLIN, Mr. LANKFORD, Mr. VALADAO, Mr. DENT, Ms. GABBARD, Mr. COLLINS of Georgia, Mr. MCALLISTER, Mr. SMITH of Missouri, Mr. COOK, Mr. CRAMER, Mrs. CAPPS, and Mr. ISRAEL.
H.R. 3877: Mr. PRICE of North Carolina.
H.R. 3930: Mr. PERLMUTTER, Mrs. NAPOLITANO, Mr. FITZPATRICK, and Mr. OLSON.
H.R. 3963: Mr. BLUMENAUER, Mr. THOMPSON of Mississippi, Mr. SWALWELL of California, Mr. GRAYSON, and Mr. PIERLUISI.
H.R. 3969: Mr. RENACCI.
H.R. 3978: Ms. SLAUGHTER and Mr. CICILLINE.
H.R. 3991: Mr. JONES, Mr. HUELSKAMP, and Mr. ROKITA.
H.R. 3992: Mr. STEWART and Mr. AMODEI.
H.R. 4012: Mrs. HARTZLER.
H.R. 4015: Mrs. MILLER of Michigan, Mr. MCCAUL, Mr. LOBIONDO, and Mr. KELLY of Pennsylvania.
H.R. 4026: Ms. BORDALLO.
H.R. 4031: Mr. SHUSTER and Mr. AMODEI.
H.R. 4035: Mr. DEFAZIO.
H.R. 4040: Ms. CASTOR of Florida.
H.R. 4046: Mr. BLUMENAUER, Mr. MORAN, and Mr. POCAN.
H.R. 4049: Mr. SENSENBRENNER and Mr. KIND.
H.R. 4058: Mr. KLINE.
H.R. 4064: Mr. HUDSON, Mr. WESTMORELAND, Mr. YOUNG of Indiana, and Mr. PALAZZO.
H.R. 4075: Mr. PASTOR of Arizona.
H.R. 4092: Mr. CUMMINGS and Mr. BISHOP of Georgia.
H.R. 4119: Ms. NORTON, Ms. SEWELL of Alabama, Ms. JACKSON LEE, Mr. RANGEL, Mr. CUMMINGS, and Ms. BROWN of Florida.
H.R. 4143: Mrs. BLACK.
H.R. 4155: Mr. FARENTHOLD.
H.R. 4157: Mr. SIMPSON and Mr. HUELSKAMP.
H.R. 4163: Mr. HOLT.
H.R. 4186: Mr. COLLINS of New York.
H.R. 4188: Mr. RODNEY DAVIS of Illinois, Mr. BARLETTA, Mr. MARCHANT, and Mr. GRIFFIN of Arkansas.
H.J. Res. 34: Mr. BISHOP of New York.
H.J. Res. 110: Mr. GRAVES of Georgia.
H. Con. Res. 27: Ms. CLARKE of New York.
H. Con. Res. 86: Mrs. NEGRETE MCLEOD, Ms. FUDGE, Mr. WELCH, and Mr. COSTA.
H. Con. Res. 91: Ms. BORDALLO, Mr. AL GREEN of Texas, Mr. GRIMM, Mr. SABLAN, Mr. FALEOMAVAEGA, Mr. HONDA, and Mr. MCGOVERN.
H. Res. 36: Mr. BACHUS.
H. Res. 72: Mrs. HARTZLER.
H. Res. 418: Ms. SHEA-PORTER, Mr. CICILLINE, Mr. HOLT, Mr. SIRES, and Ms. EDWARDS.
H. Res. 494: Mr. BROUN of Georgia, Mr. QUIGLEY, Mr. BARTON, Ms. ROS-LEHTINEN, Mr. SENSENBRENNER, and Mr. DESANTIS.
H. Res. 505: Mr. CICILLINE and Mr. LATTA.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. TIPTON

The amendment filed to H.R. 3189 by me does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1239: Mr. FORBES.
H.R. 3633: Mr. COURTNEY.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, WEDNESDAY, MARCH 12, 2014 No. 41

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, You are the way, the truth, and the life. Shine Your light upon our Senators' pathway, keeping them from straying from Your will. Lord, keep them from sluggish thinking or ambiguous expression or coldness of heart or weakness of will. As they experience Your constancy, enable them to see Your higher wisdom, which is a lamp for their feet and a light for their path. Continue to guide them until they see You more clearly, follow You more nearly, and love You more dearly each day.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 12, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 309, S. 1086, the Child Care and Development Block Grant Act of 2014.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 309, S. 1086, a bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 10:30 a.m., with the majority controlling the first half and the Republicans controlling the final half.

Following morning business the Senate will proceed to executive session. At 10:30 a.m., there will be up to 6 rollcall votes on the confirmation of several executive nominations.

Upon disposition of the nomination of Sarah Bloom Raskin to be Deputy Secretary of the Treasury, the Senate will begin consideration of S. 1086, the Child Care and Development Block Grant Act reauthorization bill.

MEASURES PLACED ON THE CALENDAR—S. 2110 AND H.R. 4152

Mr. REID. Mr. President, there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2110) to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate, and for other purposes.

An act (H.R. 4152) to provide for the costs of loan guarantees for Ukraine.

Mr. REID. I would object to anything at this time as to these two matters.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT

Mr. REID. Mr. President, in our great country we think of a college education as the key to unlock our children's success. But many families in this country struggle to afford child care, leaving no money whatsoever for higher education.

In 2011, in most States, 1 year of daycare for an infant was more expensive than 1 year of tuition at a public university.

Let me repeat that. In America, in almost every State, 1 year of daycare is more expensive than 1 year of tuition at a public university. It is no wonder that middle-class families are struggling with sticker shock, and for many low-income families childcare is simply out of reach.

For millions of families in the United States, childcare is their single largest household expense at nearly $15,000 a year. In an economy where most families have two working parents, childcare isn't a luxury, it is a necessity.

That is why President Bush signed the first Child Care and Development Block Grant Act into law in 1990. He did this to ensure working families

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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have access to quality, affordable childcare.

I thank HELP Committee Chairman HARKIN and Senators BURR, MIKULSKI, and ALEXANDER for their diligent bipartisan work to reauthorize this measure.

The program serves more than 1.6 million children, including more than 7,300 in Nevada, making access to affordable, high-quality care possible. But the program serves only a fraction of the need. We should be doing more to guarantee every parent who wants to work can afford adequate supervision for their children and for every child, regardless of income, so that kids have a safe place to learn.

This bipartisan measure is an investment in America's mothers, 65 percent of whom work outside the home. Yet women earn less and are less likely to go back to work after having children—than men—in part because of the shortage of safe, affordable daycare.

This program is helping millions of parents, and especially mothers, get back to work to help support their families. In the two decades since this important program was last authorized, we have learned a great deal about the importance of early childhood education and high-quality childcare.

This bipartisan measure builds on that knowledge, updates health and safety standards for childcare centers, and requires providers to undergo comprehensive background checks.

This reauthorization is only the first step. I look forward to working with my colleagues on both sides of the aisle on the larger effort to broaden access to quality early childhood education.

We are going to take up this bill later today. As I have said before, and I will say again so everyone understands, this is a bipartisan bill. I hope the managers of this bill will do everything they can to move this expeditiously through this body. But we are going to finish—not finish it this week, but I prefer finishing it, and I hope we can do that.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein in for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RASKIN NOMINATION

Mr. CARDIN. Mr. President, shortly we will be voting on some nominees, and I want to thank all the nominees and their families for their willingness to serve the public. This is a real sacrifice. People are giving up other opportunities in order to serve their country. It is not just the individual who accepts these positions of public service, it is a family matter, and so I applaud them all for their service to our country.

I would like to speak in particular about the last vote we will have in this series, and that is the confirmation of Sarah Bloom Raskin as Deputy Secretary of the Treasury. Sarah is a person who has given much to public service throughout her career. I know her personally. She is a Marylander, and we are very proud of the fact she is a Marylander.

If Sarah is confirmed, she will be the highest ranking woman in the history of the Treasury, and I am very proud of that accomplishment. She has been very active in Maryland and at the national level. For the past several years Sarah has served on the Federal Reserve Board of Governors. Her deep financial and regulatory knowledge and sound judgment made her an essential asset during her tenure there. As the Presiding Officer knows, this has been a very turbulent time in regard to the economy of our Nation, and during this great economic unease her dedication to strong consumer protections has been especially valuable.

Even before joining the Board of Governors, Sarah was no stranger to successfully navigating choppy economic waters. In 2007 she was appointed Commissioner of Financial Regulation for the State of Maryland, so I have had the chance to observe her and her dedication and her effectiveness at the State level and also at the national level.

At the State level she has significantly improved consumer protections and supported banks through the many challenges of the financial crisis. That is where I got to see her work firsthand and her thoughtfulness and how dedicated she was, and her ability to bring people of different persuasions together, different stakeholders in our financial community, and to chart a course where we could have a positive result not only for the financial institutions but for consumers and for our economy.

Sarah is also part of a family of government service. Her husband Jamie is a member of the Maryland State Senate and has an excellent record of public service in his own right. So this is a family that has given much to public service. We need people in the administration like Sarah Bloom Raskin. Her background, her education, and her job training all serve to make her particularly well suited to be the deputy secretary.

I, for one, am thankful to Sarah and her family that she is willing to serve in an extremely challenging position. This is not going to be an easy position, obviously, as Deputy Secretary of the Treasury. It gives me great confidence to know Sarah will be handling the many responsibilities demanded of the deputy secretary, and it gives me great pride that a fellow Marylander may continue to be among the financial leaders who guide our economy toward our future growth and stability.

I urge my colleagues to support her confirmation. We are indeed fortunate to have a person of her skills willing to serve as Deputy Secretary of the Treasury.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. MURPHY. Mr. President, I got the chance to meet David Weis, a 22-year-old student at Georgetown University, about a week ago. David's story, unfortunately, although it may sound exceptional, is not. He was just about to celebrate his 19th birthday, when 2 days before it, in 2010, he was diagnosed with thyroid and lymphatic cancer—a devastating diagnosis that came just as he was preparing to start college.

As most of his classmates were enjoying the first days of their freshman year at Georgetown University, David was dealing with a rigorous course of treatment for his disease that left him tired, left him confused, and left him anxious about his future. David had an ace up his sleeve, and that was the fact he had insurance. But he only has it as long as he is covered as a student.

David came to the U.S. Capitol last week to testify in favor and in support of the Affordable Care Act, because he knows that with the passage of this bill his diagnosis will not be a death sentence; that he will be able to get the coverage he needs; and that he will be able to pursue his dreams when he graduates rather than have his life decisions dictated by his illness—having to choose a job simply because it provides health care or having to be locked into a career simply because he can't afford going without insurance to cover his cancer.

David's story can be repeated hundreds of thousands of times all across

this country by young people in their teens and their twenties and in their thirties who thought they were invincible but who got knocked off their feet by a devastating disease such as cancer and who desperately need health care insurance at the time of that illness in order to get back onto their feet.

Some of the best news that has come out over the past several months, as the enrollment has started to ramp up on the Affordable Care Act, has been the number of young people who have signed up. We have seen that 31 percent of all of the people who have signed up for insurance exchanges all across this country are 34 years or under. This is a real signal that young people are recognizing that, although they may feel as if they are going to live forever, they desperately need insurance, just as everyone else does. So that is why I was so glad to see President Obama yesterday go on the show ''Between Two Ferns,'' with Zach Galifianakis, to talk about the importance of young people signing up.

We all know about the ''Two Ferns'' effect. Previously unknown stars such as Will Ferrell and Bradley Cooper went on ''Two Ferns'' and were catapulted to stardom. I am glad to see the ''Two Ferns'' effect has had the same impact on health care enrollment. Since President Obama went on ''Two Ferns,'' 19,000 people were referred to the Web site of enrollment from the ''Funny or Die'' Web site. By 6 p.m. that day the video had sent 32,000 people to healthcare.gov. HHS officials said traffic on healthcare.gov had risen by 40 percent on Tuesday to over 890,000 visits in 1 day.

It is a signal that when young people, through whatever means is available to them, find out about the benefits of the Affordable Care Act, they are interested and they are signing up. I hope President Obama uses more innovative tools and methods to try to get the word out to young adults in their late teens, twenties, and thirties about the importance of signing up for the Affordable Care Act because it is important. Some 70,000 adolescents and young adults are diagnosed with cancer every single year in this country. There are 151,000 people below the age of 20 living with diabetes right now. So despite the fact that we may think we are going to live forever or think we may not need coverage, young people need it as well. It is affordable.

The President said yesterday on this show: You effectively can get coverage for the cost of a cell phone bill. And it is true. Having a cell phone is pretty important, but being able to get treatment when you get a serious disease is pretty important as well.

In Connecticut the numbers are pretty reasonable. A 22-year-old in Hartford making a $25,000 salary—which is the salary I made in my first job in Hartford—can get a bronze policy for as low as $66 a month through Anthem. A 25-year-old living in Bridgeport making a little more, $30,000, can get a bronze policy for as low as $108 a month. About two-thirds of all young adults across the country who are currently uninsured are eligible for these subsidies.

For all of these young people who were previously going to the marketplace and often having to pay full price, often buying insurance on their own with no ability to negotiate a group discount, this health care law is transformational. Fifty or sixty dollars a month is the price for bronze plans. And this doesn't even count the catastrophic option open to most young people as well.

The good news continues to roll in when it comes to the numbers of people signing up. Yesterday the administration announced that 4.2 million people have enrolled in marketplaces through March 1; 943,000 people enrolled in the short month of February; and 31 percent of all those people are 34 or younger. And, of course, we haven't even gotten to crunch time yet.

I wish this weren't the case, but I know something about how young people think. Too many leave big decisions until the last minute, whether it be studying for a test, writing a term paper, or signing up for health care.

As we have seen in the past on a lot of these enrollment deadlines, like the enrollment deadline for Medicare Part D, the surge comes in the final few weeks of enrollment. So we expect to see the numbers pick up in a significant way through March.

Knowing how people in their twenties and thirties think, I expect we will see a major surge in enrollment from young people as well. But they shouldn't wait until the last minute. It does take more than a few hours to look at the choices and decide which is best. In Connecticut we have three insurance plans offering coverage, but each one of them has three or four different plans. So I hope young adults in their twenties and thirties take more than a few hours or a day to sign up because we want to make sure they get the plan available for them. It is easy to do with a phone call to an enrollment center, a visit in Connecticut to the in-person centers in New Britain and New Haven, and very simple to do on healthcare.gov.

In Connecticut our exchange is going like gangbusters. We had a goal of signing up 80,000 to 100,000 people, and a full 30 days before the deadline we have signed up 152,000 people. Of those individuals in Connecticut, about 25 percent are 25 years or younger. We are on track to double our original estimates in Connecticut.

Connecticut is a State that had a pretty high rate of insured to begin with, so our delta to get to full insurance was relatively small compared to other States. But guess what Connecticut is doing. Connecticut is actually working to implement the law rather than working to undermine the law. We put a lot of time and thought into getting a working Web site, into doing the kind of outreach other States are not doing to get people to sign up. When we have done that, young people and old people across the board have flocked to sign up.

I was glad to see the President do his outreach yesterday to young people all across the country. I was glad to see the spike in interest on healthcare.gov. I am glad to see that 4.2 million people have signed up for health care, as more people all across the country—young people especially—are realizing the Affordable Care Act works.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ENERGY

Mr. MCCONNELL. Mr. President, too often in Washington our friends on the left seem to operate under a very dangerous assumption: that good intentions are more important than a good outcome. I say it is dangerous because we see all the time how liberal Washington politics that aim to alleviate problems such as poverty or wage stagnation or other social or economic problems just seem to make things worse. Yet, despite the evidence, the policies never seem to change. More money just gets thrown at the same failed programs year after year with barely any thought as to whether they actually work.

ObamaCare is a case in point. Here is a big-government bill that Washington Democrats thought they could just pass and—poof—health care would magically be made more affordable for everybody. Yet for millions of Americans just the opposite happened. Contrary to the assurances, ObamaCare has upended lives and businesses all across our country. It has forced painful choices for people who could barely get by as it was. It is a mess.

So one would assume Washington Democrats would step back and take a long hard look at the accumulating evidence and start thinking about ways to keep this thing from pummeling even more Americans. But we would be wrong. They just keep doubling down.

When the Web site crashed, they called it a glitch. When people started losing their doctors and their plans, they told them: You can live with it. When Americans started sharing their ObamaCare horror stories, they basically called them all liars. That would tell us something we need to know about how much Washington liberals care about middle-class Americans. They are captive to the most extreme ideologies of the left, and they don't even try to hide it anymore. Forget reason or economics or sound argument; it is all about ideology with these guys.

We saw it all on vivid display a couple nights ago with the Democrats' all-

night talkathon on global warming. The reason for the all-nighter was pretty obvious: It was a command performance for a leftwing activist donor out in California. And the fact that taxpayers were basically subsidizing the whole thing was bad enough, but what about the basic substance of the issue Democrats were talking about the other night. What about that. It is just one more case where good intentions trump the impact their proposals would have on ordinary Americans.

See, the Obama administration seems to think that if it just wishes really hard and issues enough regulations, it can singlehandedly reduce global carbon emissions—without bringing Beijing and New Delhi onboard. It is an alternate universe where ''victory'' means U.S. emissions going down by some negligible amount—and where China and India don't simultaneously eclipse that tiny emissions reduction with expanded energy of their own. It is a universe where the massive economic consequence of acting so recklessly doesn't seem to matter, and it is a universe where middle-class Americans somehow don't take the hit to our economic output right on the chin. In other words, it is the kind of thing that could only make sense to a party blinded by extremist ideology.

Of course, Washington Democrats love to pull out that old straw man and say: Either you support our approach completely—even if it won't actually solve the problem it purports to—or you hate the environment. It is kind of like when they said: Either you vote for ObamaCare or you hate affordable health care. Well, our constituents remember how that worked out, and our constituents are quite capable of seeing the complexity in the world which so often eludes our friends on the left. They are capable of caring deeply about the environment, for instance, while disagreeing with the administration's ideological crusade.

Of course, every ideological crusade needs an enemy. In the administration's war on coal, Washington Democrats appear to have found their foil. It is not some fat cat. It is not some Wall Street titan. No. This time it seems to be middle-class Kentucky families—miners who struggle every day just to put food on the table, the kinds of Americans who work hard so the rest of us can have a better life. Well, it is unfair and it is wrong.

Where Washington Democrats seem to see faceless adversaries, I see human beings, people who are hurting. I wish my Democratic colleagues would join me sometime as I travel around Kentucky listening to their concerns.

At one recent hearing, a miner named Howard Abshire had this message for President Obama:

> Come and look at our little children, look at our people, Mr. President. You're not hurting for a job; you've got one. I don't have one.

Another miner, Gary Lockhart, said his biggest worry was just trying to keep a roof over his family's head and food on the table. When it comes to his fellow miners, here is what he had to say:

> Many of these men, who have never asked the government for any kind of assistance in their lives . . . [are] having to go home and tell their families that their pay's going to be cut to practically nothing, [that] there'll be very little Christmas this year, no vacations, nothing extra.

Miners aren't the only ones affected by all the pain out there in coal country. I will read a letter I received from Bill Scaggs, a businessman and pastor from Pikeville. Here is what Bill had to say:

> We have had to lay off employees due to the closings of mines and the [effect] they have had. Our business is losing thousands of dollars due to the negative impact of the EPA. As a pastor . . . our benevolence to the community has increased fivefold with help for food, power bills, clothing, and just the day to day living expenses that families need.

Americans may not always know it, but they owe a lot to coal miners like the ones I represent in Kentucky. Whether it is watching a TV show, drying a pair of jeans, or saving some leftover takeout for tomorrow, we often probably have a miner to thank for the electricity that makes it all possible. That is also true if we try to keep the lights on all night long.

So I hope our friends on the other side will remember to be thankful for the electricity that makes all-night talkathons actually possible. Honestly, I still don't get the point of the stunt. They didn't introduce legislation or schedule votes on the national electricity tax they seem to want so badly. Remember, they control the Senate, so they can bring it up for debate whenever they want to. Where is the climate change debate? Where is the bill? People who were speaking all night control the Senate. Bring up the bill. Here is the point: Republicans care deeply about the environment. We also care deeply about creating jobs and growing the middle class, and we do not think our country should have to sacrifice one priority for the other. The American people do not either. So it is time for Washington Democrats to drop the billionaire-approved ideological crusades, to quit all the talk and get onboard with sensible forward-looking action to create jobs. We have tried the left's wish-upon-a-star approach already and real people have been hurt. So why not try some things that will actually work.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold his request?

Mr. MCCONNELL. I will withhold.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

HEALTH CARE

Mr. BLUNT. Mr. President, I rise to talk about the new numbers that have been released on the President's health care plan. Yesterday the administration announced that slightly more than 4.2 million people have signed up for health plans through the exchanges. As we all know, that is substantially below their first goal and substantially below their adjusted goal just a few weeks ago.

One of the things, in an effort by the Washington Post to find out how many of those people hadn't had insurance before—the group that was supposed to be served well by this—their estimate was in an article also this week, about 1 million people—an incredible amount of effort to add 1 million people to the insurance rolls, particularly with the stories from the millions of people who were on the insurance rolls that come to our offices every day; stories that clearly reflect problems with this law and problems, more importantly, for the American families who are impacted.

I brought a few of them with me today—since I was talking about this topic last week—that have come to our office. These are stories where we reached back, contacted these people, said I was going to come to the floor with their story. I mentioned their first name and where they are from, are they concerned with that. Time after time people say, oh, no, we want this story told, which is why we reached out to you.

Gary in Lake Ozark, MO, says what so many people are saying—that his deductible is now the problem. In fact, his deductible on the policy he can now have—let me just read what he said:

> Before I knew I'd be able to stay on my company's plan—

He was going to be able to stay on his company plan 1 year longer than he thought he was just a few months ago—

> Before I knew I'd be able to stay on my company's plan, I went to the exchange to seek coverage. I found a plan available to me but was shocked to learn that my deductible was going to be over $8,000 per family member.

This is quickly becoming the new group of people who aren't able to meet their health care costs. I met with a number of health care administrators, hospital administrators from Missouri recently. They said their fastest growing category of unpaid bills, of unpaid debt, is from people who have insurance. So many people with insurance now have a deductible that is a deductible they believe they cannot pay, and because they believe they cannot pay it, they simply do not pay it. So whether it is the $8,000 on Gary's policy or the other lower amounts—hopefully, I will find some lower amounts here.

Here is one from another Gary. This Gary is in southeast Missouri. His wife's deductible went from $500 to $1,800—story after story. What happens when you have that growing deductible, whether it is the $1,800 or the $3,000 or the $8,000, if it was $500 and that was all you were going to have to pay, you might figure out how to put together $500 or maybe even more than that, but when you see $1,800 or $3,000

or $8,000, apparently people who used to pay their $500 deductible say they can't possibly pay that, so the hospital needs to write that off, I guess, as bad debt. They are going to come after me for $7,500 just like they would have for $8,000.

So a deductible that used to be reasonable and was paid, now the family looks at that and says we cannot possibly ever get to that deductible, so there is no reason to even start down that path.

I have a whole list of Gary's here on top of this. I don't think they are all making up the name Gary. This Gary from Higginsville—I could have organized these to have a little more variety in the first three, but this is Gary from Higginsville, MO. They said his prescription costs for his premium for Humana Gold Plus Medicare Advantage and his copays have all gone up significantly. He is concerned about Medicare Advantage.

Just a few days ago I was here—in fact, I ran into this person. Reading this letter:

> I am the man you spoke with outside Starbucks in Independence, MO, across from the mall. You leaned down on my car door of which the window was down. . . .

He called me over to talk about ObamaCare.

> What has changed is that several of my medications have gone up in price . . . my premium has gone up for Human Gold Plus Medicare Advantage. My deductibles and copays have gone up—

Things that are the result of the cuts made to Medicare now actually cost him the money that used to be paid for by Medicare. When you cut Medicare $500 billion to start a new program, somebody who is on the old program is going to be impacted by that. It is not like when we debated this we said, well, this Medicare Program is in such great shape that now we can start a new program and use money from Medicare to do that. That was done in the face of the understanding that Medicare, one of the principal obligations the country has made to retired people—people over 65, going back to 1965—that this was a program that wasn't going to be able to support itself.

So what do we decide to do as a Congress—and I voted against it and I am glad I did, but the ultimate decision was we are going to cut Medicare to start a new program, and we will see what happens to a program we already know is in trouble when we do that.

Frank from Kansas City's policy was canceled for not meeting the Affordable Care Act requirements. So he was forced to sign up on the exchange for himself, his wife, his 22-year-old daughter, his 19-year-old son, his 11-year-old daughter.

Frank was told that his 11-year-old daughter would qualify for Medicaid. He submitted three applications that they said they never received. After 2 months they asked him for additional information about his daughter, including tax information not available until April 1. Because of all this the Affordable Care Act is causing his daughter to go uninsured, according to Frank, until at least June.

This is one of those States that has an exchange the States have set up. A couple of places have never been able to sign up one single person. It is not October 1, it is now much closer to April 1, and this system is just not meeting the needs of families or meeting the goals that clearly it set for itself.

Farrell from Versailles, MO, says he is facing financial hardship because his employer cut his hours to avoid covering his health insurance. The employer told him ObamaCare was the reason they were cutting his hours. He was teaching at a community college as an adjunct professor for 8 years. He said he quit his full-time job because, according to him, he was teaching four courses each semester and a course over the summer and that appeared to be meeting his needs.

Suddenly the new law comes along and his employer says: If you work as much as you have been working, we will have to provide health insurance.

Something that you and I would both be interested in too, having worked together for a long time, is seeing the response that even local governments and State governments have had for people they always—because they thought it was the right thing to do—provided health care. But sadly when the Federal Government said here is what you have to do, then that drew an interesting line across our society. It also means if you have to do this, you do not have to do anything for people who do not meet the requirement—the 30-hour workweek, the impact it has had on people.

I was in a location the other day, and I said to the manager of the store: How are you doing, meaning I thought this would be a skill discussion; how are you doing with the skill levels you may need to find here for people who are dealing with customers. He said it is harder all the time because now we have to hire four people, where we used to have to hire three people because nobody new whom we are hiring is working more than 29 hours a week. So instead of finding three people to do that job to work 40 hours a week, now we are having to find four people who work less than 30 hours a week.

He went on to say managers and people who were already working, nobody's getting their hours cut, but he said: When we are hiring new people, we are doing what our competitors are doing, which is hiring part-time people who do not have benefits.

Emmett at Lake Ozark, despite the fact that he was paying all his premiums through his employer, his employer dropped early retirees from the company policy.

He did not feel comfortable submitting his information to healthcare.gov, he says, for security reasons. By the way, nobody contends that this Web site is secure or that the information people put on it is secure. In fact, it is just the opposite. Every indication has been it is not secure. He did say he used ''the website to find a plan, but three months later, when I finally got a quote, it was unaffordable, and much higher than the quotes I was able to find'' outside of the exchange.

Bob from Wentzville, MO, said he has seen his insurance increase by 15 percent over the past 3 years. I feel like writing back to Bob, saying, based on all the other letters, with 15 percent you should be feeling pretty good about that, but nobody feels good about a 15-percent increase. It is just that so many people are seeing an increase that is so much higher than that.

On the other hand, his insurance premiums have increased by 15 percent, but—back to the earlier discussion—his deductible has gone from $500 annually to $4,000 annually or $8,000 for the family.

Is this the kind of insurance families need? They used to pay a premium that was just a little bit less, 15 percent less, but they had a $500 annual deductible, not a $4,000 annual deductible.

Beverly from Potosi, MO, went to her doctor for her annual screening and was told she could only have one now every 2 years because of the Affordable Care Act. Although her risk of cancer increases with age, she believes she is getting less care than she got before.

Holly from Jefferson County, MO, is a registered nurse who is now working two part-time jobs. She is living paycheck to paycheck. Here is what she says in her letter:

> I am a registered nurse that is only working part-time at 2 jobs. I live paycheck to paycheck like most people since the economic crisis. I am barely able to keep my bills paid much less able to add another one. I am upset that my right as a US citizen has been taken away from me to decide for myself if I want health insurance or not.

I think she could have added to that, to decide for herself whether she wanted it and what she wanted. I cannot tell what the President's latest announcement was, but it appears to be if you had insurance, even if it has been canceled because it didn't meet the qualifications, now somehow it is not canceled—and how you deal with that as someone who has maybe gotten another policy or maybe moved beyond the insurance you had and do not qualify to go back.

I don't know how many times we can change this law without finally admitting the law is not working. Let's take everything we know now, which is so much more than the country knew and most Members of Congress knew when the law passed—let's take everything we know now and go back and do this the right way.

Jason from Pleasant Hill and his wife purchased plans through their employer. Again, they experienced price increases without added benefits and in fact with less benefits than they had before.

There is one letter after another coming to our office in various ways every day. I could stand here and read them for a long time, but if I read the clock correctly, I think my time is out and we are ready to move on to other business.

NOMINATIONS

Mr. LEAHY. Mr. President, the last two days, we have spent unnecessary floor time overcoming procedural obstacles so that we can vote to confirm the five judicial nominations before us today. Every single one of the nominees that we will vote on today has bipartisan support and will be confirmed by significant margins. Judge Carolyn McHugh was nominated last May, while all four nominees to the Eastern District of Michigan were nominated last July. All of these nominees could and should have been confirmed before we adjourned last year. Instead, because Republicans refused to consent to hold these nominations in the Senate, and every single one had to be returned to the President at the end of last year. They then had to be re-nominated and re-processed through Committee this year and were all reported out with bipartisan support on January 16, 2014.

We have not had a vote on a judicial nomination this year that was not subjected to a Republican filibuster. I appreciate very much the two Republican senators, Senator COLLINS and Senator MURKOWSKI, who have voted each time to end the filibuster of judicial nominees. For other Republican senators, however, I have started to notice a pattern of voting to end filibusters only if a nominee is from a state with at least one Republican home state Senator. Most recently this happened earlier this week on the cloture vote for Judge McHugh with nine Republicans voting to end the filibuster. It should not require a judicial nominee to be from a state with one or more Republican home state senators for some senators to do the right thing. Filling vacancies so that our Federal judiciary can be fully functioning should not be a partisan issue.

Today, we will finally vote to confirm the following nominees:

Judge Carolyn McHugh has been nominated to fill a vacancy in the Tenth Circuit Court of Appeals. She has served since 2005 as a judge on the Utah Court of Appeals and as the Presiding Judge of that court since 2012. She previously worked in private practice at Parr Brown Gee & Loveless as an Associate, 1983–1987, and subsequently as a Shareholder, 1987–2005. She has served as an Adjunct Professor at the University of Utah Law School and at the University of Utah College of Social and Behavioral Science. Judge McHugh earned her J.D., Order of the Coif, from the University of Utah Law School in 1982. After law school, she clerked for Judge Bruce S. Jenkins of the United States District Court for the District of Utah. The ABA Standing Committee on the Federal Judiciary unanimously rated Judge McHugh ''Well Qualified'' to serve on the U.S. Circuit Court of Appeals for the 10th Circuit, its highest rating. She has the support of her home state senators, Senator HATCH and Senator LEE.

Matthew Leitman is nominated to fill a judicial emergency vacancy in the Eastern District of Michigan. He has worked in private practice for almost 20 years, including as senior principal, 2005–present, and senior counsel, 2004, at Miller, Canfield, Paddock, and Stone, P.L.C, and as Partner, 2000–2004, and Associate, 1994–1999, at Miro, Weiner, & Kramer, P.C. He earned his J.D., magna cum laude, from Harvard Law School in 1993. Following his graduation from law school, he served as a law clerk to Justice Charles L. Levin of the Michigan Supreme Court. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Leitman ''Well Qualified'' to serve on the U.S. District Court for the Eastern District of Michigan, its highest rating.

Judith Levy is nominated to fill a judicial emergency vacancy in the Eastern District of Michigan. She has served since 2000 as an Assistant U.S. Attorney in the Eastern District of Michigan, where she has served as the Chief of the Civil Rights Unit since 2010. She has also worked as an Adjunct Professor of Law at the University of Michigan Law School, 2005–present, and as a trial attorney for the United States Equal Employment Opportunity Commission, 1999–2000. She earned her J.D., cum laude, from Michigan Law School in 1996. Following her graduation from law school, she served as a law clerk to Judge Bernard Friedman of the U.S. District Court for the Eastern of District of Michigan, 1996–1999.

Judge Laurie Michelson is nominated to fill a vacancy in the Eastern District of Michigan. She has served since 2011 as a U.S. Magistrate Judge in the Eastern District of Michigan. Prior to her judicial service, she worked in private practice for 18 years at Butzel Long as an associate, 1993–2000, and subsequently as a shareholder, 2000–2011. She has also served for 3 years as an Adjunct Professor at Oakland University, 2003–2006. She earned her J.D. from Northwestern University Law School in 1992. Following her graduation from law school, she served as a law clerk to Judge Cornelia G. Kennedy of the U.S. Court of Appeals for the Sixth Circuit. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Leitman ''Well Qualified'' to serve on the U.S. District Court for the Eastern District of Michigan, its highest rating.

Judge Linda Parker is nominated to fill a vacancy in the Eastern District of Michigan. She has served since 2009 as a circuit court judge on the Third Judicial Circuit of Michigan. Prior to her judicial service, she worked as director of the Michigan Department of Civil Rights, 2003–2008, as Director of Development at the Detroit Institute of Arts, 2000–2003, as Executive Assistant United States Attorney in the U.S. Attorney's Office in the Eastern District of Michigan, 1994–2000, in private practice at Dickinson Wright as associate attorney, 1989–1992, and partner from (1992–1994), and as a staff attorney to the United States Environmental Protection Agency, 1985–1989. She earned her J.D. from George Washington University Law School in 1983. Following graduation from law school, she served as a law clerk to Judge William S. Thompson of the District of Columbia Superior Court, 1983–1985.

All four of the district court nominees have the support of their home state senators—Senator LEVIN and Senator STABENOW. I hope my fellow senators will join me today to confirm these nominees so that they can begin working on behalf of the American people.

Mr. LEVIN. Mr. President, consideration of judicial nominees is among the most important duties of the Senate. I am pleased that four, well-qualified nominees to the U.S. District Court for the Eastern District of Michigan will now be before the Senate, and I urge my colleagues to confirm them. Each of them has demonstrated a commitment to impartial justice and a thorough knowledge of the law. Each was recommended by an independent screening committee that Senator STABENOW and I have formed. It is broadly based and chaired by one of Michigan's truly outstanding lawyers, Eugene Driker.

Each of the nominees has a distinguished background. Matthew Leitman served as a clerk to Justice Charles Levin on the Michigan Supreme Court and has extensive experience in private practice, focusing on complex commercial litigation, criminal defense, and appellate litigation. He has argued before State and Federal trial courts, as well as numerous appeals before State and Federal appellate courts, and has written a number of influential journal articles on important aspects of State and Federal law such as immigration and fraud enforcement. He has on many occasions been recognized by his peers as one of the most effective and knowledgeable litigators in our State.

He is also dedicated to public service. He has been a pro bono honoree for the Eastern District of Michigan every year since 2008.

Judith Ellen Levy worked in private practice and as a trial attorney for the U.S. Equal Employment Opportunity Commission in Detroit. She has conducted research and taught classes and seminars at the University of Michigan. Since 2000, she has served as an assistant U.S. attorney and Civil Rights Unit chief in the U.S. Attorney's Office in Detroit. There, she is responsible for investigating and litigating civil rights cases on behalf of the United States, including fair housing, fair lending,

disability access, and police misconduct cases, and for handling citizen civil rights complaints addressed to the office and conducting outreach regarding a variety of office programs.

Ms. Levy has also received numerous awards for her dedication to community service, including several Department of Justice Civil Rights Division Certificates of Commendation and an award from the University of Michigan Council for Disability Concerns.

Judge Laurie J. Michelson served as law clerk to the Honorable Cornelia G. Kennedy of the U.S. Court of Appeals, Sixth Circuit and then for nearly 18 years worked in private practice in the areas of white-collar criminal defense and media and intellectual property law. She was sworn in as a magistrate judge for the Eastern District of Michigan in February 2011.

In private practice and as a magistrate judge, Judge Michelson has ably navigated some of the most complex areas of Federal law but has never lost sight of the fact that the law has a human impact.

Judge Linda Vivienne Parker served as the director of the Michigan Department of Civil Rights from 2003 to 2008. She also worked in private practice and served as the first executive assistant U.S. attorney for the Eastern District of Michigan under U.S. attorney Saul A. Green from 1994 to 2000. In 2008, she was appointed to the Third Judicial Circuit Court in Wayne County. In addition to her criminal docket, Judge Parker serves as a judge in the Adult Drug Treatment Court.

Judge Parker has dedicated her legal career to public service and has committed a great deal of time to serving and advocating for homeless families and teenage mothers. She served as the Chair of New Steps, an organization committed to providing services for economically disadvantaged new mothers in substance abuse recovery.

Each of these nominees knows the law and is ready to bear the responsibilities of a Federal judge. I urge my colleagues to confirm their nominations so they can begin serving the people of the Eastern District of Michigan.

I would yield the floor.

CONCLUSION OF MORNING BUSINESS

THE PRESIDING OFFICER (Ms. HEITKAMP). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF CAROLYN B. McHUGH TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the McHugh nomination.

All time has expired.

The question is, Will the Senate advise and consent to the nomination of Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit?

Mr. FLAKE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 67 Ex.]

YEAS—98

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Roberts
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Walsh
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	

NOT VOTING—2

Rockefeller Rubio

The nomination was confirmed.

NOMINATION OF MATTHEW FREDERICK LEITMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. Under the previous order, the clerk will report the nomination.

The assistant legislative clerk read the nomination of Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to the vote on the nomination.

Mr. REID. Madam President, I yield back the remaining time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan?

Mr. CHAMBLISS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 68 Ex.]

YEAS—98

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Roberts
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Walsh
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	

NOT VOTING—2

Rockefeller Rubio

The nomination was confirmed.

NOMINATION OF JUDITH ELLEN LEVY TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. Under the previous order, the clerk will report the Levy nomination.

The legislative clerk read the nomination of Judith Ellen Levy, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Mr. LEAHY. I yield back time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Judith Ellen Levy, of Michigan, to be United States District Judge for the Eastern District of Michigan?

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 69 Ex.]

YEAS—97

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Sanders
Burr	Inhofe	Schatz
Cantwell	Isakson	Schumer
Cardin	Johanns	Scott
Carper	Johnson (SD)	Sessions
Casey	Johnson (WI)	Shaheen
Chambliss	Kaine	Shelby
Coats	King	Stabenow
Coburn	Kirk	Tester
Cochran	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Corker	Lee	Udall (NM)
Cornyn	Levin	Vitter
Crapo	Manchin	Walsh
Cruz	Markey	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Feinstein	Menendez	Wyden
Fischer	Merkley	
Flake	Mikulski	

NOT VOTING—3

Reid	Rockefeller	Rubio

The nomination was confirmed.

NOMINATION OF LAURIE J. MICHELSON TO BE UNITED STATES DISTRICT COURT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to the nomination.

Mr. LEVIN. I ask unanimous consent that the time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Laurie J. Michelson, of Michigan, to be United States District Judge for the Eastern District of Michigan?

Mr. COONS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 70 Ex.]

YEAS—98

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Roberts
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Walsh
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	

NOT VOTING—2

Rockefeller	Rubio

The nomination was confirmed.

NOMINATION OF LINDA VIVIENNE PARKER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. Under the previous order, the clerk will report the Parker nomination.

The bill clerk read the nomination of Linda Vivienne Parker, of Michigan, to be United States District Judge for the Eastern District of Michigan.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to the vote.

Mr. LEAHY. Madam President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Linda Vivienne Parker, of Michigan, to be United States District Judge for the Eastern District of Michigan?

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 37, as follows:

[Rollcall Vote No. 71 Ex.]

YEAS—60

Baldwin	Grassley	Mikulski
Bennet	Hagan	Murphy
Blumenthal	Harkin	Murray
Booker	Hatch	Nelson
Boxer	Heinrich	Pryor
Brown	Heitkamp	Reed
Cantwell	Hirono	Reid
Cardin	Johnson (SD)	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Chambliss	Kirk	Shaheen
Coats	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Donnelly	Manchin	Walsh
Durbin	Markey	Warner
Feinstein	McCaskill	Warren
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wyden

NAYS—37

Alexander	Flake	Paul
Ayotte	Graham	Portman
Barrasso	Heller	Risch
Blunt	Hoeven	Roberts
Boozman	Inhofe	Scott
Burr	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Vitter
Cruz	McConnell	Wicker
Enzi	Moran	
Fischer	Murkowski	

NOT VOTING—3

Begich	Rockefeller	Rubio

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I ask unanimous consent that with respect to the nominations confirmed today, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

NOMINATION OF SARAH BLOOM RASKIN TO BE DEPUTY SECRETARY OF THE TREASURY

The PRESIDING OFFICER. Under the previous order, the clerk will report the Raskin nomination.

The assistant bill clerk read the nomination of Sarah Bloom Raskin, of

Maryland, to be Deputy Secretary of the Treasury.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on confirmation.

Mr. HARKIN. Madam President, I ask unanimous consent to yield back 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I yield back our time.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Sarah Bloom Raskin, of Maryland, to be Deputy Secretary of the Treasury?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and proceed to consideration of S. 1086, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1086) to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 1086

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Care and Development Block Grant Act of 2014''.

SEC. 2. SHORT TITLE AND PURPOSES.

Section 658A of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9801 note) is amended to read as follows:

''SEC. 658A. SHORT TITLE AND PURPOSES.

''(a) SHORT TITLE.—This subchapter may be cited as the 'Child Care and Development Block Grant Act of 1990'.

''(b) PURPOSES.—The purposes of this subchapter are—

''(1) to allow each State maximum flexibility in developing child care programs and policies that best suit the needs of children and parents within that State;

''(2) to promote parental choice to empower working parents to make their own decisions regarding the child care that best suits their family's needs;

''(3) to assist States in providing high-quality child care services to parents trying to achieve independence from public assistance;

''(4) to assist States in improving the overall quality of child care services and programs by implementing the health, safety, licensing, training, and oversight standards established in this subchapter and in State law (including regulations);

''(5) to improve school readiness by having children, families, and child care providers engage in activities, in child care settings, that are developmentally appropriate and age-appropriate for the children and that promote children's language and literacy and mathematics skills, social and emotional development, physical health and development, and approaches to learning;

''(6) to encourage States to provide consumer education information to help parents make informed choices about child care services and to promote involvement by parents and family members in the education of their children in child care settings;

''(7) to increase the number and percentage of low-income children in high-quality child care settings; and

''(8) to improve the coordination and delivery of early childhood education and care (including child care).''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 658B of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858) is amended by striking ''subchapter'' and all that follows, and inserting ''subchapter, such sums as may be necessary for each of fiscal years 2015 through 2020.''.

SEC. 4. LEAD AGENCY.

(a) DESIGNATION.—Section 658D(a) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858b(a)) is amended—

(1) by striking ''chief executive officer'' and inserting ''Governor''; and

(2) by striking ''designate'' and all that follows and inserting ''designate an agency (which may be an appropriate collaborative agency), or establish a joint interagency office, that complies with the requirements of subsection (b) to serve as the lead agency for the State under this subchapter.''.

(b) COLLABORATION WITH TRIBES.—Section 658D(b)(1) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858b(b)(1)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(E) at the option of an Indian tribe or tribal organization in the State, collaborate and coordinate with such Indian tribe or tribal organization in the development of the State plan.''.

SEC. 5. APPLICATION AND PLAN.

(a) PERIOD.—Section 658E(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(b)) is amended, by striking ''2-year'' and inserting ''3-year''.

(b) POLICIES AND PROCEDURES.—Section 658E(c) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)) is amended—

(1) in paragraph (1), by inserting ''or established'' after ''designated'';

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting a comma after ''care of such providers'';

(B) by striking subparagraphs (D) through (H); and

(C) by adding at the end the following:

''(D) MONITORING AND INSPECTION REPORTS.—The plan shall include a certification that the State, not later than 1 year after the State has in effect the policies and practices described in subparagraph (K)(i), will make public by electronic means, in a consumer-friendly and easily accessible format, organized by provider, the results of monitoring and inspection reports, including those due to major substantiated complaints about failure to comply with this subchapter and State child care policies, as well as the number of deaths, serious injuries, and instances of substantiated child abuse that occurred in child care settings each year, for eligible child care providers within the State. The results shall also include information on the date of such an inspection and, where applicable, information on corrective action taken.

''(E) CONSUMER EDUCATION INFORMATION.—The plan shall include a certification that the State will collect and disseminate (which dissemination may be done, except as otherwise specified in this subparagraph, through resource and referral organizations or other means as determined by the State) to parents of eligible children and the general public—

''(i) information that will promote informed child care choices and that concerns—

''(I) the availability of child care services provided through programs authorized under this subchapter and, if feasible, other child care services and other programs provided in the State for which the family may be eligible;

''(II) if available, information about the quality of providers, including information from a Quality Rating and Improvement System;

''(III) information, made available through a State website, describing the State process for licensing child care providers, the State processes for conducting background checks, and monitoring and inspections, of child care providers, and the offenses that prevent individuals and entities from serving as child care providers in the State;

''(IV) the availability of assistance to obtain child care services;

''(V) other programs for which families that receive child care services for which financial assistance is provided in accordance with this subchapter may be eligible, including the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), Head Start and Early Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.), the program carried out under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the special supplemental nutrition program for women, infants, and children established under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766), and the Medicaid and State children's health insurance programs under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 et seq., 1397aa et seq.);

''(VI) programs carried out under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.); and

''(VII) research and best practices concerning children's development, including language and cognitive development, development of early language and literacy and mathematics skills, social and emotional development, meaningful parent and family engagement, and physical health and development (particularly healthy eating and physical activity);

''(ii) information on developmental screenings, including—

''(I) information on existing (as of the date of submission of the application containing the plan) resources and services the State can deploy, including the coordinated use of the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and developmental screening services available under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.), in conducting developmental screenings and providing referrals to services, when appropriate, for children who receive assistance under this subchapter; and

''(II) a description of how a family or eligible child care provider may utilize the resources and services described in subclause (I) to obtain developmental screenings for children who receive assistance under this subchapter who may be at risk for cognitive or other developmental delays, which may include social, emotional, physical, or linguistic delays; and

''(iii) information, for parents receiving assistance under the program of block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and low-income parents, about eligibility for assistance provided in accordance with this subchapter.

''(F) COMPLIANCE WITH STATE LICENSING REQUIREMENTS.—

''(i) IN GENERAL.—The plan shall include a certification that the State involved has in effect licensing requirements applicable to child care services provided within the State, and provide a detailed description of such requirements and of how such requirements are effectively enforced.

''(ii) LICENSE EXEMPTION.—If the State uses funding received under this subchapter to support a child care provider that is exempt from the corresponding licensing requirements described in clause (i), the plan shall include a description stating why such licensing exemption does not endanger the health, safety, or development of children who receive services from child care providers who are exempt from such requirements.

''(iii) REQUESTS FOR RELIEF.—As described in section 658I(d), a State may request relief from a provision of Federal law other than this subchapter that might conflict with a requirement of this subchapter, including a licensing requirement.

''(G) TRAINING REQUIREMENTS.—

''(i) IN GENERAL.—The plan shall describe the training requirements that are in effect within the State that are designed to enable child care providers to promote the social, emotional, physical, and cognitive development of children and that are applicable to child care providers that provide services for which assistance is provided in accordance with this subchapter in the State.

''(ii) REQUIREMENTS.—The plan shall provide an assurance that such training requirements—

''(I) provide a set of workforce and competency standards for child care providers that provide services described in clause (i);

''(II) are developed in consultation with the State Advisory Council on Early Childhood Education and Care (designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)));

''(III) include an evidence-based training framework that is designed to promote children's learning and development and school readiness and to improve child outcomes, including school readiness;

''(IV) incorporate knowledge and application of the State's early learning and developmental guidelines (where applicable), and the State's child development and health standards; and

''(V) to the extent practicable, are appropriate for a population of children that includes—

''(aa) different age groups (such as infants, toddlers, and preschoolers);

''(bb) English learners;

''(cc) children with disabilities; and

''(dd) Native Americans, including Indians, as the term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) (including Alaska Natives within the meaning of that term), and Native Hawaiians (as defined in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

''(iii) PROGRESSION OF PROFESSIONAL DEVELOPMENT.—In developing the requirements, the State shall develop a statewide progression of professional development designed to improve the skills and knowledge of the workforce—

''(I) which may include the acquisition of course credit in postsecondary education or of a credential, aligned with the framework; and

''(II) which shall be accessible to providers supported through Indian tribes or tribal organizations that receive assistance under this subchapter.

''(iv) ALIGNMENT.—The State shall engage the State Advisory Council on Early Childhood Education and Care, and may engage institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), and other training providers in aligning training opportunities with the State's training framework.

''(v) CREDENTIALS.—The Secretary shall not require an individual or entity that provides child care services for which assistance is provided in accordance with this subchapter to acquire a credential to provide such services. Nothing in this section shall be construed to prohibit a State from requiring a credential.

''(H) CHILD-TO-PROVIDER RATIO STANDARDS.—

''(i) STANDARDS.—The plan shall describe child care standards, for child care for which assistance is made available in accordance with this subchapter, appropriate to the type of child care setting involved, that address—

''(I) group size limits for specific age populations;

''(II) the appropriate ratio between the number of children and the number of providers, in terms of the age of the children in child care, as determined by the State; and

''(III) required qualifications for such providers.

''(ii) CONSTRUCTION.—The Secretary may offer guidance to States on child-to-provider ratios described in clause (i) according to setting and age group but shall not require that States maintain specific child-to-provider ratios for providers who receive assistance under this subchapter.

''(I) HEALTH AND SAFETY REQUIREMENTS.—The plan shall include a certification that there are in effect within the State, under State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers that provide services for which assistance is made available in accordance with this subchapter. Such requirements—

''(i) shall relate to matters including health and safety topics (including prevention of shaken baby syndrome and abusive head trauma) consisting of—

''(I) the prevention and control of infectious diseases (including immunization) and the establishment of a grace period that allows homeless children to receive services under this subchapter while their families are taking any necessary action to comply with immunization and other health and safety requirements;

''(II) handwashing and universal health precautions;

''(III) the administration of medication, consistent with standards for parental consent;

''(IV) the prevention of and response to emergencies due to food and other allergic reactions;

''(V) prevention of sudden infant death syndrome and use of safe sleeping practices;

''(VI) sanitary methods of food handling;

''(VII) building and physical premises safety;

''(VIII) emergency preparedness and response planning for emergencies resulting from a natural disaster, or a man-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1));

''(IX) the handling and storage of hazardous materials and the appropriate disposal of biocontaminants;

''(X) identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic;

''(XI) for providers that offer transportation, if applicable, appropriate precautions in transporting children;

''(XII) first aid and cardiopulmonary resuscitation; and

''(XIII) minimum health and safety training, to be completed pre-service or during an orientation period, appropriate to the provider setting involved that addresses each of the requirements relating to matters described in subclauses (I) through (XII); and

''(ii) may include requirements relating to nutrition, access to physical activity, or any other subject area determined by the State to be necessary to promote child development or to protect children's health and safety.

''(J) COMPLIANCE WITH STATE AND LOCAL HEALTH AND SAFETY REQUIREMENTS.—The plan shall include a certification that procedures are in effect to ensure that child care providers within the State, that provide services for which assistance is made available in accordance with this subchapter, comply with all applicable State and local health and safety requirements as described in subparagraph (I).

''(K) ENFORCEMENT OF LICENSING AND OTHER REGULATORY REQUIREMENTS.—

''(i) CERTIFICATION.—The plan shall include a certification that the State, not later than 2 years after the date of enactment of the Child Care and Development Block Grant Act of 2014, shall have in effect policies and practices, applicable to licensing or regulating child care providers that provide services for which assistance is made available in accordance with this subchapter and the facilities of those providers, that—

''(I) ensure that individuals who are hired as licensing inspectors in the State are qualified to inspect those child care providers and facilities and have received training in related health and safety requirements, child development, child abuse prevention and detection, program management, and relevant law enforcement;

''(II) require licensing inspectors (or qualified inspectors designated by the lead agency) of those child care providers and facilities to perform inspections, with—

''(aa) not less than 1 prelicensure inspection for compliance with health, safety, and fire standards, of each such child care provider and facility in the State; and

''(bb) not less than annually, an inspection (which shall be unannounced) of each such child care provider and facility in the State for compliance with all child care licensing standards, which shall include an inspection for compliance with health, safety, and fire standards (although inspectors may or may not inspect for compliance with all 3 standards at the same time); and

''(III) require the ratio of licensing inspectors to such child care providers and facilities in the State to—

''(aa) be maintained at a level sufficient to enable the State to conduct inspections of such child care providers and facilities on a timely basis in accordance with Federal and State law; and

''(bb) be consistent with research findings and best practices.

''(ii) CONSTRUCTION.—The Secretary may offer guidance to a State, if requested by the State, on a research-based minimum standard regarding ratios described in clause (i)(III) and provide technical assistance to the State on meeting the minimum standard within a reasonable time period, but shall not prescribe a particular ratio.

''(L) COMPLIANCE WITH CHILD ABUSE REPORTING REQUIREMENTS.—The plan shall include a certification that child care providers within the State will comply with the child abuse reporting requirements of section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)).

''(M) MEETING THE NEEDS OF CERTAIN POPULATIONS.—The plan shall describe how the State will develop and implement strategies (which may include the provision of compensation at higher payment rates and bonuses to child care providers, the provision of direct contracts or grants to community-based organizations, or other means determined by the State) to increase the supply and improve the quality of child care for—

''(i) children in underserved areas;

''(ii) infants and toddlers;

''(iii) children with disabilities, as defined by the State; and

''(iv) children who receive care during nontraditional hours.

''(N) PROTECTION FOR WORKING PARENTS.—

''(i) MINIMUM PERIOD.—

''(I) 12-MONTH PERIOD.—The plan shall demonstrate that each child who receives assistance under this subchapter in the State will be considered to meet all eligibility requirements for such assistance and will receive such assistance, for not less than 12 months before the State redetermines the eligibility of the child under this subchapter, regardless of a temporary change in the ongoing status of the child's parent as working or attending a job training or educational program or a change in family income for the child's family, if that family income does not exceed 85 percent of the State median income for a family of the same size.

''(II) FLUCTUATIONS IN EARNINGS.—The plan shall demonstrate how the State's processes for initial determination and redetermination of such eligibility take into account irregular fluctuations in earnings.

''(ii) REDETERMINATION PROCESS.—The plan shall describe the procedures and policies that are in place to ensure that working parents (especially parents in families receiving assistance under the program of block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)) are not required to unduly disrupt their employment in order to comply with the State's requirements for redetermination of eligibility for assistance provided in accordance with this subchapter.

''(iii) PERIOD BEFORE TERMINATION.—At the option of the State, the plan shall demonstrate that the State will not terminate assistance provided to carry out this subchapter based on a factor consisting of a parent's loss of work or cessation of attendance at a job training or educational program for which the family was receiving the assistance, without continuing the assistance for a reasonable period of time, of not less than 3 months, after such loss or cessation in order for the parent to engage in a job search and resume work, or resume attendance at a job training or educational program, as soon as possible.

''(iv) GRADUATED PHASEOUT OF CARE.—The plan shall describe the policies and procedures that are in place to allow for provision of continued assistance to carry out this subchapter, at the beginning of a new eligibility period under clause (i)(I), for children of parents who are working or attending a job training or educational program and whose family income exceeds the State's income limit to initially qualify for such assistance, if the family income for the family involved does not exceed 85 percent of the State median income for a family of the same size.

''(O) COORDINATION WITH OTHER PROGRAMS.—

''(i) IN GENERAL.—The plan shall describe how the State, in order to expand accessibility and continuity of quality early childhood education and care, and assist children enrolled in prekindergarten, Early Head Start, or Head Start programs to receive full-day services, will coordinate the services supported to carry out this subchapter with—

''(I) programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.), including the Early Head Start programs carried out under section 645A of that Act (42 U.S.C. 9840a);

''(II) programs carried out under part A of title I, and part B of title IV, of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq., 7171 et seq.);

''(III) programs carried out under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);

''(IV) the maternal, infant, and early childhood home visiting programs authorized under section 511 of the Social Security Act (42 U.S.C. 711), as added by section 2951 of the Patient Protection and Affordable Care Act (Public Law 111–148);

''(V) State, Indian tribe or tribal organization, and locally funded early childhood education and care programs;

''(VI) programs serving homeless children and services of local educational agency liaisons for homeless children and youths designated under subsection (g)(1)(J)(ii) of section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)); and

''(VII) other Federal programs supporting early childhood education and care activities, and, where applicable, child care programs funded through State veterans affairs offices.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to affect the priority of children described in clause (i) to receive full-day prekindergarten or Head Start program services.

''(P) PUBLIC-PRIVATE PARTNERSHIPS.—The plan shall demonstrate how the State encourages partnerships among State agencies, other public agencies, Indian tribes and tribal organizations, and private entities to leverage existing service delivery systems (as of the date of the submission of the application containing the plan) for early childhood education and care and to increase the supply and quality of child care services for children who are less than 13 years of age, such as by implementing voluntary shared services alliance models.

''(Q) PRIORITY FOR LOW-INCOME POPULATIONS.—The plan shall describe the process the State proposes to use, with respect to investments made to increase access to programs providing high-quality early childhood education and care, to give priority for those investments to children of families in areas that have significant concentrations of poverty and unemployment and that do not have such programs.

''(R) CONSULTATION.—The plan shall include a certification that the State has developed the plan in consultation with the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)).

''(S) PAYMENT PRACTICES.—The plan shall include a certification that the payment practices of child care providers in the State that serve children who receive assistance under this subchapter reflect generally accepted payment practices of child care providers in the State that serve children who do not receive assistance under this subchapter, so as to provide stability of funding and encourage more child care providers to serve children who receive assistance under this subchapter.

''(T) EARLY LEARNING AND DEVELOPMENTAL GUIDELINES.—

''(i) IN GENERAL.—The plan shall include an assurance that the State will develop or implement early learning and developmental guidelines that are appropriate for children from birth through entry into kindergarten, describing what such children should know and be able to do, and covering the essential domains of early childhood education and care and early childhood development for use statewide by child care providers. Such child care providers shall—

''(I) be licensed or regulated under State law; and

''(II) not be a relative of all children for whom the provider provides child care services.

''(ii) ALIGNMENT.—The guidelines shall be research-based, developmentally appropriate, and aligned with State standards for education in kindergarten through grade 3.

''(iii) PROHIBITION ON USE OF FUNDS.—The plan shall include an assurance that funds received by the State to carry out this subchapter will not be used to develop or implement an assessment for children that—

''(I) will be the sole basis for a child care provider being determined to be ineligible to participate in the program carried out under this subchapter;

''(II) will be used as the primary or sole basis to provide a reward or sanction for an individual provider;

''(III) will be used as the primary or sole method for assessing program effectiveness; or

''(IV) will be used to deny eligibility to participate in the program carried out under this subchapter.

''(iv) EXCEPTIONS.—Nothing in this subchapter shall preclude the State from using a single assessment (if appropriate) for children for—

''(I) supporting learning or improving a classroom environment;

''(II) targeting professional development to a provider;

''(III) determining the need for health, mental health, disability, developmental delay, or family support services;

''(IV) obtaining information for the quality improvement process at the State level; or

''(V) conducting a program evaluation for the purposes of providing program improvement and parent information.

''(v) NO FEDERAL CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to—

''(I) mandate, direct, or control a State's early learning and developmental guidelines, developed in accordance with this section;

''(II) establish any criterion that specifies, defines, or prescribes the standards or measures that a State uses to establish, implement, or improve—

''(aa) early learning and developmental guidelines, or early learning standards, assessments, or accountability systems; or

''(bb) alignment of early learning and developmental guidelines with State standards for education in kindergarten through grade 3; or

''(III) require a State to submit such standards or measures for review.'';

(3) in paragraph (3)—

(A) in subparagraph (A), by striking ''as required under'' and inserting ''in accordance with'';

(B) in subparagraph (B)—

(i) by striking ''The State'' and inserting the following:

''(i) IN GENERAL.—The State'';

(ii) by striking ''and any other activity that the State deems appropriate to realize any of the goals specified in paragraphs (2) through (5) of section 658A(b)'' and inserting ''activities that improve access to child care services, including use of procedures to permit immediate enrollment (after the initial eligibility determination and after a child is determined to be eligible) of homeless children while required documentation is obtained, training and technical assistance on identifying and serving homeless children and their families, and specific outreach to homeless families, and any other activity that the State determines to be appropriate to meet the purposes of this subchapter (which may include an activity described in clause (ii))''; and

(iii) by adding at the end the following:

''(ii) CHILD CARE RESOURCE AND REFERRAL SYSTEM.—

''(I) IN GENERAL.—A State may use amounts described in clause (i) to establish or support a system of local or regional child care resource and referral organizations that is coordinated, to the extent determined appropriate by the State, by a statewide public or private nonprofit, community-based or regionally based, lead child care resource and referral organization.

''(II) LOCAL OR REGIONAL ORGANIZATIONS.—The local or regional child care resource and referral organizations supported as described in subclause (I) shall—

''(aa) provide parents in the State with consumer education information referred to in paragraph (2)(E) (except as otherwise provided in that paragraph), concerning the full range of child care options, analyzed by provider, including child care provided during nontraditional

hours and through emergency child care centers, in their political subdivisions or regions;

''(bb) to the extent practicable, work directly with families who receive assistance under this subchapter to offer the families support and assistance, using information described in item (aa), to make an informed decision about which child care providers they will use, in an effort to ensure that the families are enrolling their children in high-quality care;

''(cc) collect and analyze data on the coordination of services and supports, including services under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.), for children with disabilities (as defined in section 602 of such Act (20 U.S.C. 1401));

''(dd) collect and analyze data on the supply of and demand for child care in political subdivisions or regions within the State and submit such data and analysis to the State;

''(ee) work to establish partnerships with public agencies and private entities to increase the supply and quality of child care services in the State; and

''(ff) as appropriate, coordinate their activities with the activities of the State lead agency and local agencies that administer funds made available in accordance with this subchapter.'';

(C) in subparagraph (D)—

(i) by striking ''1997 through 2002'' and inserting ''2015 through 2020''; and

(ii) by striking ''families described in paragraph (2)(H)'' and inserting ''families with children described in clause (i), (ii), (iii), or (iv) of paragraph (2)(M)''; and

(D) by adding at the end the following:

''(E) DIRECT SERVICES.—From amounts provided to a State for a fiscal year to carry out this subchapter, the State shall—

''(i) reserve the minimum amount required to be reserved under section 658G, and the funds for costs described in subparagraph (C); and

''(ii) from the remainder, use not less than 70 percent to fund direct services (provided by the State) in accordance with paragraph (2)(A).'';

(4) by striking paragraph (4) and inserting the following:

''(4) PAYMENT RATES.—

''(A) IN GENERAL.—The State plan shall certify that payment rates for the provision of child care services for which assistance is provided in accordance with this subchapter are sufficient to ensure equal access for eligible children to child care services that are comparable to child care services in the State or substate area involved that are provided to children whose parents are not eligible to receive assistance under this subchapter or to receive child care assistance under any other Federal or State program and shall provide a summary of the facts relied on by the State to determine that such rates are sufficient to ensure such access.

''(B) SURVEY.—The State plan shall—

''(i) demonstrate that the State has, after consulting with the State Advisory Council on Early Childhood Education and Care designated or established in section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)), local child care program administrators, local child care resource and referral agencies, and other appropriate entities, developed and conducted (not earlier than 2 years before the date of the submission of the application containing the State plan) a statistically valid and reliable survey of the market rates for child care services in the State (that reflects variations in the cost of child care services by geographic area, type of provider, and age of child);

''(ii) demonstrate that the State prepared a detailed report containing the results of the State market rates survey conducted pursuant to clause (i), and made the results of the survey widely available (not later than 30 days after the completion of such survey) through periodic means, including posting the results on the Internet;

''(iii) describe how the State will set payment rates for child care services, for which assistance is provided in accordance with this subchapter—

''(I) in accordance with the results of the market rates survey conducted pursuant to clause (i);

''(II) taking into consideration the cost of providing higher quality child care services than were provided under this subchapter before the date of enactment of the Child Care and Development Block Grant Act of 2014; and

''(III) without, to the extent practicable, reducing the number of families in the State receiving such assistance to carry out this subchapter, relative to the number of such families on the date of enactment of that Act; and

''(iv) describe how the State will provide for timely payment for child care services provided in accordance with this subchapter.

''(C) CONSTRUCTION.—

''(i) NO PRIVATE RIGHT OF ACTION.—Nothing in this paragraph shall be construed to create a private right of action.

''(ii) NO PROHIBITION OF CERTAIN DIFFERENT RATES.—Nothing in this subchapter shall be construed to prevent a State from differentiating the payment rates described in subparagraph (B)(iii) on the basis of such factors as—

''(I) geographic location of child care providers (such as location in an urban or rural area);

''(II) the age or particular needs of children (such as the needs of children with disabilities and children served by child protective services);

''(III) whether the providers provide child care during weekend and other nontraditional hours; or

''(IV) the State's determination that such differentiated payment rates are needed to enable a parent to choose child care that is of high quality.''; and

(5) in paragraph (5), by inserting ''(that is not a barrier to families receiving assistance under this subchapter)'' after ''cost sharing''.

(c) TECHNICAL AMENDMENT.—Section 658F(b)(2) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858d(b)(2)) is amended by striking ''section 658E(c)(2)(F)'' and inserting ''section 658E(c)(2)(I)''.

SEC. 6. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD CARE.

Section 658G of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858e) is amended to read as follows:

''SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD CARE.

''(a) RESERVATION.—

''(1) RESERVATION FOR ACTIVITIES RELATING TO THE QUALITY OF CHILD CARE SERVICES.—A State that receives funds to carry out this subchapter for a fiscal year referred to in paragraph (2) shall reserve and use a portion of such funds, in accordance with paragraph (2), for activities provided directly, or through grants or contracts with local child care resource and referral organizations or other appropriate entities, that are designed to improve the quality of child care services and increase parental options for, and access to, high-quality child care, provided in accordance with this subchapter.

''(2) AMOUNT OF RESERVATIONS.—Such State shall reserve and use—

''(A) to carry out the activities described in paragraph (1), not less than—

''(i) 6 percent of the funds described in paragraph (1), for the first and second full fiscal years after the date of enactment of the Child Care and Development Block Grant Act of 2014;

''(ii) 8 percent of such funds, for the third and fourth full fiscal years after the date of enactment; and

''(iii) 10 percent of such funds, for the fifth full fiscal year after the date of enactment and each succeeding fiscal year; and

''(B) in addition to the funds reserved under subparagraph (A), 3 percent of the funds described in paragraph (1), for the first full fiscal year after the date of enactment and each succeeding fiscal year, to carry out the activities described in paragraph (1) and subsection (b)(4), as such activities relate to the quality of care for infants and toddlers.

''(b) ACTIVITIES.—Funds reserved under subsection (a) shall be used to carry out not fewer than 2 of the following activities:

''(1) Supporting the training, professional development, and professional advancement of the child care workforce through activities such as—

''(A) offering child care providers training and professional development that is intentional and sequential and leads to a higher level of skill or certification;

''(B) establishing or supporting programs designed to increase the retention and improve the competencies of child care providers, including wage incentive programs and initiatives that establish tiered payment rates for providers that meet or exceed child care services guidelines, as defined by the State;

''(C) offering training, professional development, and educational opportunities for child care providers that relate to the use of developmentally appropriate and age-appropriate curricula, and early childhood teaching strategies, that are scientifically based and aligned with the social, emotional, physical, and cognitive development of children, including offering specialized training for child care providers who care for infants and toddlers, children who are English learners, and children with disabilities (as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401));

''(D) providing training concerning the State early learning and developmental guidelines, where applicable, including training concerning early mathematics and early language and literacy development and effective instructional practices to support mathematics and language and literacy development in young children;

''(E) incorporating effective use of data to guide instruction and program improvement;

''(F) including effective behavior management strategies and training, including positive behavioral interventions and supports, that promote positive social and emotional development and reduce challenge behaviors;

''(G) at the option of the State, incorporating feedback from experts at the State's institutions of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), and other early childhood development experts and early childhood education and care experts;

''(H) providing training corresponding to the nutritional and physical activity needs of children to promote healthy development;

''(I) providing training or professional development for child care providers to serve and support children with disabilities;

''(J) providing training and outreach on engaging parents and families in culturally and linguistically appropriate ways to expand their knowledge, skills, and capacity to become meaningful partners in supporting their children's learning and development; and

''(K) providing training or professional development for child care providers regarding the early neurological development of children.

''(2) Supporting the use of the early learning and developmental guidelines described in section 658E(c)(2)(T) by—

''(A) developing and implementing the State's early learning and developmental guidelines; and

''(B) providing technical assistance to enhance early learning for preschool and school-aged children in order to promote language and literacy skills, foster school readiness, and support later school success.

''(3) Developing and implementing a tiered quality rating system for child care providers, which shall—

''(A) support and assess the quality of child care providers in the State;

''(B) build on licensing standards and other State regulatory standards for such providers;

''(C) be designed to improve the quality of different types of child care providers;

''(D) describe the quality of early learning facilities;

''(E) build the capacity of State early childhood education and care programs and communities to promote parents' and families' understanding of the State's early childhood education and care system and the ratings of the programs in which the child is enrolled; and

''(F) provide, to the maximum extent practicable, financial incentives and other supports designed to help child care providers achieve and sustain higher levels of quality.

''(4) Improving the supply and quality of child care programs and services for infants and toddlers through activities, which may include—

''(A) establishing or expanding neighborhood-based high-quality comprehensive family and child development centers, which may serve as resources to child care providers in order to improve the quality of early childhood education and care and early childhood development services provided to infants and toddlers from low-income families and to help eligible child care providers improve their capacity to offer high-quality care to infants and toddlers from low-income families;

''(B) establishing or expanding the operation of community or neighborhood-based family child care networks;

''(C) supporting statewide networks of infant and toddler child care specialists, including specialists who have knowledge regarding infant and toddler development and curriculum and program implementation as well as the ability to coordinate services with early intervention specialists who provide services for infants and toddlers with disabilities under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

''(D) carrying out initiatives to improve the quality of the infant and toddler child care workforce, such as providing relevant training, professional development, or mentoring opportunities and linking such opportunities to career pathways, developing career pathways for providers in such workforce, and improving the State credentialing of eligible providers caring for infants and toddlers;

''(E) if applicable, developing infant and toddler components within the State's quality rating system described in paragraph (3) for child care providers for infants and toddlers, or the development of infant and toddler components in a State's child care licensing regulations or early learning and developmental guidelines;

''(F) improving the ability of parents to access information about high-quality infant and toddler care; and

''(G) carrying out other activities determined by the State to improve the quality of infant and toddler care provided in the State, and for which there is evidence that the activities will lead to improved infant and toddler health and safety, infant and toddler development, or infant and toddler well-being, including providing training (including training in safe sleep practices, first aid, and cardiopulmonary resuscitation).

''(5) Promoting broad child care provider participation in the quality rating system described in paragraph (3).

''(6) Establishing or expanding a statewide system of child care resource and referral services.

''(7) Facilitating compliance with State requirements for inspection, monitoring, training, and health and safety, and with State licensing standards.

''(8) Evaluating and assessing the quality and effectiveness of child care programs and services offered in the State, including evaluating how such programs and services may improve the overall school readiness of young children.

''(9) Supporting child care providers in the pursuit of accreditation by an established national accrediting body with demonstrated, valid, and reliable program standards of high quality.

''(10) Supporting State or local efforts to develop or adopt high-quality program standards relating to health, mental health, nutrition, physical activity, and physical development and providing resources to enable eligible child care providers to meet, exceed, or sustain success in meeting or exceeding, such standards.

''(11) Carrying out other activities determined by the State to improve the quality of child care services provided in the State, and for which measurement of outcomes relating to improved provider preparedness, child safety, child well-being, or school readiness is possible.

''(c) CERTIFICATION.—Beginning with fiscal year 2015, at the beginning of each fiscal year, the State shall annually submit to the Secretary a certification containing an assurance that the State was in compliance with subsection (a) during the preceding fiscal year and a description of how the State used funds received under this subchapter to comply with subsection (a) during that preceding fiscal year.

''(d) REPORTING REQUIREMENTS.—Each State receiving funds under this subchapter shall prepare and submit an annual report to the Secretary, which shall include information about—

''(1) the amount of funds that are reserved under subsection (a);

''(2) the activities carried out under this section; and

''(3) the measures that the State will use to evaluate the State's progress in improving the quality of child care programs and services in the State.

''(e) TECHNICAL ASSISTANCE.—The Secretary shall offer technical assistance, in accordance with section 658I(a)(3), which may include technical assistance through the use of grants or cooperative agreements, to States for the activities described in subsection (b).

''(f) CONSTRUCTION.—Nothing in this section shall be construed as providing the Secretary the authority to regulate, direct, or dictate State child care quality activities or progress in implementing those activities.''.

SEC. 7. CRIMINAL BACKGROUND CHECKS.

The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting after section 658G the following:

''SEC. 658H. CRIMINAL BACKGROUND CHECKS.

''(a) IN GENERAL.—A State that receives funds to carry out this subchapter shall have in effect—

''(1) requirements, policies, and procedures to require and conduct criminal background checks for child care staff members (including prospective child care staff members) of child care providers described in subsection (c)(1); and

''(2) licensing, regulation, and registration requirements, as applicable, that prohibit the employment of child care staff members as described in subsection (c).

''(b) REQUIREMENTS.—A criminal background check for a child care staff member under subsection (a) shall include—

''(1) a search of each State criminal and sex offender registry or repository in the State where the child care staff member resides and each State where such staff member resided during the preceding 10 years;

''(2) a search of State-based child abuse and neglect registries and databases in the State where the child care staff member resides and each State where such staff member resided during the preceding 10 years;

''(3) a search of the National Crime Information Center;

''(4) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

''(5) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).

''(c) PROHIBITIONS.—

''(1) CHILD CARE STAFF MEMBERS.—A child care staff member shall be ineligible for employment by a child care provider that is licensed, regulated, or registered by the State or for which assistance is provided in accordance with this subchapter, if such individual—

''(A) refuses to consent to the criminal background check described in subsection (b);

''(B) knowingly makes a materially false statement in connection with such criminal background check;

''(C) is registered, or is required to be registered, on a State sex offender registry or repository or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

''(D) has been convicted of a felony consisting of—

''(i) murder, as described in section 1111 of title 18, United States Code;

''(ii) child abuse or neglect;

''(iii) a crime against children, including child pornography;

''(iv) spousal abuse;

''(v) a crime involving rape or sexual assault;

''(vi) kidnaping;

''(vii) arson;

''(viii) physical assault or battery; or

''(ix) subject to subsection (e)(4), a drug-related offense committed during the preceding 5 years.

''(2) CHILD CARE PROVIDERS.—A child care provider described in paragraph (1) shall be ineligible for assistance provided in accordance with this subchapter if the provider employs a staff member who is ineligible for employment under paragraph (1).

''(d) SUBMISSION OF REQUESTS FOR BACKGROUND CHECKS.—

''(1) IN GENERAL.—A child care provider covered by subsection (c) shall submit a request, to the appropriate State agency designated by a State, for a criminal background check described in subsection (b), for each child care staff member (including prospective child care staff members) of the provider.

''(2) STAFF MEMBERS.—Subject to paragraph (4), in the case of an individual who became a child care staff member before the date of enactment of the Child Care and Development Block Grant Act of 2014, the provider shall submit such a request—

''(A) prior to the last day described in subsection (i)(1); and

''(B) not less often than once during each 5-year period following the first submission date under this paragraph for that staff member.

''(3) PROSPECTIVE STAFF MEMBERS.—Subject to paragraph (4), in the case of an individual who is a prospective child care staff member on or after that date of enactment, the provider shall submit such a request—

''(A) prior to the date the individual becomes a child care staff member of the provider; and

''(B) not less often than once during each 5-year period following the first submission date under this paragraph for that staff member.

''(4) BACKGROUND CHECK FOR ANOTHER CHILD CARE PROVIDER.—A child care provider shall not be required to submit a request under paragraph (2) or (3) for a child care staff member if—

''(A) the staff member received a background check described in subsection (b)—

''(i) within 5 years before the latest date on which such a submission may be made; and

''(ii) while employed by or seeking employment by another child care provider within the State;

''(B) the State provided to the first provider a qualifying background check result, consistent with this subchapter, for the staff member; and

''(C) the staff member is employed by a child care provider within the State, or has been separated from employment from a child care provider within the State for a period of not more than 180 consecutive days.

''(e) BACKGROUND CHECK RESULTS AND APPEALS.—

''(1) BACKGROUND CHECK RESULTS.—The State shall carry out the request of a child care provider for a criminal background check as expeditiously as possible, but in not to exceed 45 days after the date on which such request was submitted, and shall provide the results of the criminal background check to such provider and to the current or prospective staff member.

''(2) PRIVACY.—

''(A) IN GENERAL.—The State shall provide the results of the criminal background check to the provider in a statement that indicates whether a child care staff member (including a prospective child care staff member) is eligible or ineligible for employment described in subsection (c), without revealing any disqualifying crime or other related information regarding the individual.

''(B) INELIGIBLE STAFF MEMBER.—If the child care staff member is ineligible for such employment due to the background check, the State will, when providing the results of the background check, include information related to each disqualifying crime, in a report to the staff member or prospective staff member.

''(C) PUBLIC RELEASE OF RESULTS.—No State shall publicly release or share the results of individual background checks, however, such results of background checks may be included in the development or dissemination of local or statewide data related to background checks, if such results are not individually identifiable.

''(3) APPEALS.—

''(A) IN GENERAL.—The State shall provide for a process by which a child care staff member (including a prospective child care staff member) may appeal the results of a criminal background check conducted under this section to challenge the accuracy or completeness of the information contained in such member's criminal background report.

''(B) APPEALS PROCESS.—The State shall ensure that—

''(i) each child care staff member shall be given notice of the opportunity to appeal;

''(ii) a child care staff member will receive instructions about how to complete the appeals process if the child care staff member wishes to challenge the accuracy or completeness of the information contained in such member's criminal background report; and

''(iii) the appeals process is completed in a timely manner for each child care staff member.

''(4) REVIEW.—The State may allow for a review process through which the State may determine that a child care staff member (including a prospective child care staff member) disqualified for a crime specified in subsection (c)(1)(D)(ix) is eligible for employment described in subsection (c)(1), notwithstanding subsection (c). The review process shall be consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

''(5) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to create a private right of action if the provider is in compliance with State regulations and requirements.

''(f) FEES FOR BACKGROUND CHECKS.—Fees that a State may charge for the costs of processing applications and administering a criminal background check as required by this section shall not exceed the actual costs to the State for the processing and administration.

''(g) CONSTRUCTION.—

''(1) DISQUALIFICATION FOR OTHER CRIMES.—Nothing in this section shall be construed to prevent a State from disqualifying individuals as child care staff members based on their conviction for crimes not specifically listed in this section that bear upon the fitness of an individual to provide care for and have responsibility for the safety and well-being of children.

''(2) RIGHTS AND REMEDIES.—Nothing in this section shall be construed to alter or otherwise affect the rights and remedies provided for child care staff members residing in a State that disqualifies individuals as child care staff members for crimes not specifically provided for under this section.

''(h) DEFINITIONS.—In this section—

''(1) the term 'child care provider' means a center-based child care provider, a family child care provider, or another provider of child care services for compensation and on a regular basis that—

''(A) is not an individual who is related to all children for whom child care services are provided; and

''(B) is licensed, regulated, or registered under State law or receives assistance provided in accordance with this subchapter; and

''(2) the term 'child care staff member' means an individual (other than an individual who is related to all children for whom child care services are provided)—

''(A) who is employed by a child care provider for compensation;

''(B) whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider; or

''(C) who is a family child care provider.

''(i) EFFECTIVE DATE.—

''(1) IN GENERAL.—A State that receives funds under this subchapter shall meet the requirements of this section for the provision of criminal background checks for child care staff members described in subsection (d)(1) not later than the last day of the second full fiscal year after the date of enactment of the Child Care and Development Block Grant Act of 2014.

''(2) EXTENSION.—The Secretary may grant a State an extension of time, of not more than 1 fiscal year, to meet the requirements of this section if the State demonstrates a good faith effort to comply with the requirements of this section.

''(3) PENALTY FOR NONCOMPLIANCE.—Except as provided in paragraphs (1) and (2), for any fiscal year that a State fails to comply substantially with the requirements of this section, the Secretary shall withhold 5 percent of the funds that would otherwise be allocated to that State in accordance with this subchapter for the following fiscal year.''.

SEC. 8. REPORTS AND INFORMATION.

(a) ADMINISTRATION.—Section 658I of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858g) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by inserting a comma after ''publish''; and

(ii) by striking ''and'' at the end;

(B) by striking paragraph (3) and inserting the following:

''(3) provide technical assistance to States (which may include providing assistance on a reimbursable basis), consistent with (as appropriate) scientifically valid research, to carry out this subchapter; and''; and

(C) by adding at the end the following:

''(4) disseminate, for voluntary informational purposes, information on practices that scientifically valid research indicates are most successful in improving the quality of programs that receive assistance under this subchapter.''; and

(2) by adding at the end the following:

''(c) PROHIBITION.—Nothing in this subchapter shall be construed as providing the Secretary the authority to permit States to alter the eligibility requirements for eligible children, including work requirements that apply to the parents of eligible children.''.

(b) REQUESTS FOR RELIEF.—Section 658I of the Child Care and Development Block Grant Act of 1990, as amended by subsection (a), is further amended by adding at the end the following:

''(d) REQUEST FOR RELIEF.—

''(1) IN GENERAL.—The State may submit to the Secretary a request for relief from any provision of Federal law (including a regulation, policy, or procedure) affecting the delivery of child care services with Federal funds, other than this subchapter, that conflicts with a requirement of this subchapter.

''(2) CONTENTS.—Such request shall—

''(A) detail the provision of Federal law that conflicts with that requirement;

''(B) describe how modifying compliance with that provision of Federal law to meet the requirements of this subchapter will, by itself, improve delivery of child care services for children in the State; and

''(C) certify that the health, safety, and well-being of children served through assistance received under this subchapter will not be compromised as a result.

''(3) CONSULTATION.—The Secretary shall consult with the State submitting the request and the head of each Federal agency (other than the Secretary) with responsibility for administering the Federal law detailed in the State's request. The consulting parties shall jointly identify—

''(A) any provision of Federal law (including a regulation, policy, or procedure) for which a waiver is necessary to enable the State to provide services in accordance with the request; and

''(B) any corresponding waiver.

''(4) WAIVERS.—Notwithstanding any other provision of law, and after the joint identification described in paragraph (3), the head of the Federal agency involved shall have the authority to waive any statutory provision administered by that agency, or any regulation, policy, or procedure issued by that agency, that has been so identified, unless the head of the Federal agency determines that such a waiver is inconsistent with the objectives of this subchapter or the Federal law from which relief is sought.

''(5) APPROVAL.—Within 90 days after the receipt of a State's request under this subsection, the Secretary shall inform the State of the Secretary's approval or disapproval of the request. If the plan is disapproved, the Secretary shall inform the State, in writing, of the reasons for the disapproval and give the State the opportunity to amend the request.

''(6) DURATION.—The Secretary may approve a request under this subsection for a period of not more than 3 years, and may renew the approval for additional periods of not more than 3 years.

''(7) TERMINATION.—The Secretary shall terminate approval of a request for relief authorized under this subsection if the Secretary determines, after notice and opportunity for a hearing, that the performance of a State granted relief under this subsection has been inadequate, or if such relief is no longer necessary to achieve its original purposes.''.

(c) REPORTS.—Section 658K(a) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i(a)) is amended—

(1) in paragraph (1)(B)—

(A) in clause (ix), by striking ''and'' at the end;

(B) in clause (x), by inserting ''and'' at the end; and

(C) by inserting after clause (x), the following:

''(xi) whether the children receiving assistance under this subchapter are homeless children;''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''1997'' and inserting ''2014''; and

(B) in subparagraph (A), by striking ''section 658P(5)'' and inserting ''section 658P(6)''.

(d) REPORT BY SECRETARY.—Section 658L of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858j) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 658L. REPORTS, HOTLINE, AND WEB SITE.'';

(2) by striking ''Not later'' and inserting the following:

''(a) REPORT BY SECRETARY.—Not later'';

(3) by striking ''1998'' and inserting ''2016''; and

(4) by striking ''to the Committee'' and all that follows through ''of the Senate'' and inserting ''to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''; and

(5) by adding at the end the following:

''(b) NATIONAL TOLL-FREE HOTLINE AND WEB SITE.—

''(1) IN GENERAL.—The Secretary shall operate a national toll-free hotline and Web site, to—

''(A) develop and disseminate publicly available child care consumer education information for parents and help parents access safe, affordable, and quality child care in their community; and

''(B) to allow persons to report (anonymously if desired) suspected child abuse or neglect, or violations of health and safety requirements, by an eligible child care provider that receives assistance under this subchapter.

''(2) REQUIREMENTS.—The Secretary shall ensure that the hotline and Web site meet the following requirements:

''(A) REFERRAL TO LOCAL CHILD CARE PROVIDERS.—The Web site shall be hosted by 'childcare.gov'. The Web site shall enable a child care consumer to enter a zip code and obtain a referral to local child care providers described in subparagraph (B) within a specified search radius.

''(B) INFORMATION.—The Web site shall provide to consumers, directly or through linkages to State databases, at a minimum—

''(i) a localized list of all State licensed child care providers;

''(ii) any provider-specific information from a Quality Rating and Improvement System or information about other quality indicators, to the extent the information is publicly available and to the extent practicable;

''(iii) any other provider-specific information about compliance with licensing, and health and safety, requirements to the extent the information is publicly available and to the extent practicable;

''(iv) referrals to local resource and referral organizations from which consumers can find more information about child care providers, and a recommendation that consumers consult with the organizations when selecting a child care provider; and

''(v) State information about child care subsidy programs and other financial supports available to families.

''(C) NATIONWIDE CAPACITY.—The Web site and hotline shall have the capacity to help families in every State and community in the Nation.

''(D) INFORMATION AT ALL HOURS.—The Web site shall provide, to parents and families, access to information about child care 24 hours a day.

''(E) SERVICES IN DIFFERENT LANGUAGES.—The Web site and hotline shall ensure the widest possible access to services for families who speak languages other than English.

''(F) HIGH-QUALITY CONSUMER EDUCATION AND REFERRAL.—The Web site and hotline shall ensure that families have access to child care consumer education and referral services that are consistent and of high quality.

''(3) PROHIBITION.—Nothing in this subsection shall be construed to allow the Secretary to compel States to provide additional data and information that is currently (as of the date of enactment of the Child Care and Development Block Grant Act of 2014) not publicly available, or is not required by this subchapter.''.

SEC. 9. RESERVATION FOR TOLL-FREE HOTLINE AND WEB SITE; PAYMENTS TO BENEFIT INDIAN CHILDREN.

Section 658O of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) NATIONAL TOLL-FREE HOTLINE AND WEB SITE.—The Secretary shall reserve not less than $1,000,000 of the amount appropriated under this subchapter for each fiscal year for the operation of a national toll-free hotline and Web site, under section 658L(b).''; and

(2) in subsection (c)(2), by adding at the end the following:

''(D) LICENSING AND STANDARDS.—In lieu of any licensing and regulatory requirements applicable under State or local law, the Secretary, in consultation with Indian tribes and tribal organizations, shall develop minimum child care standards that shall be applicable to Indian tribes and tribal organizations receiving assistance under this subchapter. Such standards shall appropriately reflect Indian tribe and tribal organization needs and available resources, and shall include standards requiring a publicly available application, health and safety standards, and standards requiring a reservation of funds for activities to improve the quality of child care provided to Indian children.''.

SEC. 10. DEFINITIONS.

Section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n) is amended—

(1) by striking paragraph (4) and inserting the following:

''(3) CHILD WITH A DISABILITY.—The term 'child with a disability' means—

''(A) a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401);

''(B) a child who is eligible for early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

''(C) a child who is less than 13 years of age and who is eligible for services under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

''(D) a child with a disability, as defined by the State involved.

''(4) ELIGIBLE CHILD.—The term 'eligible child' means an individual—

''(A) who is less than 13 years of age;

''(B) whose family income does not exceed 85 percent of the State median income for a family of the same size; and

''(C) who—

''(i) resides with a parent or parents who are working or attending a job training or educational program; or

''(ii) is receiving, or needs to receive, protective services and resides with a parent or parents not described in clause (i).'';

(2) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(3) by inserting after paragraph (4), the following:

''(5) ENGLISH LEARNER.—The term 'English learner' means an individual who is limited English proficient, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 637 of the Head Start Act (42 U.S.C. 9832).'';

(4) in paragraph (6)(A), as redesignated by paragraph (2)—

(A) in clause (i), by striking ''section 658E(c)(2)(E)'' and inserting ''section 658E(c)(2)(F)''; and

(B) in clause (ii), by striking ''section 658E(c)(2)(F)'' and inserting ''section 658E(c)(2)(I)'';

(5) in paragraph (9), as redesignated by paragraph (2), by striking ''designated'' and all that follows and inserting ''designated or established under section 658D(a).'';

(6) in paragraph (10), as redesignated by paragraph (2), by inserting '', foster parent,'' after ''guardian'';

(7) by redesignating paragraphs (11) through (14) as paragraphs (12) through (15), respectively; and

(8) by inserting after paragraph (10), as redesignated by paragraph (2), the following:

''(11) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research, for which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.''.

SEC. 11. STUDIES ON WAITING LISTS.

(a) STUDY.—The Comptroller General of the United States shall conduct studies to determine, for each State, the number of families that—

(1) are eligible to receive assistance under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

(2) have applied for the assistance; and

(3) have been placed on a waiting list for the assistance.

(b) REPORT.—The Comptroller General shall prepare a report containing the results of each study and shall submit the report to the appropriate committees of Congress—

(1) not later than 2 years after the date of enactment of this Act; and

(2) every 2 years thereafter.

(c) DEFINITION.—In this section, the term ''State'' has the meaning given the term in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n).

SEC. 12. CONFORMING AMENDMENT.

Section 319C–1(b)(2)(A)(vii) of the Public Health Service Act (42 U.S.C. 247d–3a(b)(2)(A)(vii)) is amended by inserting ''or established'' after ''designated''.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 2811

Mr. HARKIN. Madam President, I am pleased the Senate is now considering the Child Care and Development Block Grant Act of 2014. I have a first-degree amendment to the committee-reported substitute amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 2811.

Mr. HARKIN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To include rural and remote areas as underserved areas identified in the State plan)

On page 88, line 8, insert '', such as rural and remote areas'' after ''underserved areas''.

Mr. HARKIN. Madam President, we are now on the Child Care and Development Block Grant Act of 2014. I know Senator ALEXANDER and I, and others, are anxious to consider amendments. I encourage people who have amendments to bring them to the floor so Senator BURR, Senator ALEXANDER, Senator MIKULSKI or I could look at them and get things lined up.

It is my intent—and I hope I can speak for Senator ALEXANDER on this too—to have an open yet managed process with respect to this bill and for Senators who have relevant amendments to have the opportunity to have them offered and to be voted on. I expect we would have a couple of votes within the next few hours. I don't even know when but sometime soon. So again, I strongly encourage Senators with amendments to bring them over and file them so we can get them discussed expeditiously.

This bill was voted unanimously out of the HELP Committee last September. I hope it will receive strong bipartisan support here on the Senate floor. I give tremendous credit and thanks to Senators MIKULSKI and

BURR, the sponsors of this legislation, for their leadership in this process over a couple of years working together, creating a bill which takes huge steps in improving the lives of children and their families.

At the outset I also thank our ranking member Senator ALEXANDER for his partnership and for working with us to reauthorize this vital program. Our offices have worked collaboratively over the last couple of years to produce a strong bipartisan bill.

I would start first by saying this program has a big impact in my State of Iowa. Right now Iowa serves about 15,800 children every month with CCDBG funds: 28 percent infants and toddlers; 26 percent ages 3 to 4; and about half or 46 percent, ages 5 to 13.

Most people think of this simply as a childcare-type bill for infants and toddlers, but this is not true. This goes to age 13, but over half goes to those under the age of 5.

The last time this was reauthorized in 1996, 18 years ago, this program was basically looked at as mainly a work support program, taking care of kids while parents went to work. It was only incidentally thought of as something which could have a real impact on the lives of kids. Well, 18 years later and backed by scientific research, we know the program can and should be much more. In addition to providing vital work support for parents, it could be a rich early learning opportunity for children.

In 2000 the National Research Council published a groundbreaking report called ''Neurons to Neighborhoods.'' The report's author said:

> From the time of conception to the first day of kindergarten, development proceeds at a pace exceeding that of any subsequent stage of life. . . . that what happens during the first months and years of life matters a lot, not because this period of development provides an indelible blueprint for adult well-being, but because it sets either a sturdy or fragile stage for what follows.

What this bill does is set that sturdy stage.

This report that I talk about from the National Research Council reinforces what we already know—that learning starts at birth and that preparation for learning begins even before birth. Eighty percent of a child's brain develops between birth and age 3. Because much of a child's intellect and skills develop before he or she begins kindergarten, we need to give all children every opportunity to reach their full potential at their earliest stages in life. This means supporting access to high-quality early-learning programs, including high-quality childcare.

The bill before us represents a strong and positive advance for low-income families who benefit from the childcare subsidies. The bill makes many needed improvements that will help establish high expectations for federally subsidized childcare in this country. The bill accomplishes a lot of good. I will highlight two or three items here.

First of all, education and training for childcare workers. Under this bill the States that apply and get these block grants will need to develop minimum education and training requirements for childcare workers that describe what they must know and be able to do to promote the health and development of the children they serve. Just as we know that a great teacher is one of the most important factors in a classroom, we also know that one of the most critical components of early development in children is whether they have supportive nurturing interactions with caring adults.

Another important thing we do in the bill is to promote safety and health standards. This bill ensures that licensed childcare providers receive a prelicensure inspection and one annual inspection thereafter. Alarmingly, some States inspect childcare centers only once in 5 years. Some States don't even do a prelicensure inspection until a provider is serving more than a dozen children.

The bill also stipulates and focuses on vulnerable populations, including children with disabilities, infants and toddlers, and children whose parents work nontraditional hours. I want to highlight that the sponsors of this bill, Senator BURR and Senator MIKULSKI, took great care to ensure that childcare programs supported through this block grant would be well-suited for children with special needs and their families. The legislation asks States to consider the unique needs of children with disabilities when developing training requirements for childcare workers. A childcare worker may be trained to take care of nondisabled children. But taking care of a child with a disability requires a little bit more expertise and a little extra training, and that is what this bill does provide. It also lets parents know the types of services available through the Individuals with Disabilities Education Act.

The bill also provides families with stability and continuity of care for families. Once they receive care, they are going to get it for at least 1 year if they are initially deemed eligible. Currently, some States require parents to reapply for care after only a few months. In some cases States will kick parents off of care if they receive a small pay raise that makes them ineligible under the State's eligibility guidelines. This bill remedies this by ensuring that as long as a parent is working or is in a training program and whose income does not exceed 85 percent of the State's median income, they will get care for at least 1 year without having to work. Again, this helps children because we know that a lot of times these kinds of disruptions can really set a child back, and this allows at least for continuity for 1 year.

The bill also supports the development of a Web site. I know Senator BURR was very interested in that and helped promote and put that in the bill. The Web site is going to be available for all parents to show them the range of childcare providers in their area so they can shop around and see what is out there.

Right now the law says States can set the eligibility requirement as long as it does not exceed 85 percent of the State's median income. If you look at all of the children ages 0 to age 13—because the bill covers up to age 13—if you look at preschool age kids 0 to 5, we do a little bit better. States are serving a little more than a quarter of the children who would be eligible under the Federal guidelines. I think this shows the present landscape right now. Out of 100 percent of the kids that are eligible, we have 73 percent eligible preschool-aged children not being served. There are about 27 percent of preschool-aged children being served. So we do have a long way to go. As chairman of the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, our committee has fought for years to increase funding so we can serve more children. The fiscal year 2014 omnibus included more than a $154 million increase for the childcare program. I know that sounds like a lot, but all that it did was replace the $118 million cut that happened because of sequestration. We replaced the $118 million plus whatever that figures out to—about another $36 more million. So it helps. The increased funding will help States improve access to quality and affordable childcare by increasing the number of kids who can receive it.

But actually we have a long way to go. The last chart shows what is happening. If you look at the blue line at the bottom, that is the actual funding in this program. If you go back to 2005 and see what was in place, we are about $600 million short of where we would be if we kept up with inflation. You see, this is 2005. Those who have been around since then, we know what it was like before that. We have lost a lot of ground. So we need to make that up, and I hope we can do that in our appropriations bills that are coming up.

This bill changes the landscape and makes it a lot better for families out there. The bill authorizes the funding, but the appropriations have to fund it. I hope that we can in fiscal year 2015 continue to be able to keep up the funding increases for the childcare development block grants.

It is a good bill. I am very proud of this bill, proud of the efforts that Senator BURR and Senator MIKULSKI put into it over a long period of time. So I urge my colleagues to join in the bipartisan spirit of cooperation that we have witnessed in the health committee over the last year.

If Senators have amendments that are germane to the bill, I encourage them to bring them over so we can take a look at them and determine a fair path forward with respect to those amendments.

Again, I thank Senator ALEXANDER for a great working relationship on this committee and thank him for

working so hard to help bring this bill forward to the bill today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I want to say to the Senator from Iowa how much I appreciate working with him.

We were talking yesterday, and he told me—I think I have these facts about right—that our committee in this Congress has reported 17 bills that have passed the Senate and 10 that have become law, which I suspect exceeds that of any other committee. As our hearing this morning on the minimum wage showed, it is not because we always agree with each other all the time. We probably have the most ideologically split committee in the Congress by party, but we get a lot done. That is due in great measure to the way the Senator from Iowa leads the committee, and I appreciate that very much.

I will have more to say about Senator BURR and Senator MIKULSKI in a few moments because they have done the yeoman's work on this. They are the leaders of this effort. They immersed themselves in it for the last two years. They brought it to a position which convinced everybody on the committee it was time to move ahead, but that is not where we were when we started. We had lots of differences of opinions, and we came to a conclusion that they will be explaining in detail.

So the way we will proceed today is this. After my remarks, Senator MIKULSKI and Senator BURR will step up and begin to manage the bill. Senator HARKIN and I will be here. We are continuing right through the afternoon.

We hope that Senators will bring their amendments to the floor. What we are hoping to do is to have a debate about the child care and development block grant. We are hoping to have amendments, and we will have votes on those amendments. It is not our desire to pick this Democratic amendment or this Republican amendment. If you have an amendment on the child care and development block grant that is related to the bill, please bring it over and talk to Senator BURR, Senator MIKULSKI, Senator HARKIN, or me, and we will start lining them up. There will be time for debate. There will be a vote and it will be considered.

Our hope is to have votes this afternoon, votes tomorrow morning, and to let Senators know that there won't be votes tonight so they can plan their schedules. Senator BURR will talk more about that and the time for attempting to conclude the bill tomorrow. That is our goal. That is the way the Senate traditionally has worked. It is the way we hope it works today.

Since Senator MIKULSKI from Maryland and the Senator from North Carolina have done the principal amount of work on the bill, I see no need for me to go through the details of the bill. I think they are better equipped and prepared to do that. Let me try to put the whole effort in perspective before I step aside and Senator MIKULSKI and Senator BURR step up.

During World War II there were a great many mothers, women, who took jobs outside the home. That was different. In our agricultural society families worked together. As the industrial society in America developed during the 20th century, men largely went away from home to work and women mostly worked at home.

But in World War II something different happened. Many of the men were overseas fighting. There was a lot of work to be done at home, and so women took jobs in the factories that they didn't have before. That produced a new phenomenon in the American society which was called worksite daycare. Someone had to take care of the children. In many cases companies employing large numbers of women during World War II provided sites at the workplace so that mothers could bring their children while they worked.

Then after the war was over, things went back to the way they were before, and most American women worked at home. That began to change probably in the 1970s. It is probably fair to say that the greatest social change in our country over the last 40 years has been the gradual and steady phenomenon of more women in the workplace outside the home and the adjustments our society has made to that.

I was lucky. I had an early head start in the little town of Maryville, Tennessee, where I grew up at the edge of the Smoky Mountains. My mother had one of the town's two preschool education programs. She had it in a converted garage in her backyard. She had been trained in Kansas and in a settlement house in Chicago. It is hard for me today to imagine how she could do this, but she had 25 3-year-olds and 4-year-olds in the morning and 25 5-year-olds in the afternoon. That was Mrs. Alexander's preschool, which we called the institution of lower learning.

She had nowhere else to put me, so I became the first Senator to have 5 years of kindergarten, which I probably needed, but which gave me a head start. It gave me the understanding of what Senator HARKIN said earlier—that research then, but especially now, shows the brain develops at least from the moment of conception and that all of the influences around an infant are important to that person's development over a long period of time.

Most parents who understand that want to make sure that they are with a child at a very early age stimulating that child, or if they can't be with their child for some period of time for some reason, someone else is looking after their child. Along with the changing role of women in the workforce came the idea of more childcare.

I remember in 1986 when I was Governor of Tennessee, the head of our human services division—a woman named Marguerite Sallee, now Marguerite Kondracke—came to me, and she proposed that I ask the businesses in Tennessee to create 1,000 worksite daycare places. I was kind of taken aback by that because I didn't understand the need for it, and I didn't think the businesses would do it voluntarily.

Well, we did that, and we got twice as many worksite daycare places as we requested. It was good for businesses to do and there was plenty of demand for it from the parents who had to take their children to work. The next year I was out of a job—I was through with my time as Governor—and so was Marguerite. Along with Captain Kangaroo—Bob Keeshan—my wife, and Brad Martin, we founded a company called Corporate Child Care, which provided worksite daycare places. After about 10 years, it merged with its major competitor Bright Horizons, and they became what is today the largest provider of worksite daycare in the world.

Companies have realized the importance of worksite daycare, but not all mothers and fathers can send their children to Bright Horizons while they work, and so there came to be a recognition that there needed to be some response by the Federal Government.

The next year, about 1988, the first Federal childcare programs came into existence. In 1996, the law we are considering today was basically a part of the reform of the Welfare Act. It is a remarkable law because it involves lots of State flexibility. In other words, it acknowledges that what is good for Maryland may not be good for North Carolina. It models our higher education system by letting the money follow the child to the institution that the parent thinks is best for their child. These are vouchers. It has gradually grown to an area where we spend $5 billion or $6 billion of taxpayers' money each year to provide about 1½ million children with an opportunity for childcare.

I will mention one success story so we have an example of exactly what we are talking about. I am thinking of a young mother in Memphis, TN, who was attending LeMoyne-Owen College and earning a business degree. She had an infant child, and so she put that child in a childcare center she chose. The voucher, through this program we are talking about today, provided $500 to $600 a month to help pay for the bill. Infant childcare is especially expensive. If you think about it, this is understandable.

The success part of the story is that she earned her degree. She is now an assistant manager at Walmart in Memphis. She has a second child who attends the same childcare center now, but she earns enough to pay the full cost.

This program encourages work, it encourages job training, and for those Americans who are low income and working or low income and training or educating themselves for a job, this helps them get that job. This is an important bill for many families.

In Tennessee, we have about 20,000 families affected each month and nearly 40,000 children. It is a big help to them. It makes a difference in their lives.

I thank Senator MIKULSKI and Senator BURR for their work on this legislation. I know of no two Senators in this body who approach issues in a more serious, effective, and determined way. They also understand that in a body of 100 Members, where we each have a right to object, that no bill is going to be exactly what any of us want.

For example, I am leery of the extent of the background checks required by this bill, which is one of its major accomplishments. As a former Governor, I am very skeptical of Washington setting rules for States, but I accept the compromise they have agreed to with the background checks. We talked that matter through, and I think it is a sound proposal. I congratulate them for the way they have done this over the last 2 years and the way we have approached it.

I will conclude with where I started. We are asking Senators to join us in a debate about the child care and development block grant. We hope Senators will come to the floor with their ideas on it. We know there are a number of Senators who have amendments on both sides of the aisle. What we are saying to those Senators is if you have an amendment that is related to our bill, you will have a chance to talk about it and you will have a chance for it to be voted on and perhaps accepted by the full Senate, and hopefully this bill will go to the House and become law.

We know that has not been the story as often as it should be in the Senate, but we would like to see that happen more often. It requires a little bit of restraint on the part of each of us as Senators. We can't all exercise all of our rights all the time and get anything done. It requires some trust and restraint on the part of our leaders, Senator REID and Senator MCCONNELL. We appreciate them turning the management of the bill over to Senator MIKULSKI and Senator BURR, with Senator HARKIN and me in support of their efforts.

We appreciate the cooperation of the many Senators who have already come up with excellent amendments and notified us about them. Senator BURR and Senator MIKULSKI know about them and will talk about them.

At this stage, I wish to step down and turn this matter over to Senator MIKULSKI first, and then Senator BURR. We invite Senators to come over. We will continue through lunch and discuss, debate, talk, and begin voting on the Child Care and Development Block Grant Reauthorization.

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I am so pleased to bring to the floor this very important bipartisan legislation, the Child Care and Development Block Grant Act of 2014. I am standing here today to speak on behalf of families and children across this Nation.

I am excited to bring forward this bill for two reasons; one, the content it represents—a reauthorization framework for the childcare and development block grant, one of the most important tools families have to be able to afford child are so they may go to work. It is a childcare development bill and it is a work assistance bill.

I am also proud of the process by which we are undertaking this bill, the process by which we arrived at and brought this bill to the floor today.

This legislation has not been reauthorized since 1996. Senator RICHARD BURR of North Carolina and I serve on the HELP Committee, of which the Presiding Officer is a member. We once shared the Subcommittee on Children and Families. Senator BURR and I, who have a longstanding professional relationship, said: Let's see what we can get done on that committee. Where can we find common ground? Where can we find that sensible center? How can we move things forward on a bipartisan basis where we add value to our country but don't add to our debt?

We put our heads together, and by looking at the childcare needs in our country, we began a regular order process. We held three hearings, lots of meetings with stakeholders, over 50 organizations, as well as meetings with our staffs and each other, characterized by three factors: mutual respect, focusing on national needs, and how we could be smart in terms of our policies yet frugal in terms of the way we went about the money. We didn't expand the vouchers the way some of us would like, but we looked at how we could expand value by focusing on quality. Because of the tone we set with each other, we were able to do this.

This is how the Senate should operate. We should have mutual respect, talking with each other and not at each other, listening to the experts, listening to the grassroots, and paying attention to the bottom line. We were able to accomplish what we set out to do.

Today, as we come to the floor, this is an open amendment process. We talk a lot about regular order. There are very few Members of the Senate—particularly those who have been elected since 2006—who know what regular order is. A quick thumbnail of it means legislation is brought to the floor, we offer an open amendment process, debate, deliberate, and vote. This is how we hope to be able to proceed today.

There will be no strong-arming, no stiff-arming, no heavy hand, just regular order, regular debate, with every Senator having the opportunity to have their day and their say. This is how the Senate should operate.

What also excites me in coming to the floor is not only being the Senator from Maryland, but also, as the Presiding Officer knows, I am a professionally trained social worker. I have a master's degree in social work. I was a foster care worker for Catholic Charities, and I was a child abuse worker for the Department of Social Services. One of the reasons I came into politics was to be able to take the value of a social worker and bring it to the floor of the U.S. Congress to make sure we looked at families and their needs. This is what I think this bill does.

We are looking at childcare. Every family in America with children is concerned about childcare. They wonder if it is available. They wonder if it is affordable. They worry if it is safe, and they are also concerned about whether it will help their children to be ready to learn.

We all say that children are one of our most important resources, which also means childcare is one of our most important decisions. Families will scrimp and save to make sure they have adequate childcare. If you are a single parent and working a double shift, you wonder if childcare is safe and sound. If you are a student working toward a degree, you want to make sure that while you are in school, your children are in a good preschool or daycare program. These worries weigh heavily on the shoulders of parents everywhere, and our bill lifts that burden. This bill gives families and children the childcare they need.

This bill, as I said, is the product of a bipartisan effort. Childcare is something all families worry about, regardless of income or ZIP Code. This bill ensures that all children get the care they need and deserve. What we did was focus on those needs.

Childcare has not been evaluated since 1996. At that time the program was solely a vision as a workforce aid. What we know today is that this is also the time of the most rapid period of brain development, and that is why it is imperative we ensure our young children are in high-quality childcare programs. We need to make sure that childcare nurtures their development, prepares their minds, and prepares them for school.

The current program is out of date. It doesn't go far enough to promote health and safety and also make sure that the staff is ready to meet emergency responses and take care of the needs of those children.

When we worked on this legislation, we focused on quality. I will elaborate on that in more detail.

Way back when this bill was first signed into law, it was under George Herbert Bush. It was so women could go from welfare to work. President Clinton came in, and part of the welfare reform was to be able to do that. Now it is a new day, and we want to make sure that childcare not only helps the parents but it also focuses on the children. We want to ensure that when parents leave their children at daycare, they know their children's providers are trained, that the environment is safe, and their program will

help their children prepare for their education.

We know there are differences in North Carolina compared to Maryland. We know there are differences in Utah compared to Maine. So what we have provided is the ability to make sure there is incredible State flexibility. I will go into that in more detail.

I hope my colleagues will join Senator BURR, Senator ALEXANDER, Senator HARKIN, and myself in passing this bill. I look forward to further debate and discussion.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I thank the Chair, and I thank my good friend and colleague from Maryland, Senator MIKULSKI.

In the Senate, for those of us who have been around for a while, we understand how it works. I am not sure the media does justice to the American people in terms of how difficult it is for legislation to actually pass the Senate. As a matter of fact, the historical threshold of 67 and then 60 in agreement means that if a Senator is a serious legislator and their interest is to work on good policy—not perfect; I think Senator ALEXANDER said we have never seen a perfect bill—then the first thought that goes through a Senator's mind as they work on a legislative agenda is, who on the other side of the aisle can I look to whom this would be appealing to from the standpoint of their interests and, No. 2, an individual who understands how to get through difficult times? I am here to say to my colleagues that BARBARA MIKULSKI is a Senator who fills that category not just as it pertains to this legislation but as it pertains to so much because of her great depth of knowledge and, more importantly, her tenacity and her willingness to tell people no and to pursue what is right. Because at the end of the day—I think I can speak for both of us—this is not about headlines; this is about looking at a generation of kids who will be benefited by reforms to a reauthorization that hasn't happened since 1996.

Historically on this issue, George H.W. Bush started the program, and it was under the Clinton administration, under welfare reform, that we formalized these vouchers. The vouchers were really created so families who struggled to keep a job and were low income but had childcare needs didn't have to worry about the childcare piece. There was Federal assistance that was determined on a sliding scale.

By the way, let me say to my colleagues, if a State doesn't provide a waiver to a family, then they have skin in the game on these vouchers. So this is not free across the board.

This has benefited now 1.6 million families. In North Carolina, there are 74,000 vouchers on an annual basis that benefit our children. Those are family members who are either in education or who work, and they can commit to those jobs because they know that childcare is available and the cost is affordable because of this Federal voucher program.

I think Senator MIKULSKI would agree with me in saying we hope we never see a program that waits this long to be reauthorized. Every program here deserves to be reevaluated every 5 years—No. 1, on its effectiveness, and No. 2, do we still have the problem we had when the program was started. I daresay in her time here—and she has been here a lot longer than I have, and I don't say that with regard to her age—there are programs still on the books that don't have a constituency anymore. But the hardest thing for Congress to do is to get rid of something or to consolidate. I think Senator MIKULSKI and I have always taken the attitude that if we can make this better and have a positive effect on the folks it was intended for, then that is our job. That is our responsibility as Members of the Senate.

So I certainly look forward, after the 2 years we have spent on an issue—some might listen to the debate today and say: Geez, why didn't they go to the floor and pass it by unanimous consent?

That is an option. But we also believe we are not perfect, and by reaching out to Members and colleagues and saying: Come to the floor; if Senators can make this bill better, then come to the floor and offer amendments—if a Senator comes to the floor with an amendment and we think it makes the bill worse, then we are going to vote against it, but we promise this: We will have a vote. That is an important part of the Senate, that Members always feel they can put their fingerprints, they can put their State's interest into every piece of legislation whether or not they are on that committee or subcommittee. We have now, with this bill, returned to a process that I think reaches out and incorporates that.

Let me say to our colleagues, it is our intent when I finish speaking to start accepting amendments. At some point, with both leaders' agreement, this afternoon we will target a period when we will vote on whatever stacked amendments we have been able to process. After that, we will hopefully go back and consider more amendments. I think it is our intent to not have votes tonight but to work with the leaders in order to roll those votes to tomorrow morning.

Let me make this perfectly clear to our colleagues: It is our intent to finish this bill tomorrow afternoon, period. So the way to effect positive change in this legislation—to get Senators' input into it and fingerprints on it—is to not wait until tomorrow afternoon but to come down this afternoon and debate the amendments, process the amendments, and let's work as the Senate is designed to work. So I encourage my colleagues on both sides of the aisle to do that.

I rise today to speak about S. 1986, the childcare development block grant reauthorization bill, with my good friend Senator MIKULSKI. I must say we wouldn't be here if it weren't for the cooperation of Senator HARKIN and Senator ALEXANDER. Senator HARKIN has a long history of interest and involvement with policies that affect children. He is passionate about it. Senator ALEXANDER has a similar lifetime commitment, a Senator who has served as the education governor of Tennessee, the Secretary of Education of the United States, and the president of the University of Tennessee in Knoxville. So both of them come with a tremendous amount of expertise and passion for this issue.

This legislation is actually necessary to build on what the Child Care Development Block Grant Program was established for. As I said earlier, 1.6 million children nationally are served today—74,000 in North Carolina—and there tends to be a lot of talk in this body about strengthening job training, getting people back to work, and incentivizing self-reliance. I wish to recommend to my colleagues that is exactly what the Child Care Development Block Grant Program does. It says to a family: Work and we will help you with childcare. Get additional education and we will help you with childcare.

But one of the problems since 1996 when this program was created was the way we looked at one's income was an instantaneous snapshot. So as a parent, if I was offered a second shift where I could earn a little more money, I would look at how that might affect my child's childcare voucher and realize that they will take my voucher away if I take that second shift or if I work overtime and get time-and-a-half pay.

Well, this is evidence that we have looked at all angles. We have reached out to the communities that are affected. We have talked to people who are providers. We have talked to parents. We have looked at the difficulties they struggle with, because our intent is to make sure we have a piece of legislation that parents can choose to accept that shift offer, can accept working overtime and know they are not going to be adversely affected because now we are looking at the yearlong versus the individual snapshot.

So through Federal vouchers, parents who demonstrate that they are working or they are in job-training programs or furthering their education and who are below 85 percent of the State median income are eligible to receive the childcare voucher and to use that at a childcare provider of their choice in their State. This is not one where we are saying: You have to go here and you have to go there. We open it for the choice of the parent.

In addition, CDBG requires families, as I said earlier, to have skin in the game on a sliding scale based upon their income. As a block grant, States have great flexibility in how they administer these funds but are generally required to set health, safety, and quality guidelines to promote parental

choice, assist parents in becoming independent through work promotion, and provide good consumer information so parents can make good decisions about their child's care.

S. 1086, the legislation we have offered, would reauthorize this law for the first time since 1996. It would do so by making some commonsense changes that address the realities which I have highlighted, prioritizing the safety of children who receive care with Federal dollars.

First, we would require all providers and individuals who have unsupervised access to children to submit to a criminal background check. That check would ensure our young children are not left alone with individuals who have committed felonies such as murder, rape, child abuse, neglect, robbery, and other serious offenses. This provision is the result of legislation I introduced over the past several Congresses called the Child Care Protection Act, which I believe will do a great deal to improve the safety of our children.

Let me just stop there and say this is incredible because I think most Americans probably believe these background checks take place today. And to some degree they are right. States such as North Carolina have been responsible, and they do carry out some degree of background checks—although not all States, not all providers. But when this bill becomes law, it will say to all States and to all providers that receive Federal vouchers: You must do this. You must assure every parent that these felons are not part of the workforce that has unsupervised access to your children.

Second, this bill asks States to monitor through inspections the quality of childcare settings so that basic health and safety precautions are taken. Many States currently conduct no checks at all for certain settings or conduct them years apart, all while providers receive State and Federal tax dollars. At the very least, parents who are working several jobs just to make it should know that their child is in someone's care who has been trained in the basics of CPR, fire prevention, and other commonsense precautions.

I think one of our colleagues—Senator LANDRIEU—will come to the floor sometime this afternoon and offer an amendment that requires evacuation plans. Well, for a Senator from Louisiana who lived this firsthand, this is really important. It is a great job of where a Member's amendment is going to help to perfect our bill. For anybody who lives in a coastal State such as North Carolina—I am sorry I didn't think of exactly what she did—but when we look at tornadoes and when we look at fires, we are all susceptible to the need of a daycare facility having an evacuation plan so that local officials and, more importantly, parents and the providers who work there understand what to do.

Third, it asks States to make transparent all the information as widely as possible so parents are armed with all the information they need when they shop for childcare under the Federal childcare vouchers.

Fourth, in keeping with the maximum flexibility afforded to States under the CDBG, this bill provides States the option of seeking waivers from any Federal law that funds early learning or childcare that might have conflicting or onerous results for the delivery of that care and requires the Secretary of HHS to work with other agencies to provide a waiver for those requirements so States and childcare providers can focus on providing quality care and not just complying with Washington's confusing set of requirements. In other words, the focus of this is to make sure the childcare quality component is the single most important feature to providers.

Fifth, it promotes continued employment incentives for parents to move higher in their careers by providing better guidance to States on how they determine the eligibility of parents and their children. To me, it is just common sense that we should not penalize a parent from taking on an extra shift or working overtime. But at the same time we require States to make sure that only the most needy parents receive the childcare vouchers and that they can demonstrate they are following the law's work rules. Let me say again—because I think this is lost because we have not talked about this in almost two decades—for many in the communities we all represent, this is the difference between a family being able to keep a job or to be 100 percent on assistance. What we have is a Federal program that is not just beneficial, we have the data to prove it works, and that matrix continues to be in place.

Finally, it asks States to place a greater emphasis on building quality care settings by gradually increasing the amount of Federal dollars that can be set aside from the current law's 4 percent to 10 percent over the several years that must be used to improve quality programs.

Let me explain. Today, we say you can set aside up to 4 percent for quality. We want to extend that. We want to create an incubator that is an investment in what we can do to further enhance the quality of what these children are exposed to.

I think Senator HARKIN, Senator ALEXANDER, and Senator MIKULSKI have all pointed out that when we go from infancy to age 13, we have the majority of the learning period of a child's life. Some of it we pick up in the education system. But if they go to childcare after that or they go to childcare before it, we want to make sure the quality of that, and, more importantly, the innovation of that quality, is such that all students, all children can advance because of it.

This bipartisan legislation is the result of work in the HELP Committee. It was influenced and really ramrodded by my good friend Senator MIKULSKI. She was tireless at inviting experts. She sought practitioners in all of our States. It was that, and the leadership of our chairman and our ranking member, that brings us here today.

I believe this legislation will go a long way toward improving childcare in our country but also toward promoting self-sufficiency and independence for working parents. This is not a Federal handout. This is a partnership between the Federal Government and the opportunity for parents to have a better life. I think the way we have addressed the commonsense changes in reauthorization makes it more likely, not less likely, that more parents will succeed at that.

So I encourage my colleagues to support this bill. But I really do stress with my colleagues, now is the time to come to the floor. Bring your amendments to the floor. Let's debate the amendments. Let's vote on the amendments. Let's prove the Senate can function in a very open process because in this particular case those vulnerable parents and those children, who are the next generation, really do matter and what we do really does affect them.

I thank the Presiding Officer, I thank my colleague from Maryland, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I know we will be offering amendments throughout the afternoon, and we look forward to ample debate and discussion on them.

I want to reiterate my appreciation to Senator BURR for the way we have worked together on this bill. He was very generous in his comments to me and about me, and I appreciate it. But what I so appreciated in working with him is that his whole focus was: How do we protect these children? And his work to ensure that the children are safe when they are at the daycare, regardless of the size of the provider, was important. So, yes, we have good background checks. At the same time, we were looking at health and safety standards, making sure the staffs are at least trained in the elements of first aid, so that if the children needed help because they swallowed something—until the 911 responders could be there—they would have that training. That is really important.

Yet we had to look at it in a way in which we did not overregulate. So we wanted quality standards, but we did not want to have so many rules, so many regs—exactly what Senator ALEXANDER cautioned us about: Let's not overregulate so that we then stifle or end up shrinking the pool. So we, again, worked on what—the phrase ''sensible center'' comes from Colin Powell: that if we work hard and listen to each other, we can find that sensible center. So it was the balance between Federal standards but also local flexibility on the best way to achieve those standards, and also to help States pay

the bill for the training. One of the aspects of our bill is to set aside 3 percent of funding to expand access to improve the quality of care, especially for infants and toddlers—the most vulnerable populations because they cannot tell you things. They cannot tell you where they hurt or some of these other things.

In addition, the amounts States set aside for quality improvement also must be at least 10 percent within 5 years of enactment. And States must say what they choose to invest in. We hope not only to have reporting and accountability but to get an idea for best practices that we can circulate among providers. We think this will be important.

The other area we focused on was in the area Senator BURR talked about, providing protections for children who receive assistance. That is exactly what I heard in Maryland. This is all income based; in other words, your voucher. This is a means-tested program. But if your means change in the program, you could lose your daycare. So it was an actual disincentive from improving yourself or maybe taking a seasonal job. So if you had the opportunity perhaps to work in retail during the holiday season—exactly for your own family's holiday celebration—you were going to be tremendously disadvantaged because it would be a boost, it would look like you were going up, when actually your income might be the same if you have taken that part-time job.

We want to reward work. We want to reward personal responsibility. So we were able to provide that flexibility that when parents redetermine their eligibility, they will give them ample opportunity to do so. So if your child is in daycare, and you take that part-time job or your income goes up, you will not lose the daycare you have for that year or that determination. We thought that was important.

The other was meeting the needs of children with disabilities. This is a strong passion of Senator HARKIN, a well-known advocate for people with disabilities, and I know he will speak to that. But it will require States to examine: What are they doing to coordinate with the IDEA programs, again for preschool-age children with disabilities. Often a child who faces a disability is at a disadvantage because the daycare they are in does not promote learning.

I have a constituent in Maryland. She spoke at our press conference yesterday. Her name is Cathy Rivera. She is the mother of two children, ages 7 and 2. She is also a resource person working at the CentroNia family center, which is information services and also focuses on early childhood education.

Her little girl was born without an ear. That is rough going. So imagine being an infant, then a toddler, trying to learn a language, your family is bilingual—that could be a great asset, but when you cannot really hear, and the doctors are doing the most for you to help you, you still need to be in an environment that acknowledges that and is helping with the learning in childcare, at your pace, your way, so that your language skills are also developing because language and brain development are tied together. So without the proper environment, this little girl would have been doubly disadvantaged—one, with the physical situation from birth, but then the learning situation because of where she was.

Well, fortunately—with her mother working in the field of daycare, working at an agency that provides information and resources, with the help of the childcare subsidy—this little girl could be in the daycare that she needs, to not only look out to see that her physical needs are being met but that her learning needs are being met.

Isn't that a great story? But here is a mother who is working, a bit strapped financially, but with her own sense of motherhood and personal responsibility, she found what she needed. The childcare subsidy was able to help her pay for the daycare, and now this little girl has a chance. It is going to be a challenging future for her, but she is up for this challenge.

That is what this is. This is not only about numbers and statistics. So when we talk about improving quality, we have really tried to take into consideration these needs.

Daycare is expensive. In Maryland, the Maryland Family Network tells me that they had—with all of the licensed daycares—over 23,000 children who were on the wait list for this program—not for daycare—that is even larger—but for this program.

So this is why we want to pass this bill and really be able to move forward on it. But, again, I am going to come back to this bipartisan effort of focusing on safety, security, and also learning readiness.

Madam President, I yield the floor, and I will say more later.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I want to take this opportunity to say to my colleagues, we are now at a point where we would like to consider amendments. So if you have improvements to this bill, it is now after lunch. Before you take a nap, come down to the Senate floor, offer your amendment. Let's talk about it, and let's process as many as we possibly can. It is our intent to consider amendments for the majority of the afternoon, at some point—with the cooperation and agreement of leaders on both sides—to set a time that we would then vote on the amendments that have been processed, hopefully continue to take some amendments early in the evening, but our intent would be not to have votes tonight so that the schedules are predictable, and to come back in the morning, with the leaders' agreement, at a specified time to consider the votes that might be stacked, any additional amendments that need to be debated and voted on, and it would be Senator MIKULSKI's and my intent, and it is our goal—and when she has a goal, let me say to my colleagues, she will achieve that goal—it is our intent and our goal to finish this bill tomorrow afternoon.

We want to make sure we have accommodated every Member who has an amendment, every Member who wants to make an improvement to this bill, but we ask Members to come to the floor, preferably today, to introduce that, call it up, debate it, let us schedule in a queue of votes, and we will feel more confident of exactly the timeline we are on as that process starts.

I remind my colleagues that the key enhancements in this bill are it improves quality while simultaneously ensuring that Federal funds support low-income and at-risk children and facilities; two, it addresses the nutritional and physical activity needs of children in a childcare setting; three, it is strengthening coordination and the alignment to contribute a more comprehensive early childhood education and care system; four, it meets the needs of children with disabilities who require childcare; five, it provides protections for children and families who receive assistance; six, it safeguards the health and the safety of children.

I cannot think of points that are more important as it relates to changes to a bill that was created in 1996 and still embraces, I might say, the context that it was negotiated in, which was welfare reform.

How do we provide the avenue for more individuals to enjoy what great things this country has to offer for those who are willing to work? Welfare reform was a pathway, bipartisanly agreed to, to lead people from unemployment to employment and hopefully to continue to whatever degree of prosperity they chose to pursue.

We all know that means you have to have a partner and you have to have flexibility, whether that flexibility is being able to meet the hours that might put you up for a promotion or to get the skills you need to consider a different career or the next level. Every parent should probably look at this as I did with mine; that they are the single most important part. There are sacrifices every parent makes for themselves because of what they provide for their children. That is the right thing to do. But through this partnership, for 1.6 million children and for 900,000-plus families, we have now provided for over two decades a Federal program that helps make that decision so it is not either/or; they can pursue a career, they can pursue advancement, they can increase their skills, they can increase their education without sacrificing that Federal subsidy that provides them the ability to drop their kids off in the morning and those kids are taken care of.

This is a win-win. It is what welfare reform was written to do. I am proud

to work with my good friend Senator MIKULSKI to make sure we get this across the finish line. Come to the floor. Bring your amendments. Make this bill better. Let's debate them, let's vote them, but we are going to finish tomorrow afternoon.

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.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I reiterate Senator BURR's request. People wanted an open amendment process. We are open. Come on and amend. We are looking forward to it. While we are waiting for our Members to come careening to the floor to offer amendments—by the way, 20 have been filed, so here we are.

I wish to comment on something else.

GIRL SCOUTS

You notice I am dressed in green today. I also have on a Girl Scout pin. Do I not look like a Girl Scout standing here? I feel like a Girl Scout. I was a Girl Scout. Once a Girl Scout, always a Girl Scout.

Today we are celebrating the 102nd anniversary of Girl Scouts in America. What started out as a group of 18 girls in Georgia, organized by Juliette Low, has grown into an organization of 3.2 million girls and women.

As a Girl Scout, I knew firsthand about what it was like learning, about leadership and service. I loved working on my badges. I liked the camaraderie of working with other girls on the various challenges we had. I was a child during World War II. The Girl Scout program run out of our parish was very important. It provided important activities for girls after school. There were comparable Cub Scouts and Boy Scouts, just like we had the Daisies and the Girl Scouts.

These were important activities because in my community women were working as ''Rosie the riveter.'' So these afterschool programs were critical so we could be in a safe environment. We learned wonderful skills. We learned about our responsibilities.

I cannot think enough about Ms. Helen Nimick, who was my Girl Scout leader. I wanted to grow up and be like Ms. Nimick, who seemed to know how to do 43 things with oatmeal boxes. I do not know if they did it in the days of the Presiding Officer; there is a little bit of an age difference between us.

But you know what I loved the most were our pledges. I will just say today, first of all, you know the Girl Scout promise: ''To serve God and my country, to help people at all times, and live by the Girl Scout law.'' Pretty good. But here is the Girl Scout law. I actually carried this in my wallet. I will tell you why. Because if you follow the Girl Scout law, you are in pretty good shape. By the way, I think over 90 percent of the women in the Senate were either a Daisy or a Girl Scout, but the Girl Scout law says this: ''I will do my best to be honest and fair, friendly and helpful, considerate and caring, courageous and strong, and responsible for what I say and what I do, and to respect myself and others, respect authority, use resources wisely, make the world a better place, and be a sister to every Girl Scout, and a sister to every Boy Scout.''

I think this is great. To Girl Scouts everywhere, whether they are Daisies or senior leadership, we say congratulations on the 102d anniversary. But I want to do a particular shout out to the leaders, people who give of their own time and their own dime to help young women learn about their country, the world they live in, working collegially and in comradeship, camaraderie with others.

I believe the values I learned as a Girl Scout, though I smile about it today, were the lessons of a lifetime. Quite frankly, if I can live up to the Girl Scout law, I think I will be a pretty good Senator. So hats off to Girl Scouts everywhere, a big thanks to the leaders who do it, and let's eat those cookies, even if you are on a different kind of program than they are often called for.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, let me admit I was not a Girl Scout. I guess I should have assumed BARBARA MIKULSKI was a Girl Scout because scouting has made a significant difference in the lives of so many, not just in America but globally.

It is many of the qualities that come from that experience that lead to some of our most important national leaders, both in the past and in the future. So I join her in recognizing this significant milestone for the Girl Scouts. I know it must be challenging in today's nutritional environment to actually fund everything off of cookies. But as we have seen the drastic change in the way they are marketed, I will assure you we are raising a generation of Girl Scouts who are the most creative in how they market and sell their products to fund their programs of any generation I have seen today.

I think when kids are challenged at that age to be their own entrepreneurs, it is good for this country. We should be proud as parents and we should continue to support programs such as Scouting.

Mr. MENENDEZ. Madam President, I wish to pay tribute to the Girl Scouts as the organization celebrates Girl Scout Day. One hundred and two years ago, on March 12, 1912, Juliette ''Daisy'' Gordon Low founded the first chapter of the Girl Scouts of the United States of America in Savannah, GA. Today, the Girl Scouts count over 2 million girls as members, including nearly 100,000 in my home State of New Jersey.

We all know and enjoy their incredibly successful—and delicious—Girl Scout Cookie program, but beyond the cookies, this program is the largest and most successful business run by girls in the world, earning nearly $800 million a year. By participating in this program, girls are taught five essential entrepreneurial skills, including goal-setting, decision-making, money management, people skills, and business ethics. This has helped the Girl Scouts teach their members financial literacy and business skills, and has inspired generations of women business owners and executives.

The mission of the Girl Scouts has been and continues to be building girls of courage, confidence, and character, who make the world a better place. In that respect, I commend the Girl Scouts for launching a program in 2012 known as Be a Friend First, or BFF, to tackle bullying among middle school girls. A recent study found that girls developed key relationship and leadership skills from this program, and that Hispanic girls experienced a particular benefit from the Girl Scouts' gender-specific program.

I would also like to applaud the Girl Scouts for their continuing efforts to encourage careers in the Science, Technology, Engineering, and Math, STEM, fields. Only 1 year after they were founded, in 1913, the Girl Scouts began awarding their first merit badges in STEM fields, the electrician badge and the flyer badge. Today, the Girl Scouts continue to encourage girls to consider pursuing careers in STEM fields. For the United States to be able to continue to remain the world's leading innovator, the participation of women in STEM fields is critical. Therefore I commend them for their efforts towards increasing the participation of women in STEM careers and education.

On this Girl Scout Day, for these reasons and for many others, I applaud the Girl Scouts for the outstanding work that they do in our communities and for girls across America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. HELLER are printed in today's RECORD under ''Morning Business.'')

Mr. HELLER. Madam 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. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, I rise today to discuss my disappointment in

the recent turn of events involving the sustainable growth rate formula, or what we call the SGR or the doc fix. Enacted in 1997, the SGR was conceived as a means of trying to balance the budget by restraining health care costs in Medicare, but it was deeply flawed from the start. Its reimbursement cuts to physicians would cripple seniors' ability to get the quality health care they deserve from their doctors.

Consequently, since 2002, when the SGR came into effect, Congress has patched it on a regular basis, and there has been bipartisan support for doing so. These ''patches'' have frequently been cobbled together at the midnight hour between leadership of both parties and included in larger legislation, without the input of the Members or even going through the regular legislative process. Now, this perverse annual dark-of-night ritual has to stop. Seniors and physicians understand that. Republicans and Democrats in the House and Senate understand that.

For the better part of a year, Congress—to the surprise of many—worked to fully repeal the SGR and replace it with more reasonable reforms that moved Medicare's physician fee-for-service reimbursement system toward a system that rewards doctors for providing quality care based on outcomes, and we have made tremendous progress. Senator BAUCUS and I worked for months on a bill that sailed through the Finance Committee on a bipartisan basis. The two relevant House committees passed bipartisan legislation repealing the SGR as well.

Then, in a turn of events that is all too rare these days, the chairman and ranking members of the Senate Finance Committee, the House Ways and Means Committee, and the House Energy and Commerce Committee worked tirelessly to come up with one unified policy that House and Senate Democrats and Republicans could all support. Believe it or not, we succeeded. We succeeded by involving all stakeholders, including the influential American Medical Association, in a fair and equitable manner that resulted in near-unanimous support across the health care community. For the first time since its enactment in 1997, the House and Senate united behind a policy that gets rid of this flawed Medicare reimbursement system.

So, Madam President, if we have moved this far, what is the problem? Why am I disappointed? Well, I am going to tell you.

Last night I was informed that the majority leader is bringing straight to the floor of this body the very policy we successfully negotiated—tacking on what are known as the health care extenders which the Finance Committee passed but which were not included in what the House and Senate agreed upon with the SGR. But—and here is the problem—the Democrats have no plans whatsoever to pay for it. So Senate Democrats want to pass a bill that has a roughly $177 billion price tag without even trying to offset any of the cost. Sadly, these same Democrats don't seem to care that they have quickly turned what was a true bipartisan accomplishment into another partisan political ploy. This is deeply disappointing.

I am very sympathetic to those who say that since Congress has never let the SGR go into effect, we should not have to pay for it. But let's be honest—there is no way that right now a bill that would add close to $200 billion to the deficit is ever going to pass the House. And I don't blame the House. This is reality.

Democrats in the Senate have blasted the House SGR repeal bill that is paid for by repealing ObamaCare's individual mandate. The Senate majority leader has said that what the House is doing has ''no credibility'' and that House Republicans ''gotta find something else'' to pay for it. But can't the very same thing be said of what the Senate Democrats are doing—that their plan has ''no credibility'' and that they have to find a way of paying for this if they are going to do it? I think we all know the answer to that.

I just don't understand how we have gotten here. I don't understand why there are these unfortunate attempts to poison a bipartisan product with needless partisanship. We all want to repeal the SGR, so let's dispense with the games and get back to work figuring out a real path forward and one that involves an offset.

What is even more astonishing is that Senate Democrats are proceeding in this manner on the very week some of my colleagues are trying to make the Senate work. Senators BURR and MIKULSKI have put forward a bill that the Senate is set to consider to reform the Child Care and Development Block Grant Program. That is an important bill—certainly to me because I was one of the few who rammed that through way back when and took a lot of flak in the process. But it has worked amazingly well.

Now Senators BURR and MIKULSKI have put forward this bill, after a lot of work by Senator ALEXANDER and Senator SCHUMER to get the Senate working again, to allow amendments and debate, and I have to say I commend them, and I think Senators BURR and MIKULSKI deserve great applause and commendation, as do Senators ALEXANDER and SCHUMER. That is what I don't understand.

Everybody here knows I have a record of working across the aisle, sometimes to the chagrin of Members of my own party and certainly sometimes to the irritation of some of our very far-right people in Utah. Why turn this bipartisan proposal into a partisan exercise when so many Senators want to work together to fix the problems the American people face each and every day?

Let me be clear. I support what House Republicans have proposed. It is a reasonable approach to paying for a full repeal of the doc fix. Almost every week, the White House delays or repeals another part of ObamaCare, so it is time for the American people to get a reprieve as well. It is the right thing to do. But I am interested in a result.

I want to fix the SGR system once and for all, and I hope that after this pointless exercise designed for political cover we can come together to do what is right. Let's go back to our winning formula and get our bipartisan, bicameral negotiations underway to find a responsible path forward.

Look, I like both of our leaders. They are strong people. They have differing philosophies. There is much to commend both of them and I suppose some would say much to criticize in each case. But there is no reason for this type of ramming something through that has no chance of passing the House. Frankly, it doesn't have much chance of having any Republican support at this point because we believe this kind of a program has to be offset to literally be valid and to be viable. I think everybody here knows that, and so we have to find an offset to do it. If we can't find an offset, we have to keep the SGR alive until we do. But to make it into a partisan game at this point, after all the bipartisan work that has been done, is really a tragedy.

We were on the verge of getting this solved. I hope that doesn't happen this time because a lot of us have worked our guts out to get this to this point, on both sides of the aisle. It would be an absolute tragedy if we can't get the cooperation to get this through.

The Democrats, if they do not like the offset the House has come up with, although it seems to make sense to me, they control this body, can come up with an offset both sides can agree to. But we have to have an offset and we have to do this the right way or we will be right back at base one after all the work that has been put into it in a bipartisan way to get this done.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. COONS). The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2812

Mr. ENZI. Mr. President, I ask unanimous consent that the pending amendment be set aside and I be allowed to call up my amendment No. 2812.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Wyoming [Mr. ENZI] proposes an amendment numbered 2812.

Mr. ENZI. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Health and Human Services, in conjunction with the Secretary of Education, to conduct a review of Federal early learning and care programs and make recommendations for streamlining the various programs)

At the appropriate place, insert the following:

SEC. ___. REVIEW OF FEDERAL EARLY LEARNING AND CARE PROGRAMS.

(a) IN GENERAL.—The Secretary of Health and Human Services, in conjunction with the Secretary of Education, shall conduct an interdepartmental review of all early learning and care programs in order to—

(1) develop a plan for the elimination of duplicative and overlapping programs, as identified by the Government Accountability Office's 2012 annual report (GAO-12-342SP); and

(2) make recommendations to Congress for streamlining all such programs.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Secretary of Education and the heads of all Federal agencies that administer Federal early learning and care programs, shall submit 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, a detailed report that outlines the efficiencies that can be achieved by, as well as specific recommendations for, eliminating duplication, overlap, and fragmentation among all Federal early learning and care programs.

Mr. ENZI. Mr. President, when the Child Care and Development Block Grant Program was first created in the 1990s, it was seen primarily as a way to help parents enter the workforce or get job training.

The program, which is administered by the U.S. Department of Health and Human Services, gets about $5.2 billion a year in Federal funding plus State matching funds, although the fiscal year 2014 appropriation is approximately $2.4 billion.

The last reauthorization of this program took place nearly 20 years ago. This bipartisan CCDBG reauthorization, the Mikulski-Burr-Harkin-Alexander bill, puts a greater emphasis on the quality of the childcare programs children are entering. The bipartisan bill would refocus the program on quality, not just access.

The legislation emphasizes the protection of vulnerable populations, incentivizing self-sufficiency and individual responsibility. The bill also improves coordination among Federal early childhood education programs.

As a block grant, States have a great deal of flexibility in how they administer child care and development block grant funds but are generally required to set health, safety, and quality guidelines, promote parental choice, assist parents in becoming independent through work promotion, and provide consumer information so parents can make decisions about their child's care. The money helps States provide grants to low-income parents to cover the cost of childcare and afterschool care, typically through a voucher which parents can use at the home-based program or childcare center of their choice.

My amendment requires the Secretaries of Health and Human Services and Education to carry out an interdepartmental review of all early learning and childcare programs administered by the Federal Government—and we have lots of them.

We all agree the funding invested in early education programs saves taxpayers money down the road. So for a long time the Federal Government has been doing a lot to increase access to these important programs. Federal support for early learning and childcare developed over time to meet emerging needs, but at this point multiple Federal agencies administer this important investment through numerous programs.

What my amendment does is ask Health and Human Services and the Department of Education to report back to Congress with a plan for eliminating duplication and overlap, as well as a plan with ways we can streamline these programs.

Every year the Government Accountability Office, GAO, submits a report to Congress with recommendations for ways to reduce duplication, overlap, and fragmentation in Federal Governmental programs. In its 2012 annual report to Congress, GAO recommended the Department of Education and Health and Human Services should extend their coordination efforts to other Federal agencies with early learning and childcare programs to combat program fragmentation, simplify children's access to these services, collect the data necessary to coordinate operation of these programs, and identify and minimize overlap and duplication.

GAO identified 45 early learning and childcare programs funded by the Federal Government. Twelve of these programs explicitly provide only early learning or childcare services. These 45 programs are administered by multiple agencies, including the Department of Education, Department of Health and Human Services, Department of Agriculture, Department of the Interior, Department of Justice, Department of Labor, Department of Housing and Urban Development, the General Services Administration, and the Appalachian Regional Commission. When I was chairman of the HELP Committee, the late Senator Ted Kennedy and I worked to eliminate duplication and overlap in programs under our jurisdiction—we got it down from about 119 to 69—but could not look at any of the programs administered by other agencies. We knew there was room for streamlining programs at other agencies, but we couldn't work on it, which was frustrating and shows how far-flung some of these programs are. Let me report again: the 45 programs administered by multiple agencies, including not only Education but Health and Human Services, Agriculture, Interior, Justice, Labor, Housing and Urban Development, General Services Administration, and the Appalachian Regional Commission.

We have to believe we ought to be able to do some consolidation there and save some money and improve the quality of programs while we are at it.

In a recent GAO report issued on February 5, 2014, GAO noted that as of December 2013, Education and Health and Human Services has taken initial steps toward greater coordination but had not yet included all Federal agencies which administer these early learning and childcare programs in their established interdepartmental workgroup.

This amendment takes a further step in identifying fragmentation, overlap, duplication, and inefficiencies in the Federal Government's delivery of numerous learning and care programs beyond the Government Administration Organization's report. Streamlining programs to eliminate duplication is essential for program integrity and good governance but also for eliminating service gaps for eligible children.

We are doing a lot. We can do better with less through coordination and getting it down to where there are less sources and less places where there has to be permission, regulation, and oversight. We can do better for the kids, and all we are asking for with this is to come up with a plan. It doesn't force anything, but hopefully it is a plan we will pay attention to and not just put it on the shelf.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I first thank Senator ENZI again for working with us for a long time on the committee to put this bill together, and I thank him for this amendment.

Basically, GAO's 2012 annual report noted the Department of Education and Health and Human Services should be increasing their coordination efforts in dealing with childcare and early learning programs. This amendment would require them to collaborate and conduct a comprehensive review of the 45 programs which currently support early learning and childcare across the country. This would ensure better coordination, reduction in duplication, and effective programming for children.

I say to my friend from Wyoming, on Monday I was in my home State of Iowa, in Des Moines, visiting an early learning center. On Saturday, I was in Ames visiting an early learning center in preparation for this bill to be on the floor. Monday, I was meeting with everyone there. With all of the different funding streams which come through and all of the different cross-purposes, I finally said: Stop a minute. I am confused.

They said: If you are confused, so are we.

Even the people running the programs—everything has some different

thing they have to fill out paperwork for to qualify.

So I am particularly sensitive to the Senator's amendment, having just tried to wade through all of that just a couple days ago in Iowa.

I thank my friend from Wyoming. It is a good amendment and should be adopted. We certainly support the amendment.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I also applaud my colleague Senator ENZI. This is a needed amendment. It makes the bill better.

I will note for my colleagues, most recently the 2014 Omnibus appropriations legislation created two new programs, including the Early Head Start-Child Care Partnerships Program funded at $500 million and the Race to the Top pre-K program funded at $250 million.

I point these out because both of these further underline the interactions which might exist with the current programs. I would think any attempt of this would be an administrative responsibility to find ways to consolidate, but clearly this is a case where more is not better.

This requires the Secretary to look at all these programs and find ways to consolidate in a way which provides a better outcome for those who are the beneficiaries. So I urge my colleagues to support this amendment.

I also say to my colleagues, through their staffs, it is probably the intent of the Senate to have some votes about 2:30. I think there are notifications going out on both sides, but I just want Members to be aware. We are trying to accommodate the afternoon schedules of both sides of the aisle on commitments they have, one at the White House and a Member's meeting on Ukraine this afternoon. So it is our intent right now to have up to two votes by 2:30 this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, might I ask the Senator from Iowa and the Senator from North Carolina, is it not also likely, given the good progress we are making, we may be able to have another vote or two between 5 and 5:30 this afternoon so as not to interfere with meetings or the briefing many Senators are attending at 5:30?

Mr. BURR. I would say, it is our intent probably right before the Ukraine briefing to hopefully be in a position to dispose of about two additional amendments.

Mr. ALEXANDER. So that would be two votes at 2:30 and perhaps two more at probably about 5:15.

Mr. HARKIN. I concur.

Mr. ALEXANDER. Mr. President, I thank the Senators from Iowa and North Carolina.

I also thank the Senator from Wyoming for his leadership. For a number of years he was the ranking member of the Health, Education, Labor & Pensions Committee, and while he was there he focused on trying to help us spend our money more efficiently—which all of us want to do.

Sometimes we forget that Head Start is not the only early learning program we have in the country. It is the most famous. It is best known. It is very popular with most people. It is about $8.6 billion, but the bill we are debating today, the child care and development block grant, is another $5.3 billion. It is two-thirds the size of Head Start and affects 1.5 million children. And then there is another of $5 billion or so of Federal funding for early learning and early childhood. Without getting into a debate about whether we should have new programs, I think there is a consensus among most of us that we should at least start by taking the money we are spending for early childhood and spend it wisely.

One step we took a few years ago was to create centers of excellence for Head Start. This was, I believe, in 2007. The idea there was that the Governor of each State would be permitted to pick at least two communities or cities where they were doing the best job of spending money in a coordinated way for early learning and childhood development. Not only are these 18 billion Federal dollars being spent, but many States have additional funding for early childhood, most States have kindergarten programs, and many States have programs for 3-year-olds and 4-year-olds. The idea was to see if we could encourage Nashville or Denver or Des Moines to take a look at all the children between 0 and 6 and all the dollars being spent—public, private, Federal, State and local—and see who is doing the best job of putting that all together. It is always a problem with a big, complex country such as this when you have a decentralized government and there are several layers. There are lots of silos, and children don't live in silos. They are by themselves needing help and we need to find a way of getting the money to them. So the centers of excellence was a modest beginning to try to encourage better spending of what is up to $18 billion of money already being spent.

I think Senator ENZI's amendment, which I strongly support, would give us more information about how to better spend the Federal dollars we already spend for early childhood. I simply wanted to call the attention of the Senate and others who may be paying attention to that centers of excellence program. In the committee chaired by the Senator from Iowa, we had excellent testimony from the representative from Denver who had one of the first centers of excellence. She talked about the progress they have made in taking all the available money and using it in the most effective way to help children.

I hope as we move along through the process of dealing with the debate about how do we do a better job of early childhood education that we consider centers of excellence, and I hope Senator ENZI's amendment is adopted today because it will help us. It will make us a better steward of taxpayer dollars, and that means doing a better job of helping children.

Thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 2818

Mr. HARKIN. Mr. President, on behalf of Senator LANDRIEU, I ask unanimous consent to set aside the pending amendment and call up her amendment No. 2818.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Ms. LANDRIEU, for herself and Ms. MIKULSKI, proposes an amendment numbered 2818.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a statewide child care disaster plan)

On page 98, strike line 15 and insert the following:

view.

''(U) DISASTER PREPAREDNESS.—

''(i) IN GENERAL.—The plan shall demonstrate the manner in which the State will address the needs of children in child care services provided through programs authorized under this subchapter, including the need for safe child care, during the period before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as such terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).

''(ii) STATEWIDE CHILD CARE DISASTER PLAN.—Such plan shall include a statewide child care disaster plan for coordination of activities and collaboration, in the event of an emergency or disaster described in clause (i), among the State agency with jurisdiction over human services, the agency with jurisdiction over State emergency planning, the State lead agency, the State agency with jurisdiction over licensing of child care providers, the local resource and referral organizations, the State resource and referral system, and the State Advisory Council on Early Childhood Education and Care as provided for under section 642B(b) of the Head Start Act (42 U.S.C. 9837b(b)).

''(iii) DISASTER PLAN COMPONENTS.—The components of the disaster plan, for such an emergency or disaster, shall include—

''(I) guidelines for the continuation of child care services in the period following the emergency or disaster, including the provision of emergency and temporary child care services, and temporary operating standards for child care providers during that period;

''(II) evacuation, relocation, shelter-in-place, and lock-down procedures, and procedures for communication and reunification with families, continuity of operations, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions; and

''(III) procedures for staff and volunteer training and practice drills.''.

AMENDMENT NO. 2822

Mr. HARKIN. On behalf of Senator FRANKEN, I call up his amendment No. 2822.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. FRANKEN, for himself, Ms. MURKOWSKI, Ms. HIRONO, Ms. BALDWIN, Mrs. MURRAY, and Mr. THUNE, proposes an amendment numbered 2822.

Mr. HARKIN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reserve not less than 2 percent of the amount appropriated under the Child Care and Development Block Grant Act of 1990 in each fiscal year for payments to Indian tribes and tribal organizations)

On page 136, strike lines 8 and 9 and insert the following:

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—The Secretary'';

(ii) by striking ''1 percent, and not more than 2 percent,'' and inserting ''2 percent''; and

(iii) by adding at the end the following:

''(B) LIMITATIONS.—Notwithstanding subparagraph (A), the Secretary shall only reserve an amount that is greater than 2 percent of the amount appropriated under section 658B, for payments described in subparagraph (A), for a fiscal year (referred to in this subparagraph as the 'reservation year') if—

''(i) the amount appropriated under section 658B for the reservation year is greater than the amount appropriated under section 658B for fiscal year 2014; and

''(ii) the Secretary ensures that the amount allotted to States under subsection (b) for the reservation year is not less than the amount allotted to States under subsection (b) for fiscal year 2014.''; and

(B) by adding at the end the following:

Mr. HARKIN. Mr. President, I ask unanimous consent that at 2:30 p.m. today the Senate proceed to votes in relation to the following pending amendments, in the order listed: Enzi amendment No. 2812 and Franken amendment No. 2822; further, that no second-degree amendments be in order to either amendment prior to the votes.

The PRESIDING OFFICER. Is there an objection to the request?

Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I would like to modify my request for unanimous consent that the second vote be a 10-minute vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HARKIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRANKEN. Mr. 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 Minnesota.

Mr. FRANKEN. Thank you.

AMENDMENT NO. 2822

I rise in strong support of the child care development and block grant, or CCDBG, and to urge my colleagues to support the amendment Senator MURKOWSKI and I put forward.

Our amendment would help strengthen CCDBG by making sure we are addressing some of our Nation's communities that will benefit most from it, the people who are members of tribes or tribal organizations all over this Nation. American Indians experience exceptionally high unemployment levels compared with the rest of the Nation. Furthermore, American Indian children and youth experience some of the poorest educational outcomes in America. These are exactly the sort of challenges CCDBG is designed to address. Our amendment would lift the current ceiling on tribal childcare funding so CCDBG can go to where the funds are needed most. This would enable more funds to flow to tribes and tribal organizations but without reducing the amount that goes to States. The amendment specifies that the amount of CCDBG funds reserved for tribes only rises if the overall funding level for CCDBG goes above its current levels.

I thank our cosponsors, Senators MURRAY, THUNE, HIRONO, BALDWIN, and HEITKAMP, for their support of this amendment. I thank Senators HARKIN and ALEXANDER and Senators MIKULSKI and BURR for working together to bring this bill to the floor.

Thank you very much.

I would yield for my colleague from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I rise in strong support of the amendment, and I urge my colleagues—this is a reasonable improvement to the bill, and I think Senator FRANKEN stated it very well.

This amendment increases the amount of CCDBG funding set aside for tribes from not more than 2 percent to not less than 2 percent. It sounds like not much of a difference, but this has a tremendous impact on the predictability to tribes of the dollars that are going to be available to them.

So I would urge my colleagues to support the Franken-Murkowski amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I wish to join with Senator BURR in supporting the amendment.

AMENDMENT NO. 2812

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 2812.

Mr. BURR. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER (Ms. HEITKAMP). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—98

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Roberts
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Walsh
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	

NOT VOTING—2

Rockefeller	Rubio

The amendment (No. 2812) was agreed to.

Mr. HARKIN. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, for the benefit of Senators, I wish to ask something about the schedule. I would like to ask the Senator from Iowa, the Senator from North Carolina, and Senator MIKULSKI about the schedule of this bill. We are off to a fast start. We have the Franken amendment to be voted on now. This is my understanding of the schedule, and I want to see if I have it about right and then ask the chairman and the floor managers if it is right.

We expect there to be a colloquy from 3 o'clock until about 4 o'clock involving several Senators on the child care and development block grant. Then at 5:15 we expect to have a vote—at least one vote—and may accept others by voice and maybe have some nominations. Senators who have other amendments are free to come and

speak between 4 o'clock and 5 o'clock. We would expect to have other votes tomorrow before lunch and finish the bill, it is my understanding, if we don't run into a snag, right after lunch tomorrow, about 2:00 or 2:15. That is the course we hope to be on.

I thank Chairman HARKIN and Senator MIKULSKI and Senator BURR for getting us off to a fast start. We have had about 20 amendments from both sides brought forward. We have been able to deal with them all.

Is that about right in terms of the schedule?

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Yes, that sounds exactly how we are proceeding.

I thank the Senator from Tennessee for all the good work and the cooperation we have had on both sides. I think we are on a good path.

I reiterate and reemphasize that if anyone has amendments they want to offer and speak about, I would say between 4 and 5 is a good time to do it today. Then we will have two votes probably around 5:15. We are hoping maybe one can be voice voted at that time.

AMENDMENT NO. 2822

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 2822.

Mr. BURR. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER (Mr. HEINRICH). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 6, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—93

Alexander	Fischer	McConnell
Ayotte	Flake	Menendez
Baldwin	Franken	Merkley
Barrasso	Gillibrand	Mikulski
Begich	Graham	Moran
Bennet	Grassley	Murkowski
Blumenthal	Hagan	Murphy
Blunt	Harkin	Murray
Booker	Hatch	Nelson
Boozman	Heinrich	Portman
Boxer	Heitkamp	Pryor
Brown	Heller	Reed
Burr	Hirono	Reid
Cantwell	Hoeven	Risch
Cardin	Inhofe	Roberts
Carper	Isakson	Rockefeller
Casey	Johanns	Sanders
Chambliss	Johnson (SD)	Schatz
Coats	Johnson (WI)	Schumer
Coburn	Kaine	Scott
Cochran	King	Shaheen
Collins	Kirk	Stabenow
Coons	Klobuchar	Tester
Corker	Landrieu	Thune
Crapo	Leahy	Udall (CO)
Cruz	Levin	Udall (NM)
Donnelly	Manchin	Vitter
Durbin	Markey	
Enzi	McCain	
Feinstein	McCaskill	
Walsh	Warren	Wicker
Warner	Whitehouse	Wyden

NAYS—6

Cornyn	Paul	Shelby
Lee	Sessions	Toomey

NOT VOTING—1

Rubio

The amendment (No. 2822) was agreed to.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, now, for the next hour, you are going to see the women of the Senate, on a bipartisan basis, speaking up on the issue of childcare. We have worked long and hard together.

I am going to withhold my time and turn to the Senator from Nebraska. What you need to realize is we are not a caucus. We disagree on many things, but on childcare we are united that this bill is a good bill. It could be improved through the amendment process. We recognize that.

So here we are, as a force trying to change the tone, trying to change the tide, and really help America's children.

I yield to Senator FISCHER.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I rise today to speak about the reauthorization of the Child Care and Development Block Grant Program. I thank the Senator from Maryland for her courtesy. In addition, I would like to address an amendment I have proposed to the underlying bill.

Promoting policies that enable job creation is a basic duty of the people's government. This bill we have on the floor before us now provides low-income, hard-working mothers and fathers with the opportunity to have quality childcare while they earn a steady paycheck or as they go back to school.

Americans work hard. They work hard to provide for their families and to make a better life for their children. As a mother and a grandmother I understand that knowing your children are safe and secure is essential to maintaining a steady job. We need to encourage responsible adults to enter and to maintain their presence in our workforce. That is why I appreciate my colleagues' work and their compromise on this bipartisan legislation. I also appreciate how this effort has helped to bring some regular order back to the processes of the Senate. I especially want to recognize Senators BARBARA MIKULSKI, LAMAR ALEXANDER, and RICHARD BURR, who I know worked very hard in a collaborative and bipartisan fashion in order to get this bill to the floor.

As part of that process, I filed a proposed amendment that I have with Senator KING and Senator RUBIO to the child care and development block grant reauthorization. Our bipartisan amendment is a commonsense solution to the FDA's overregulation of low-risk health information technology. That includes mobile wellness apps, scheduling software, and electronic health records. Under current law, which was established in 1976, the FDA can apply its definition of a ''medical device'' to assert broad regulatory authority over a wide array of health IT, including applications that do not pose any threat to human safety.

Our amendment allows the FDA to keep its focus on regulating medical devices, while creating a modernized oversight framework for low-risk categories of health IT. Since proposing this amendment, I have had the opportunity to speak with Senator ALEXANDER, the ranking member of the Senate HELP Committee. I am happy to say he has expressed an interest in that amendment. That is identical to the language introduced as a stand-alone bill called the PROTECT Act.

I look forward to having the opportunity to work with him and committee members to advance the core ideas included in the PROTECT Act, because I believe with the guidance of the committee, and with the guidance of other Senators, we will be able to achieve another bipartisan success in this Chamber.

At Senator ALEXANDER's request, and in response to his kind offers to work collaboratively on the PROTECT Act, I have agreed not to formally offer this amendment to the bill on the floor, but I do look forward to working with the Senator from Tennessee and others to improve upon that.

Again, I thank the leadership of Senator MIKULSKI, Senator ALEXANDER, and Senator BURR on the important legislation before us today. I thank them for their work. I thank them for their courtesies in allowing me to rise and speak on this very important amendment. I also thank them and look forward to working with them on the PROTECT Act in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. I now yield 5 minutes to the Senator from New York, another cosponsor of the bill, Senator GILLIBRAND.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I wish to start by thanking Senator MIKULSKI for championing the reauthorization of the Child Care and Development Block Grant Program, which is a bipartisan bill that reflects the values of this country. It serves more than 1.5 million children nationwide every month, including over 120,000 children in New York State alone. I also thank Chairman HARKIN for his leadership in bringing this important legislation through the committee and to the floor.

Everywhere I go in my State of New York I listen to families. I hear the exact same sense of struggle from every single one of them, that they are doing everything they can do to get by,

to provide for their kids and give them the best possible chance to succeed. But no matter how hard they work, making ends meet is difficult. Their day-to-day expenses keep going, while their paychecks either stay the same, or, sadly, are diminished.

As a result, too many families feel they cannot get ahead. So for our economy to get going again, it has to face the reality that the face of the American workforce has changed. We still have workplace policies that reflect the realities of decades ago, in the 1950s and 1960s. But in fact, today, 48 percent of the workforce in my State are women.

In order for us to unleash the full potential of our economy, we have to recognize that women are the new more often breadwinners of too many families. They are the primary income earners for a growing share across America. For that reason, we have to focus on an immovable reality for working mothers. That is childcare.

Today, more women are going back to work sooner after having a child, creating a greater demand for affordable childcare that allows them to stay in their jobs. In 2012 New York ranked the second least affordable State in the Nation for full-time daycare for an infant, according to a report by Child Care Aware.

A two-parent family in New York spends an average of 16.5 percent of their annual income to care for an infant. For a single mom in New York, the cost was greater than 57 percent of her income. If you cannot afford childcare, as many middle-class families cannot, and you do not have a family option, the choice you are left with is to leave your job and stay home to care for your child. That means less income for working families, more women leaving the workforce and a weaker middle class. It does not have to be this way. We can keep more working mothers in their jobs and more children in quality daycare when we make it affordable.

Our policies must reflect today's reality that women have to work for a living. It is not a lifestyle choice for most working mothers, it is a fact of survival. That is why I support Senator MIKULSKI's outstanding bill, because it will make daycare more affordable for millions of children every single year. It is also why I am a cosponsor of Senator BOXER's amendment that will double the childcare tax credit families can take to cover the cost of childcare and make it refundable.

Making the tax credit refundable would help those who are working and struggling the most but do not earn enough to use the tax credit. It means more savings going right back into the pockets of working families.

I also have an amendment that will make middle-class tax cuts better for childcare expenses. It will let them deduct the cost of childcare as a business expense.

This proposal, called childcare deduction, will allow you to deduct up to $14,000 for two kids or more. That makes perfect sense, because in New York, the average daycare for a toddler is $12,000; for an infant it is almost $15,000. This will go a long way to making sure our hard-working middle-class families have the funds they need to provide for their kids.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I yield 5 minutes to the Senator from Michigan, also a sister social worker and a real advocate for good nutrition for children.

Ms. STABENOW. Mr. President, first, as everyone else, I congratulate our leader on this issue and on so many issues, including having the right kind of appropriations process to invest the dollars that Americans work hard to earn, to make sure they are invested in ways that help families, children, and to help the middle class to be able to succeed in this country.

I thank Senator MIKULSKI, the senior Senator from Maryland. Her work on this issue, the child care and development block grant, has been extraordinary and bipartisan, as is all of her work. She is laser focused on creating opportunities for children and families to succeed.

I think all of, certainly, the women who are speaking today and hopefully all of our colleagues understand that quality, affordable childcare is not a frill. I realize the Presiding Officer has wonderful children as well and understands this is a necessity.

We care for our children. We want to make sure we are able to work, put a roof over their heads, food on the table, to be able to buy their school clothes and get them what they need, to be able to pay for college, and to be able to do all the things we want to do for ourselves, our children, and our families. The costs of childcare are part of that equation, being able to do those things for our families that we need to do.

The average cost of childcare for 2 children is $14,872 a year. I have heard from my friend and colleague from New York that it was higher in New York. I am sure it is higher in many places. But, on average, across the country, families are having to come up with almost $15,000 a year which equals, if they are working minimum wage, a 40-hour workweek, working full time for a year. Think about that. If someone is in a minimum-wage job—and hopefully we are going to change that by raising the minimum wage—trying to make it and they work for 1 year, that is the average childcare cost for two children. That is why this investment in children and families is so important. This is the highest household expense for many families.

In most States 1 year of daycare is more expensive than 1 year of tuition at a public university. We are all talking to parents. They are all worried about saving for college. With three small grandchildren, I think how can I help be part of that process of saving for college. Yet 1 year of daycare is more expensive than 1 year of tuition at a public university. This is too much for many of our families to afford. Very difficult choices are being made, choices that families are agonizing over.

This is especially unaffordable for so many hard-working families who are trying to climb the ladder of opportunity, trying to get into the middle class or maybe holding on by their fingertips and trying to stay in the middle class. That is why we have child care and development block grants to be able to help families afford a necessity and something that is critical for our society, which is having safe, affordable, quality childcare for our children.

This is a critically important program signed into law by President George H. W. Bush that 1.6 million children every month rely on; 1.6 million children in our country and their parents rely on this every month.

States use this funding to help low-income families gain access to quality, affordable childcare and afterschool programs. These families are trying to make ends meet and make sure their children have the opportunities they need to be successful. I want to stress that this funding goes to parents who are working—are working—are training for work or are enrolled in school.

I believe the reason we have strong bipartisan support is people understand how critical it is to hard-working families. This is an investment in our families. It is an investment in America's moms and dads. Sixty-five percent of moms work outside the home. In fact, if they go back to work, they are earning, in Michigan, only 74 cents on every dollar. They don't get a discount on their childcare, just because women are only getting three-quarters of a salary. Somehow, they are still paying the full price, but this is particularly critical for women across America.

This program helps millions of families, as I indicated, especially moms—especially moms getting back to work without having to worry about whether their children are going to be safe. Talk about peace of mind, this is peace-of-mind legislation for moms and dads to make sure their children will have a quality place, affordable place, and a safe place to be while they are working to earn a living for their families.

It has now been 24 years since this law was signed by President Bush, 18 years since it was last reauthorized. It is time to update it to reflect the changing conditions and challenges for our families.

This bipartisan reauthorization addresses issues facing families who need childcare. It improves program quality, making sure funds go to families in need; ensures children and childcare get the things they need to succeed: good nutrition, which is so critical for

their growth, physical activity, well-being by developing guidelines and incorporating health and wellness training for professional development; making sure children's needs are addressed when children have disabilities. It is very important for them and their families, making sure all childcare providers are properly trained to care for children and have been screened. That means first aid, CPR, how to prevent sudden infant death syndrome, child abuse, and undergoing a background check.

The bottom line is this is a bill that we need to pass. I am grateful and appreciative of the bipartisan support that has gotten us to this point, and the 45 national organizations that support it, including the Afterschool Alliance, the American Professional Society on the Abuse of Children, the National Association for Family Child Care, Teach for America, United Way Worldwide, and so many others.

I am pleased to join with all of my colleagues and urge them that we pass this bill as quickly as possible.

Again, congratulations to our leader, the senior Senator from Maryland, who has gotten us to this point. I know we will get it all the way through the process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. I yield the floor to Senator BALDWIN of Wisconsin, one of our newest Members but not new to this issue. Her record in the House on advocacy for children is well-known and respected.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. In America, we know that quality education and a fair shot at work is the path to the middle class, economic security, and getting ahead. Today we have an opportunity to make an important bipartisan action to help strengthen that path to the middle class.

For many families in this country, quality, affordable childcare is a challenge they struggle with every morning. This is why President George H. W. Bush signed the child care and development block grant law in 1990, to ensure that working families have access to quality, affordable childcare.

Today I join a bipartisan group of my Senate colleagues in calling for reauthorization of the Child Care and Development Block Grant Act because of the support it provides working families across this country and across the State of Wisconsin, my home State.

I thank HELP Committee Chairman HARKIN and Ranking Member ALEXANDER, and Senator MIKULSKI and Senator BURR for their working across party lines to move this important legislation forward.

This bipartisan work is an endorsement of our shared responsibility to build a shared path to the middle class that begins by investing in affordable childcare and high-quality early learning programs.

I am proud to say that Wisconsin has long been a leader in investing in our children early. Education for 4-year-olds was part of Wisconsin's Constitution in 1845, and the first kindergarten in the United States was founded in Watertown, WI, in 1856. Wisconsin is nearing universal 4K, with over 90 percent of school districts offering kindergarten for 4-year-olds.

My State has also recognized the importance of effective collaborations to support early childhood care and education. Wisconsin Early Childhood Collaborating Partners is a statewide partnership representing over 50 public and private agencies, led by Wisconsin's Department of Public Instruction, with the goal of providing every child access to a comprehensive delivery system for high-quality education and care.

I am proud that my State has undertaken a community approach to implementing high-quality childcare and early education. More work remains to be done, however, both in Wisconsin and nationwide to ensure high-quality childcare and education is accessible to every family.

Our Nation continues to recover from the most severe economic downturn since the Great Depression. As our country continues this recovery, families have had to get by with less. Americans are in need of affordable childcare now more than ever. My home State of Wisconsin is no exception to this trend. Today, many parents are in the workforce, including over 70 percent of mothers in Wisconsin. For many hardworking middle-class families, childcare is necessary but also expensive. For millions of families in the United States, childcare is their single largest household expense at nearly $15,000 per year.

In Wisconsin, the cost of childcare for an infant is approximately 40 percent of a single mother's median income. Two-parent families can expect to spend more than 10 percent of their income on childcare.

Further, in Wisconsin, nearly one-third of children receiving the child care and development block grant funding are under the age of 3, making this a truly sound investment in those crucial years of early life.

The Child Care and Development Block Grant Act is a bipartisan effort to reauthorize, reform, and revitalize the block grant program by strengthening Federal safety standards and placing a greater focus on the quality of childcare programs.

This investment in affordable quality childcare will help more than 1.5 million children, including over 30,000 children in Wisconsin.

I once again thank my colleagues for working in a bipartisan manner to guide us in reauthorizing this vital legislation. High-quality childcare and education is essential to the future success of our children and our overall success as a nation.

I am proud to support this legislation as it focuses on improving the quality and safety of childcare programs, focuses on supporting infants and toddlers with high-quality care, and reflects the realities of working families in this difficult economic environment. But, as importantly, I am proud to join a bipartisan effort in Washington that is squarely focused on both parties working together to build a stronger future for our middle class.

I yield back.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENTS NOS. 2813 AND 2814 EN BLOC

Ms. MIKULSKI. I ask unanimous consent to make pending Landrieu amendments No. 2813 and No. 2814.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendments en bloc.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for Ms. LANDRIEU, for herself, Mr. GRASSLEY, and Mr. INHOFE, proposes an amendment numbered 2813.

The Senator from Maryland [Ms. MIKULSKI], for Ms. LANDRIEU, for herself, Mr. BLUNT, and Mr. INHOFE, proposes an amendment numbered 2814.

Ms. MIKULSKI. I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 2813

(Purpose: To allow children in foster care to receive services under the Child Care and Development Block Grant Act of 1990 while their families (including foster families) are taking necessary action to comply with immunization and other health and safety requirements)

On page 82, lines 9 and 10, strike ''to receive services under this subchapter while their families'' and insert ''and children in foster care to receive services under this subchapter while their families (including foster families)''.

AMENDMENT NO. 2814

(Purpose: To require the State plan to describe how the State will coordinate the services supported to carry out the Child Care and Development Block Grant Act of 1990 with State agencies and programs serving children in foster care and the foster families of such children)

On page 93, strike lines 3 and 4 and insert the following:

11432(g)(1)(J)(ii));

''(VII) State agencies and programs serving children in foster care and the foster families of such children; and

''(VIII) other Federal programs

Ms. MIKULSKI. Mr. President, I note that on the floor are three outstanding Senators who wish to speak on this bill: Senator CANTWELL, Senator MURKOWSKI, and Senator COLLINS. They come as the deans of the Republican women. I ask unanimous consent that they each be allowed to speak for 5 minutes in the order in which I stated: Senator CANTWELL, Senator MURKOWSKI, and then Senator COLLINS.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I thank Chairman HARKIN and certainly

Senator MIKULSKI and Senator BURR for their leadership on this bipartisan issue but especially Senator MIKULSKI for her constant leadership in making sure families in America are cared for.

This is important bipartisan legislation, and the reauthorization of this legislation—the Child Care and Development Block Grant Act of 2014—will help ensure that families have access to quality, affordable childcare.

The Child Care and Development Block Grant Program serves more than 1.6 million children per month nationwide. In my State it serves more than 39,000 children per month. With the support of these grants, parents can work, look for work, and participate in job-training programs while their children receive affordable childcare at quality centers or in the child's home.

The child care and development block grants are a primary source of Federal support for childcare assistance, and they play a key role in promoting healthy development of children, especially at young ages. Research on the effects of early childhood development has continually shown that the foundation provided by early learning and childcare networks can prevent the achievement gaps at a young age. This bill enables States to invest in the programs that have proven to work for children and families.

In Washington more than half of the children served by the child care and development block grants are younger than 4 years old, so in my State these grants are vital for preparing our youngest children with the support and skills they need to stay ahead once they enter into kindergarten.

Professor Cathryn Booth-LaForce, at the University of Washington, said:

> Child care affects so many children that for society at large, even small effects are important.

This bill would provide an additional 22,000 children across our Nation with childcare. That is a major effect. Expanding access to quality care can help thousands more children across the Nation get a running start on school. By preventing achievement gaps for our youngest children, we are creating successful students and building a skilled workforce for the future.

This bill allows Washington to make the important investments in our youngest learners and in our future economy. So I am so proud to be here in support of this bipartisan effort, and again I thank Senator MIKULSKI, Senator BURR, and others for working together at a time when people didn't think this level of compromise would result in such an important piece of legislation moving forward.

Once again I particularly wish to thank the dean of the women Senators, Senator MIKULSKI, for this effort and encourage my colleagues to support this bill, S. 1086, and make sure we get it passed before the end of this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I, too, am pleased to rise today to join my fellow women Senators on the floor this afternoon to speak in support of the bipartisan Child Care and Development Block Grant Act of 2014. I also commend Senator MIKULSKI and Senator BURR on their leadership in developing a truly bipartisan bill as we are moving forward. They have worked diligently and they have worked in a positive and constructive manner that does credit to the Senate operations. I also would like to recognize and commend Senator HARKIN and Senator ALEXANDER, as they have brought this bill through the committee and onto the floor.

I believe this legislation walks that line between asking the States, our tribes, and providers to plan ways to improve childcare quality without actually dictating the who and how and the what of every aspect of childcare. What the bill really does is it strengthens the ways in which providers can combine CCDBG, Head Start, title I, and IDEA funds to serve more kids, and if we can serve more kids, that is all good. It asks them to take an updated look at how they serve children with disabilities and how they will address nutrition and fitness and health and safety issues, but it will continue to let them figure out the best ways to achieve the goals, and that really does make sense.

In addition, as a result of the bipartisan nature of how this bill has come together, Alaskan voices were heard on this, and Alaskan concerns about several provisions in the original draft of the bill were addressed. For example, States that will be required to perform health, safety, and fire inspections may delegate to qualified agencies those inspections that require specialized expertise. That helps us in Alaska.

The committee report clarified that States' disaster preparedness standards include specific mention of children with disabilities and family reunification.

I was pleased to work with my colleague from Hawaii, Senator HIRONO, to make sure the bill managers included the technical amendments she had requested, which ensured that Native Hawaiian children were not inadvertently left out.

I again thank Senators MIKULSKI, BURR, ALEXANDER, and HARKIN for accepting those amendments that have made this bill that much better.

Mr. President, ensuring that families and children are well served by the childcare they pay for, in part with CCDBG assistance, is an important task before the Congress because this is not just about daycare or early learning, as important as those topics are. The fact is that access to high-quality, safe, and affordable childcare is really the key component when we are talking about those things that build strong economies and strong American communities.

This assistance allows parents to get the education or the training they need to qualify for a good job. It allows them to accept and keep a good job that will help pay those bills. It helps employers hire qualified employees who are then able to work. It helps the children get the foundation they need both academically and socially to be prepared to succeed in school and life.

Getting CCDBG-funded childcare up to speed with the 21st century is a key element in addressing income inequality and the deep recession that is still present for so many low-income American families. This is especially true for American Indian and Alaska Native families. American Indians and Alaska Natives experience exceptionally high unemployment levels compared to the rest of the Nation. I think the Presiding Officer knows this from his State, but in many regions of Alaska unemployment among our Native people is more than double our statewide rate. In the lower 48, unemployment on our Indian reservations was at approximately 50 percent in 2012.

We also know that high-quality early education can have an important and positive effect on the often very difficult academic and social outcomes we can see with our American Indians and our Alaska Native children if they do not have some of these foundational opportunities before them. So increasing these families' access to quality early education can have an important, positive effect on these children by improving their academic outcomes and their economic opportunities and really bringing hope to the community.

I thank the Senators on the floor for supporting the amendment we just had in front of us. Senator FRANKEN and I had offered the tribal set-aside. This change, which moves the set-aside from a ceiling to a floor, will provide tribes with an opportunity to work with HHS to receive additional support for the childcare opportunities that are so needed in Indian Country.

I am proud of the work we are doing in the Senate this week. We could have hotlined this bill and passed it by unanimous consent, but I think the path we have taken is the right one in bringing the bill to the floor and giving each Member the opportunity to be heard on ways to improve the bill. Holding votes on amendments in the regular order is the right thing to do. I applaud the chairwoman and those who have worked so hard, and I look forward to supporting this bill as we see its conclusion.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to join my colleagues this afternoon in expressing support for the

reauthorization of the Child Care and Development Block Grant Program, and I too commend Senator MIKULSKI, Senator BURR, Senator HARKIN, and Senator ALEXANDER for crafting this bipartisan bill and bringing it to the Senate floor for debate and amendment.

Childcare for working parents is essential to families throughout the Nation, and Maine is no exception. For years the CCDBG Program has assisted low-income parents in affording childcare. The support provided by this important program enables parents to obtain needed care for their children so they may work or improve their own skills and education.

Mr. President, 2,600 children from 1,800 Maine families receive Federal childcare subsidies through this program. Particularly during these difficult economic times, this program goes a long way in helping families in Maine and across the country.

I have seen firsthand the impact of high-quality early learning on a child's ability to succeed and grow. Educare Central Maine, located in Waterville, which I visited a few years ago, is a state-of-the-art early learning center that serves more than 200 mostly low-income children from birth to age 5. Almost half of these children come from families that are eligible for assistance, and many rely on the CCDBG voucher to help cover the cost of their attending Educare. Educare is a great example of quality childcare in my State and of the real impact of this program's funding at work in our communities.

As I saw at Educare in Waterville, the vouchers provided under this program allow parents to choose the best childcare setting for their children. That is a critical aspect of this program. Vouchers give parents the flexibility they want and need to make the best choice for their children about the kind of care that best serves their needs, whether it is at a childcare center, at a family care home, or with a relative or friend. The voucher program helps to keep the decisions in the hands of parents.

I am also pleased this reauthorization requires coordination among the early learning advisory councils and Head Start and the IDEA programs that serve children with special needs. Aligning these programs will help to improve the quality of all services offered for infants, toddlers, and preschool-aged children.

High-quality early learning experiences help ensure that children are well prepared for school. This bill improves the current program by making sure those providers receiving funding are qualified, receive training, and are regularly inspected and monitored.

I also express my gratitude to the members of the Health, Education, Labor and Pensions Committee for including in this legislation provisions from the Child Care Infant Mortality Prevention Act. That is a bill I introduced with the Senator from California, DIANNE FEINSTEIN. According to the Centers for Disease Control and Prevention, as well as the American Academy of Pediatrics, half of the approximately 4,500 sudden infant death syndrome cases in the United States are entirely preventable with effective training and implementation of correct sleep practices. I am very pleased this reauthorization includes sudden infant death syndrome prevention and safe sleeping practices among the new health and safety training topics for providers.

Childcare is not only important to the developmental health of our children but also to the well-being of their parents. When parents know their children have a place to go where they will be safe and where they will learn, then parents have the peace of mind to earn a living to support their families.

Balancing the need to work with the need for childcare can be very difficult. At times, a parent's salary would be almost completely offset by the cost of childcare in a low-income family. This bill will help more parents get the support they need while reinforcing the requirement for high-quality care in healthy, stimulating, and safe environments.

Mr. President, I urge all of my colleagues to support this reauthorization bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the Senators from Maine and Alaska for their comments, as well as the Senator from Washington State. Wasn't it impressive that for the last hour, from both sides of the aisle, the women of the Senate have spoken out. Yet this bill is not a woman's bill. This is a family bill, where the men and women of the Senate came together on a bipartisan basis and have developed a framework for a sensible, affordable reauthorization of the Child Care and Development Block Grant Act.

I am so pleased to be a part of this with Senator HARKIN, chairman of the health and education committee, Senator LAMAR ALEXANDER, and Senator RICHARD BURR, my counterpart on the subcommittee, where we worked so hard to do this.

We the women of the Senate often joke, but it is no laughing matter when we say we work on the macro issues of our economy and of our national security. But we also work on the macaroni and cheese issues affecting America's families, and there is no bigger macaroni and cheese issue than general education, and of course early childhood education, which occurs both in the home—remember, the first teachers are always the family—and then childcare. With now more than 40 percent of American women in the workforce, childcare is indeed a compelling issue.

Childcare is one of the most important decisions a parent can make in raising their child. Yet when one asks who is worried about childcare or when there is a single mom working double shifts because she might make the minimum wage and she is trying to hold body and soul together or a married couple where the wife is working in the marketplace as a lab technician and the father has a job which might have him commuting more than 2 hours a day one way, they need to be able to have affordable childhood care. What about the police officer who works the night shift? When we say ''police officer,'' it could be female or male.

Our bill helps lift the burden, giving families and children the childcare they need. This is why I am so proud the Senate women have joined me to support this bill. Many families want childcare which is reliable, undeniable, safe, affordable, and accessible. This bill does just that.

So how does it work? The Federal Government provides States and Indian tribes with funding. This funding is used to help lower-income families afford childcare while their parents work or train for work. Families are given vouchers based on their income level to help cover the cost of care. These vouchers can be used by parents for care in a childcare home, care in a relative's home or in a child care center.

Every month the CCDBG Program helps more than 1.5 million American children. In my own home State of Maryland, 20,000 children are served monthly; 20,000 families benefit from this.

So why is the program important? Childcare is expensive. Even when parents are contributing to childcare, it is often one of their highest expenditures. On average, Maryland families spend 20 percent of their family income on child care. Maryland has 54,000 working moms with infants under the age of 1 year. The childcare for this is $13,000 a year. We have 148,000 single moms with children under the age of 18. We have 200,000 working moms with children under the age of 6. Childcare for them for a 4-year-old is about $9,000 a year. This is more than what it costs to go to a community college. This is what it costs to go to more than some of the campuses at the University of Maryland.

Childcare is expensive. Taking care of children who are preschool is expensive because in order to do the right thing they have to have trained staff who not only provide a safe environment for the children, but the kind of environment which nurtures their development, develops their mind, and prepares them for school. This is why we focused on high-quality childcare.

Safeguarding their health and safety, ensuring children have a continuity of care, making sure their nutritional concerns are also addressed. We have done this, again, on a bipartisan basis to make sure when we provide childcare, and we also provide local flexibility.

The needs in a rural State like Utah or Montana are different than Maryland or New York. Look at the lead sponsors of this bill: Tennessee, North Carolina, Iowa, Maryland. So we provide the local flexibility which is so important.

This bill will make sure we have strong background checks to make sure the children are safe. We are going to make sure they meet certain basic health requirements where the staff knows basic first aid. We are also going to make sure there is money for training and curriculum development so each child benefits in a safe learning environment.

There is much more I could say about this bill, but the most important is this. Let's get our amendments done and let's move it. I am proud of what we have done, and I really think that if we work together, we can offer our amendments and be done by sometime tomorrow.

So I again reach out to all of my colleagues. We have a good bill. It is a bill which helps families and, at the same time, it does not really increase bureaucracy.

I yield the floor and look forward to a continuing debate on the bill.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Iowa is recognized.

AMENDMENT NO. 2824 AND AMENDMENT NO. 2809

Mr. HARKIN. Mr. President, I ask unanimous consent that the pending amendments be set aside, and call up the following amendments: Bennet-Isakson No. 2824; and, Boxer-Burr No. 2809.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. BENNET and Mr. ISAKSON, proposes an amendment numbered 2824;

The Senator from Iowa [Mr. HARKIN], for Mrs. BOXER and Mr. BURR, proposes amendment numbered 2809.

Mr. HARKIN. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 2824

(Purpose: To require States that elect to combine funding for early childhood education and care to describe the manner in which they use the combined funding)

On page 91, line 17, insert ''efficiently'' before ''coordinate''.

On page 93, strike line 9 and insert the following:

''(ii) OPTIONAL USE OF COMBINED FUNDS.—If the State elects to combine funding for the services supported to carry out this subchapter with funding for any program described in subclauses (I) through (VII) of clause (i), the plan shall describe how the State will combine the multiple sets of funding and use the combined funding.

''(iii) RULE OF CONSTRUCTION.—Nothing with this subchapter.

''(5) after consultation with the Secretary of Education and the heads of any other Federal agencies involved, issue guidance, and disseminate information on best practices, regarding use of funding combined by States as described in section 658E(c)(2)(O)(ii), consistent with law other than this subchapter.''; and

On page 128, line 16, strike ''chapter; and'' and insert ''chapter;''.

On page 128, strike line 22 and insert the following:

AMENDMENT NO. 2809

(Purpose: To amend the Crime Control Act of 1990 to improve the quality of background checks for Federal agencies hiring, or contracting to hire, individuals to provide child care services)

At the appropriate place, insert the following:

SEC. ___. SAFE CHILD CARE ACT.

(a) SHORT TITLE.—This section may be cited as the ''Safe Child Care Act of 2014''.

(b) BACKGROUND CHECKS.—Section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''subsection (b)(3)'' and inserting ''paragraph (3)''; and

(B) by redesignating paragraph (2) as paragraph (4);

(2) by moving paragraphs (2) and (3) of subsection (b) to subsection (a), and inserting them after paragraph (1) of that subsection;

(3) in subsection (a)(3), as redesignated by paragraph (2) of this subsection, by striking ''subsection (a)(1)'' and inserting ''paragraph (1)'';

(4) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) A background check required by subsection (a) shall be initiated through the personnel programs of the applicable Federal agencies.

''(2) A background check for a child care staff member under subsection (a) shall include—

''(A) a search, including a fingerprint check, of the State criminal registry or repository in—

''(i) the State where the child care staff member resides; and

''(ii) each State where the child care staff member previously resided during the longer of—

''(I) the 10-year period ending on the date on which the background check is initiated; or

''(II) the period beginning on the date on which the child care staff member attained 18 years of age and ending on the date on which the background check is initiated;

''(B) a search of State-based child abuse and neglect registries and databases in—

''(i) the State where the child care staff member resides; and

''(ii) each State where the child care staff member previously resided during the longer of—

''(I) the 10-year period ending on the date on which the background check is initiated; or

''(II) the period beginning on the date on which the child care staff member attained 18 years of age and ending on the date on which the background check is initiated;

''(C) a search of the National Crime Information Center database;

''(D) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System;

''(E) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); and

''(F) a search of the State sex offender registry established under that Act in—

''(i) the State where the child care staff member resides; and

''(ii) each State where the child care staff member previously resided during the longer of—

''(I) the 10-year period ending on the date on which the background check is initiated; or

''(II) the period beginning on the date on which the child care staff member attained 18 years of age and ending on the date on which the background check is initiated.

''(3) A child care staff member shall be ineligible for employment by a child care provider if such individual—

''(A) refuses to consent to the background check described in subsection (a);

''(B) makes a false statement in connection with such background check;

''(C) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006; or

''(D) has been convicted of a felony consisting of—

''(i) murder, as described in section 1111 of title 18, United States Code;

''(ii) child abuse or neglect;

''(iii) a crime against children, including child pornography;

''(iv) spousal abuse;

''(v) a crime involving rape or sexual assault;

''(vi) kidnapping;

''(vii) arson;

''(viii) physical assault or battery; or

''(ix) subject to paragraph (5)(D), a drug-related offense committed during the preceding 5 years.

''(4)(A) A child care provider covered by paragraph (3) shall submit a request, to the appropriate State agency designated by a State, for a background check described in subsection (a), for each child care staff member (including prospective child care staff members) of the provider.

''(B) In the case of an individual who is hired as a child care staff member before the date of enactment of the Safe Child Care Act of 2014, the provider shall submit such a request—

''(i) prior to the last day of the second full fiscal year after that date of enactment; and

''(ii) not less often than once during each 5-year period following the first submission date under this subparagraph for that staff member.

''(C) In the case of an individual who is a prospective child care staff member on or after that date of enactment, the provider shall submit such a request—

''(i) prior to the date the individual becomes a child care staff member of the provider; and

''(ii) not less often than once during each 5-year period following the first submission date under this subparagraph for that staff member.

''(5)(A) The State shall—

''(i) carry out the request of a child care provider for a background check described in subsection (a) as expeditiously as possible; and

''(ii) in accordance with subparagraph (B) of this paragraph, provide the results of the background check to—

''(I) the child care provider; and

''(II) the current or prospective child care staff member for whom the background check is conducted.

''(B)(i) The State shall provide the results of a background check to a child care provider as required under subparagraph (A)(ii)(I) in a statement that—

''(I) indicates whether the current or prospective child care staff member for whom

the background check is conducted is eligible or ineligible for employment by a child care provider; and

''(II) does not reveal any disqualifying crime or other related information regarding the current or prospective child care staff member.

''(ii) If a current or prospective child care staff member is ineligible for employment by a child care provider due to a background check described in subsection (a), the State shall provide the results of the background check to the current or prospective child care staff member as required under subparagraph (A)(ii)(II) in a criminal background report that includes information relating to each disqualifying crime.

''(iii) A State—

''(I) may not publicly release or share the results of an individual background check described in subsection (a); and

''(II) may include the results of background checks described in subsection (a) in the development or dissemination of local or statewide data relating to background checks if the results are not individually identifiable.

''(C)(i) The State shall provide for a process by which a child care staff member (including a prospective child care staff member) may appeal the results of a background check required under subsection (a) to challenge the accuracy or completeness of the information contained in the criminal background report of the staff member.

''(ii) The State shall ensure that—

''(I) the appeals process is completed in a timely manner for each child care staff member;

''(II) each child care staff member is given notice of the opportunity to appeal; and

''(III) each child care staff member who wishes to challenge the accuracy or completeness of the information in the criminal background report of the child care staff member is given instructions about how to complete the appeals process.

''(D)(i) The State may allow for a review process through which the State may determine that a child care staff member (including a prospective child care staff member) disqualified for a crime specified in paragraph (3)(D)(ix) is eligible for employment by a child care provider, notwithstanding paragraph (3).

''(ii) The review process under this subparagraph shall be consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

''(E) Nothing in this section shall be construed to create a private right of action against a child care provider if the child care provider is in compliance with this section.

''(F) This section shall apply to each State that receives funding under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.).

''(6) Fees that the State may charge for the costs of conducting a background check as required by subsection (a) shall not exceed the actual costs to the State for the administration of such background checks.

''(7) Nothing in this subsection shall be construed to prevent a Federal agency from disqualifying an individual as a child care staff member based on a conviction of the individual for a crime not specifically listed in this subsection that bears upon the fitness of an individual to provide care for and have responsibility for the safety and well-being of children.

''(8) In this subsection—

''(A) the term 'child care provider' means an agency of the Federal Government, or a unit of or contractor with the Federal Government that is operating a facility, described in subsection (a); and

''(B) the term 'child care staff member' means an individual who is hired, or seeks to be hired, by a child care provider to be involved with the provision of child care services, as described in subsection (a).''; and

(5) by striking subsection (c) and inserting the following:

''(c) SUSPENSION PENDING DISPOSITION OF CRIMINAL CASE.—In the case of an incident in which an individual has been charged with an offense described in subsection (b)(3)(D) and the charge has not yet been disposed of, an employer may suspend an employee from having any contact with children while on the job until the case is resolved.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1 of the second full fiscal year after the date of enactment of this Act.

Mr. HARKIN. Mr. President, I ask unanimous consent that at 5:15 p.m., the Senate proceed to vote in relation to the following amendments in the order listed: Landrieu No. 2818; Landrieu-Grassley No. 2813; Landrieu-Blunt No. 2814; and Bennett-Isakson No. 2824; further, that no second-degree amendments be in order to any of these amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HARKIN. For the information of all Senators, it is our understanding that only one of these four amendments will be subject to a rollcall vote, Landrieu No. 2818, and the others will hopefully be done by voice votes at 5:15.

UNANIMOUS CONSENT—EXECUTIVE CALENDAR

Mr. HARKIN. Mr. President, I ask unanimous consent that upon disposition of the Bennet-Isakson amendment, the Senate proceed to executive session for consideration of the following nominations en bloc: Calendar Nos. 682, 617, 614, 545; that the Senate proceed to vote in the order listed without intervening action or debate on the nominations; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, would the Senator yield 2 minutes?

I thank the Senator from Iowa for his generosity spirit, and I rise in strong support of the bill.

Since 1990 this important block grant has helped States provide vouchers to our low-income families to help them afford quality childcare programs. We all know how important that is.

With over 70 percent of moms in today's workforce, it certainly is a critical issue for our children and their families and for our economy.

I have been involved in this issue both when I was a young mom and now as an older grandmother. Childcare can be very expensive. The average low-income family spends over 32 percent of their income on childcare every month and about the same for their rent. They don't have much left over. It is very difficult. In California we have almost 6 million children whose parents are working, and in our State we were able to help over 100,000 children through this very important program.

I commend the sponsors of this bill, the HELP Committee, for the great work they have done. I have a couple of amendments, and I will finish in just a moment.

Senator BURR and I have proposed amendment No. 2809, which simply ensures that all childcare programs on Federal facilities, such as military bases, conduct the same comprehensive background checks the bill already requires of childcare providers on State land. So it is like a little bit of an oversight that was left out.

So we make sure if there is a childcare center on Federal lands—and, by the way, there are many—it is taken care of. Unfortunately, we have had experiences of all kinds of assaults on Federal lands, and I don't need to go into that.

Amendment No. 2810 would help more parents afford quality childcare by increasing the child and dependent care tax credit from $3,000 to $6,000 per child, and making it refundable.

I do hope we all support the underlying bill, and I thank the Senator from Iowa for his generosity.

The PRESIDING OFFICER. The senior Senator from Iowa is recognized.

Mr. GRASSLEY. I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, in the last few weeks I have come to the floor many times to speak about how the Senate has deteriorated from being the deliberative body it is supposed to be. Considering the comity on the floor on this bill under the direction of Senator HARKIN, my colleague from Iowa, and other people, this is probably not the most appropriate time to give a speech like this. But we still have problems in the Senate and I wish to address them.

We need to restore the Senate as a deliberative body. I am very concerned the Senate is no longer living up to its reputation as the ''World's Greatest Deliberative Body.''

I have outlined how the Senate ought to function by quoting at length the writings of the primary architect of the U.S. Constitution James Madison. When trying to understand what the authors of the Constitution intended the role of the Senate to be, we can't do any better than James Madison, the father of the Constitution.

The writings of Madison, along with Hamilton and Jay, in the Federalist Papers comprise the most comprehensive and detailed explanation of what the framers of the Constitution intended. This provides an important and

very nonpartisan frame of reference about the role the Senate is supposed to play in our system of government. By going back to our founding document and first principles, we can rise above petty partisan squabbling and start working on how to restore the Senate as the deliberative body it is supposed to be.

I will start by recapping some of the lessons from the Federalist Papers where the Senate has gone off course. Then I will talk about solutions to restore the Senate. I am introducing this solution today with cosponsorship of other Senators, which I will get to in a minute.

In Federalist No. 62, this new creation of a Senate is being explained to the people of New York to convince them to ratify the Constitution. It tells of the lessons Americans learned in the first years of independence under the Articles of Confederation, which had a unicameral legislature, as did most of the States at that time. Based on lessons learned from practical experience then of these State legislatures, James Madison lists four problems that a republic such as ours could face if it doesn't have a properly functioning Senate.

The first problem Madison recounts is a tendency for a group to form in a legislative body that pushes its own agenda as opposed to what the people elected them to do. Madison explains that having a second Chamber like a Senate makes such ''schemes of usurpation or perfidy'' less likely because they would have to capture both Chambers at the same time. The Senate, with longer staggered terms as the Constitution spells out, makes that even less likely.

The second lesson is that a single-chamber legislature with lots of Members tends to ''yield to the impulse of sudden and violent passions and to be seduced by factious leaders into intemperate and pernicious resolutions.''

If that sounds like the House of Representatives today, that is because it is supposed to work that way. The House is supposed to reflect the immediate passions of the day, even if those passions take on a partisan pen. However, when laws are made only by factious leaders, you end up with what Madison calls, ''intemperate and pernicious resolutions.''

So that is where he says the function of the Senate as a deliberative body comes into play.

Madison's third lesson has to do with a need for a body with longer terms that is serious about doing the hard work of legislating, instead of pushing short-term agendas, such as might be the case in a House of Representatives.

To quote Madison:

> What indeed are all the repealing, explaining, and amending laws, which fill and disgrace our voluminous codes, but so many monuments of deficient wisdom; so many impeachments exhibited by each succeeding against each preceding session; so many admonitions to people, of the value of those aids which may be expected from a well constituted senate?

In other words, what Madison was saying: It is better to take the time to get it right the first time than to have to constantly go back and fix ill-conceived laws. That is what the Senate is composed to do under our Constitution, to make sure we do not get sudden changes or bad legislation out of the other body.

In the fourth and final point, Madison explains that if a legislature is constantly churning out new laws, even if they are good ideas, it causes chaos because no one knows what the law says from day to day. It changes constantly, in other words.

To this point Madison says: ''A continual change even of good measures is inconsistent with every rule of prudence and every prospect of success.''

Madison also points out a problem caused by overactive legislating that we tend to think is unique in modern times; that is, special interest groups that are hired as lobbyists and lawyers. To quote Madison: ''Another effect of public instability is the unreasonable advantage it gives to the sagacious, the enterprising, and the moneyed few over the industrious and uniformed mass of the people.''

That is a criticism we still hear today.

Just to recap, the Senate was specifically written into our Constitution to solve certain problems; namely, but repetitively, to prevent an agenda that does not reflect that of the American people, to prevent legislation based upon short-term partisan passions, and to pass fewer but better thought-out laws. Of course, starting in 2007, we had a House and a Senate controlled by the same political party and intent on enacting the President's agenda, top of which was his health care law. The deliberative process was cut short and the legislation was rammed through the Senate over the objections of Senators representing 40 percent of the States. The President's health care law is practically the poster child for what Madison called ''intemperate and pernicious resolutions,'' reflecting a partisan agenda that did not enjoy broad support among the American people when it was passed. You know what. It enjoys less support today.

The fact that Congress didn't take the time to think through every aspect of that important health care legislation and work out a consensus that could attract broad support of the Senate has resulted in the need of a series of, as Madison said, ''repealing, explaining and amending laws.''

Of course, the President claimed for himself the authority to unilaterally suspend or amend parts of the law that aren't working rather than come back to Congress that under the Constitution is supposed to be the legislative body. Of course, what the President is doing now is not what the authors of the Constitution intended either. We wouldn't be in this predicament, with a deeply flawed health care law, if the Senate had been allowed to function as it was intended.

Now with neither party today having 60 votes needed to steamroll Members of the minority party, the Senate should go back to functioning as it was intended. Yet that hasn't happened. Instead we have seen an unprecedented abuse of Senate rules to block Senators from participating in the deliberative process. These abuses of Senate rules threaten to fundamentally transform the Senate from the greatest deliberative body in the world into a purely partisan rubberstamp for the agenda of the majority and its leadership. If we allow that to happen, we will see even more of the problems Madison warned about.

The Senate was intended to be a deliberative body and only functions properly when deliberation is allowed. That means we must have debate and amendments.

I hear frequent complaints from Iowans about Congress passing huge bills without Members of Congress having the opportunity to understand all the provisions, much less the people they are supposed to represent having a chance to understand the bills and to weigh in on them. It is now routine for cloture to be filed immediately upon bringing up a matter for consideration. That is not the deliberative process or how the Senate is supposed to operate.

Cloture was invented to allow the Senate to end consideration of a matter after the preponderance of Senators had concluded it had received sufficient consideration. Even that part was a compromise. Before cloture was invented, there was no way to end debate as long as at least one Senator thought a matter needed further consideration.

Cloture was introduced to balance the desire to get things done with the principle that each Senator, as a representative of his or her State, has a right to participate fully in that legislative process. The threshold was later adjusted down from two-thirds of Senators voting to three-fifths of all Senators. That is the famous 60 votes we have to have if we want to end debate. Each time this matter has been revisited, the balance has tilted more in favor of speeding up the process at the expense of allowing Senators to fully represent the people of their States.

At the beginning of the current Congress, the Senate passed changes to the Senate rules to shorten the amount of debate time after cloture is invoked for certain nominees and to expedite consideration of legislation in some situations. These changes were agreed to in exchange for a promise—a real promise—that the so-called nuclear option would not be used.

Notwithstanding that commitment, just a short 10 months later, the nuclear option was used, setting a new precedent that debate on nominations can be cut off by a simple majority of Senators, ignoring the plain text of the cloture rule that is still on the books.

At the end of the day, Members of this body agreed to extinguish certain rights in exchange for the promise not

to use the nuclear option only to have additional rights stripped away 10 months later by a simple majority vote. Taken together, those two episodes represent a dramatic shift toward domination of the Senate by one faction, contrary to Madison's stated intent.

I say all that by way of background, but that is history and the other side will have to learn to live with the ramifications of changes to the nomination process that they forced upon this body.

I would like to turn the focus now to the legislative process and what can be done to restore the Senate to the role envisioned by the authors of the Constitution before it is too late and the idea that I have and some of my colleagues have joined me in a rule change along this line.

When it comes to legislating, we have gotten off track from how the Senate was designed, but we have an opportunity to restore the Senate as a deliberative body. That was an understanding at the beginning of this Congress, that there would be some return to regular order. In exchange for rule changes that expedite the legislative process, the majority leadership would turn to the longstanding tradition of an open amendment process.

In other words, there was an understanding that the Senate would take its time to consider legislation and Senators from both sides would be free to propose amendments and have them voted on. That understanding lasted until Republicans submitted amendments that some on the other side were nervous to have to take a position on. It is no secret the majority leader has gone out of his way to keep Members of his caucus from having to take votes that may hurt them with the people back home.

The Senate rules provide that any Senator may offer an amendment to a bill being considered. Therefore, in order to shield Members from having to take tough votes, the majority leader now routinely moves to shut down all consideration of a bill before amendments are considered.

As I said at the beginning, maybe today isn't the time to give this speech because we have great comity on the bills before the Senate, but we still have a major problem.

Cloture is supposed to be used after the Senate has considered a measure for a period of time and a preponderance of the Senate think it has deliberated enough. Cloture should not be used to prevent any meaningful deliberation from taking place. The average number of cloture motions filed under each session of the Congress under this majority leadership is more than double what it was in prior sessions of Congress under majority leaders of both parties going back to 1987. This alone is an indication that cloture is being overused, even abused, by the majority.

The majority leader will tell you he is forced to file cloture because of Republican filibusters. He might have a point if—and that is a big if—if it was true that after extensive debate and plenty of opportunity to consider amendments Republicans were dragging out debate purely for the sake of delay. However, we can hardly claim that the Senate's deliberation has dragged on too long when it hasn't even begun consideration of the matter in the first place.

We are now at the point where the overwhelming number of motions to cut off debate are made before debate has even started, much less than in response to a filibuster because, obviously, we have to have debate before we have a filibuster.

Let's look at a chart I have that was put together by the Congressional Research Service on cloture motions in relationship to legislative business filed the same day a matter is brought before the Senate—in other words, before debate starts—because we have to have debate before we have a filibuster.

I have color-coded each Congress based on which party controlled the Senate. You will notice that use of same-day cloture averages out to 29 times per Congress up until the 110th Congress when this majority leadership takes over. Then there is a huge jump to 98 same-day cloture motions. That is more than three times the previous average. You will notice a trend toward slightly more use of same-day clotures in the years leading up to 2007 and, of course, that makes both parties guilty.

You can see an unprecedented use of same-day clotures starting when this majority leadership took over. The trend has continued at more than double the previous average in each Congress since this majority leadership took over.

There were 65 same-day cloture motions in the 111th Congress and 67 in the 112th Congress compared to 29 the last time Republicans controlled the Senate, which coincidentally is also the previous average I have talked about.

The last line on the chart shows the total as of January, when we were only halfway through the current Congress. At that time we were already up to 30 same-day cloture motions. That is more than we saw for the entire Congress the last time Republicans were in the majority. We are back to an unprecedented use of cloture to end deliberations before deliberations have even begun, and that is clearly abusive and cannot be justified.

Some people might argue that same-day cloture motions on the motion to proceed should not be counted because the motion to proceed can't be amended. That is debatable, but I will point out that the last column shows same-day cloture filings excluding the motion to proceed, and the trend is exactly the same.

What do we do about this abuse of cloture to end consideration of a bill before it has been considered? Today I am introducing the Stop Cloture Abuse Resolution. That appropriately spells out the acronym SCAR because cloture abuse threatens to scar the body of the Senate. The Stop Cloture Abuse Resolution will amend Senate rules to prohibit the filing of cloture until at least 24 hours after the Senate has proceeded to the matter. That means you will have debate before you file cloture. Debate could be a filibuster, but you have to have debate to have a filibuster. This reform will end, once and for all, the practice of attempting to shut down debate and amendments before the debate has started.

It is important to keep in mind that when Senators are blocked from participating in the legislative process, the people they represent are disenfranchised. By that I don't mean the citizens of the 45 States who elected Republicans. The citizens of States who elected Democratic Senators also expect their Senators to offer amendments and engage with their colleagues and different parties. Forcing a cloture vote before any deliberation prevents even Members of the majority party from offering amendments that may be important to the people they represent. Voters have a right to expect the people they elect to actually do the hard work of legislating, not just be a rubberstamp for the leadership's agenda.

Senators who go along with the tactics that disenfranchise their own constituents should have to explain to those who voted them into office why they are not willing to be full-fledged Senators. The Senate is the world's most deliberative body, and constituents rightfully expect their Senators to be able to vote. They should explain why their loyalty is to party leadership and not to the people of their State.

A Senator's job includes offering amendments. Being a Senator also means sometimes you have to take tough votes on other Senators' amendments that reveal to your constituents where you stand on various issues. It is the job of Senators, quite plainly, to deliberate and to legislate.

The Stop Cloture Abuse Resolution will make it clear that deliberation is the rule, not disenfranchisement. It would establish that a deliberative process is expected, and at least some deliberation must occur before any attempt to silence the voices of Senators and by extension the voices of the people of their respective States.

This is just one reform idea I am proposing for the Senate to consider as we work to restore the Senate as a deliberative body, and that will be introduced today. It would only address, I have to admit, part of the problem. The Senate will also have to address the abuse of filling the tree to block amendments.

The ability to block Senators from offering amendments is actually not found in the Senate rules. Filling the tree is an abuse of Senate precedents. In some ways that makes it the easier problem to address; whereas, a cloture

abuse is an abuse of the Senate cloture rule. The practice of filling the tree to block amendments can be eliminated simply by establishing a new precedent.

As everyone remembers from the nuclear option, establishing a new precedent is a simple process that only requires a majority vote. However, like the nuclear option which established a precedent that the Senate would ignore, the plain text of a rule is still on the books. Ending the ability of a majority leader to block amendments would simply involve replacing the old precedent with a new precedent.

For now, the Stop Cloture Abuse Resolution—going by the acronym SCAR—would be a good start. It would eliminate the scar on the Senate. Adopting the Stop Cloture Abuse Resolution would send a strong message that the Senate will once again deliberate over issues rather than ramming through all of them without careful consideration.

This reform will reduce the urge to force legislation through the Senate based on a short-term partisan agenda and result in fewer but better laws just as James Madison and the other Framers of the Constitution intended. Amending the Senate rules should not be a last resort, and this move should not be necessary.

We have been told the bipartisan child care and development block grant bill will be considered—and is being considered—under an open amendment process. If that happens, and if that marks the beginning of a return to regular order where all Senators are allowed to represent their States to the best of their ability once again, then perhaps this move will not be necessary.

Given the record of the past three Congresses, I don't think anybody should hold their breath on that happening.

It is a good day in the U.S. Senate that this legislation is being considered under the process the Senate was set up to perform—to deliberate, offer amendments, and debate.

If a fully open amendment process is not permitted after all, and if this rare instance of bipartisanship proves to be an exception to the rule, it will prove that the Senate is fundamentally broken and only significant reforms, such as the Stop Cloture Abuse Resolution, can restore the Senate as the world's greatest deliberative body.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2837

Mr. SCOTT. Mr. President, I ask unanimous consent to set aside the pending amendment so I may call up my amendment numbered 2837, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. SCOTT], for himself and Ms. LANDRIEU, proposes an amendment numbered 2837.

Mr. SCOTT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify parental rights to use child care certificates)

On page 140, between lines 2 and 3, insert the following:

SEC. 10A. PARENTAL RIGHTS AND RESPONSIBILITIES.

Section 658Q of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858o) is amended—

(1) by inserting before ''Nothing'' the following:

''(a) IN GENERAL.—''; and

(2) by adding at the end the following:

''(b) PARENTAL RIGHTS TO USE CHILD CARE CERTIFICATES.—Nothing in this subchapter shall be construed in a manner—

''(1) to favor or promote the use of grants and contracts for the receipt of child care services under this subchapter over the use of child care certificates; or

''(2) to disfavor or discourage the use of such certificates for the purchase of child care services, including those services provided by private or nonprofit entities, such as faith-based providers.''.

Mr. SCOTT. Mr. President, I offer amendment No. 2837 to S. 2086, the Child Care and Development Block Grant Act of 2014. My amendment seeks to clarify that the statute does not favor or promote the use of grants or contracts over the use of childcare certificates, nor does it adversely impact the use of certificates in faith-based or other settings.

What we are talking about today boils down to parental choice and State flexibility—two issues the Federal Government should be thinking a lot harder about on a constant basis.

I ask my colleagues to support my bipartisan amendment to ensure low-income working parents have a choice and that States have the flexibility they need to find the childcare that best suits their child.

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. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as if in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I rise this afternoon to talk about the Medicare Program, which of course, is a lifeline—a guarantee for 50 million older Americans. In particular what the Senate wants to do is make sure that those older people have access to primary care doctors, nurse practitioners, specialists, and other providers in their local communities because they provide critically needed care to our seniors day in and day out.

Many of those seniors have no idea that by March 31—just a few weeks from now—Congress has to act on their behalf to preserve access to the care that seniors depend on. Suffice it to say those providers would much rather be delivering the care than waiting for this Congress to act.

Now, fortunately, there is a roadmap for getting this done—getting good care to seniors not just for a short period of time but, I say to my colleagues, once and for all. And I wish to this afternoon urge my colleagues to seize this opportunity.

Beginning my remarks, I declare I can take little credit for the opportunity before us. The path that got us here, that got us started in the effort to make the needed reforms to protect our seniors, is a direct result of the leadership of my friend and colleague Senator ORRIN HATCH. Just as Senator HATCH has done so many times over the course of an illustrious career, he was key to forging a bipartisan solution to a challenging, longstanding problem.

So what I would like to do in the beginning is to recognize that effort by Senator HATCH; my predecessor as chairman of the Finance Committee, Senator BAUCUS; House Ways and Means chairman DAVE CAMP; House Ways and Means Ranking Member SANDER LEVIN; House Energy and Commerce chairman FRED UPTON; and House Energy and Commerce Ranking Member HENRY WAXMAN. The work they have been doing over the last few months is exceptional. In effect, they have given us the opportunity to take this flawed system of setting a kind of Medicare budget known as SGR—sustainable growth rate—they have given us the opportunity to repeal and replace this flawed system with one that I think is going to make a huge difference in the days ahead by pushing up the goal of good-quality affordable care and doing it in a bipartisan way. I hope these colleagues will take it as a compliment that the SGR bill now before the Senate incorporates all of that good bipartisan work they have been doing, along with the work that was done on the Senate Finance Committee.

I see our colleague from North Carolina, who has contributed mightily to that effort, as well as, of course, the Presiding Officer of the Senate Senator BROWN, who has been such an eloquent spokesperson, particularly for those without political power and political clout. I thank both of them for their efforts.

To be specific, the legislation I introduced last night incorporates what those six Members agreed to—the six

Members I just named, the three Democrats and the three Republicans—in S. 2000. In effect, that legislation, along with the health extenders passed by the Senate Finance Committee in S. 1871, is essentially what we have the opportunity to move in the days ahead. Every single item in this bill has strong bipartisan support, and I hope we can all come together and with resounding bipartisan support get this bill passed before March 31.

There are a variety of reasons why Democrats and Republicans, in my view, can band together and repeal and replace what I have characterized as a flawed, really dysfunctional system we have today known as the SGR, but before I go through the list of reasons, I wish to make clear to my colleagues—colleagues who know me—that I am interested in sound, sensible policy and that we move in a bipartisan way—not politics, not message, but sound policy.

That is why I am here on the floor today. I have always tried to make it possible for both sides to secure their principles—principles that are important to them—and still allow us to go forward in a bipartisan and innovative fashion to get things done.

I will say to my colleagues, it is not possible any longer to just put one patch or another up and say we are going to fix the Medicare challenge. It is not going to work.

For the last 10 years Congress has always blocked these cuts. So I say it is time to stop pretending these upcoming cuts—fittingly scheduled for April Fools' Day—are any more real than the 16 times the Congress has intervened. What we ought to do, I say to my colleagues, is stop playing Medicare make believe. It is time to set aside a flawed formula that prevents the Congress from really moving ahead constructively on Medicare and to start with a clean slate.

I thought the Wall Street Journal editors really summed it up very well on February 19. In talking about the bipartisan bill I laud tonight, the editors of the Wall Street Journal said: ''Simply pass the bill as is and forgo the pretense of fake-paying for it.'' We need to think about those words. The editors of the Wall Street Journal basically said this is all a bunch of fakery because the cuts aren't going to be made, the savings aren't going to be realized, because we have tried that route. So the Wall Street Journal said pass this good bipartisan bill.

If the Congress fails to fully repeal the flawed Medicare payment formula now, I believe there will be cuts to other providers—hospitals, home health care providers, drug companies, skilled nursing facilities. Make no mistake about it. Those providers are going to be the ones who pay for yet another patch. So a lot of this budget fakery isn't real, but the people who are going to pay for the patch are going to face very real cuts.

In total, the 16 bandaid patches have already cost $150 billion. That is the same cost as fully repealing and replacing the flawed SGR plus taking care of the health extenders. Those cuts, as I have indicated, have largely been paid for in the past by cuts to other providers. In the last 2 years alone, the hospitals have been forced to produce nearly $30 billion to pay for the temporary patches.

Under the status quo, the SGR will always call for cuts that are too steep for providers to bear and Congress will step in with yet another patch paid for by still more cuts to other providers. How can we make a case for more of the same, especially when we have an opportunity to not only repeal the flawed formula but also to enact reforms that finally move Medicare away from the flawed fee-for-service approach that rewards quantity instead of quality and value?

Second, I offered the Medicare SGR Repeal and Beneficiary Access Improvement Act of 2014 in order to eliminate the ongoing threat to our seniors and the providers who serve them. Under this legislation, which reflects the bipartisan, bicameral legislation Senator HATCH and Senator BAUCUS offered last month, physicians would receive annual payment increases of .5 percent for 5 years. The following 5 years physicians would not receive automatic increases but, rather, would be eligible for payment increases based on performance. Medicare would transition to a new focus—on greater equality, value, and accountability.

This legislation would strengthen Medicare physician payments in a number of ways. It would reward the quality of care. It would improve payment accuracy. It would expand the coordination of care for patients with chronic care needs. It would encourage participation in alternative models of payment.

The bill addresses other critical Medicare and Medicaid issues. They are known as health care extenders. With these extenders, it would be possible for the Congress on a bipartisan basis to ensure that low-income seniors can have affordable Medicare premiums and guarantees that beneficiaries will have access to the therapies they need.

Under the bill, rural beneficiaries will have the security of knowing the hospitals and physicians will be there when they need them. I know rural health care, for my friend from North Carolina, my friend from Iowa, and the Senator from Ohio, is a priority. If we pass this bill, which was put together by the bipartisan group in the House and Senate, we give a big boost for rural health care and the services seniors depend on under Medicare.

Finally, something I am especially proud of because Senator GRASSLEY was good enough to work with me for a number of years on it is this would significantly expand Medicare transparency. This legislation would open Medicare's treasure trove of payment data and patients would have the information they need to make informed choices about their care. Researchers and professionals will have the data needed to develop evidence-based methods. So this afternoon, in addition to thanking the colleagues I have already mentioned, I thank Senator GRASSLEY for all of those years working with me. Senator HARKIN knows Senator GRASSLEY has been a strong advocate for transparency in health care and other vital services, and we see his good work in this bill.

This bill is bipartisan. It doesn't cut providers or increase cost-sharing for seniors. I defer to my colleagues to decide if it is better to offset the costs of SGR repeal by reducing future war spending or unpaid for, but the bottom line is the same: We ought to act now. We should act now and put this flawed formula known as the SGR, which has produced Medicare migraines for frustrated providers and seniors alike, behind us.

Every single thing in the bill I offer today has strong bipartisan support, and it represents a compromise.

I know this isn't an easy vote for colleagues on either side of the aisle, but I submit that it sure means we will be able to accomplish what we were sent here to do—to find a way to do what is best for seniors and the doctors who care for them. With that clean slate—and I have enjoyed talking to the Presiding Officer about this because I think what this bill is all about is doing what is right for seniors, doing what is right for the doctors, setting in place a plan for the future that ensures seniors are going to get better care that in many instances will cost less. That is what I hope Senators will take home after we break tomorrow for the work period.

This is a chance to do what is best for seniors, what is best for doctors, and what is going to pay off for taxpayers in the long run.

Nobody wins with Medicare make believe. After these 16 patches, when we have the Wall Street Journal editors joining with seniors and providers and we have a bill that has strong bipartisan support, I think this is the kind of measure Senators ought to flock to.

I will close by saying we all know the public is frustrated with a fair amount of what happens in the Congress, and there is a fair level of disappointment. The Senator from North Carolina and I were talking about a variety of issues on this point this morning. But I look around this Chamber and I see Senators who have spent a significant amount of time in public life, and a number of colleagues who are on the floor, I am old enough to remember joining them in the other body before we came to the Senate, and we are here for a purpose. We are here to get things done. On this Medicare issue, which suffice it to say has been one of the most polarizing in the American public debate—in fact, I would venture to say that on the domestic side of the budget, there are few issues that have been

as divisive and polarizing as Medicare—this is an opportunity, colleagues, to check the partisanship at the door, come together, and set in place a new system of paying providers under Medicare that is going to produce better quality at lower costs. We ought to support it in a bipartisan manner.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from North Carolina.

AMENDMENT NO. 2821

Mr. BURR. Mr. President, I ask unanimous consent to call up Lee amendment No. 2821.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] for Mr. LEE, proposes an amendment numbered 2821.

Mr. BURR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit States from providing the Secretary with reports containing personally identifiable information)

On page 136, between lines 2 and 3, insert the following:

(e) PROTECTION OF INFORMATION.—Section 658K(a)(1) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i(a)(1)) is amended by adding at the end the following:

''(D) PROHIBITION.—Reports submitted to the Secretary under subparagraph (C) shall not contain individually identifiable information.''.

AMENDMENT NO. 2821, AS MODIFIED

Mr. BURR. Mr. President, I ask unanimous consent that the amendment be modified with the technical correction which is at the desk.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 136, between lines 2 and 3, insert the following:

(e) PROTECTION OF INFORMATION.—Section 658K(a)(1) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i(a)(1)) is amended by adding at the end the following:

''(E) PROHIBITION.—Reports submitted to the Secretary under subparagraph (C) shall not contain individually identifiable information.''.

Mr. BURR. Mr. President, I believe this amendment is agreeable on both sides, and I know of no further debate on the amendment. I would ask for the question.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment, as modified.

The amendment (No. 2821), as modified, was agreed to.

Mr. BURR. I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I rise today to discuss one of the most concerning issues our country faces today, an issue that Chairman HARKIN particularly has been outspoken on, and that is the growing retirement crisis.

A couple weeks ago I chaired in the Finance Committee the first congressional hearing on the MyRA retirement plan for low- and middle-income workers that President Obama proposed in his 2014 State of the Union Address. We will explore some of the issues, especially the Harkin legislation, later. But I want to talk for a moment about that hearing.

We know for many Americans, the traditional three-legged retirement system—Social Security, defined pension benefit, and personal retirement savings—that three-legged stool is simply no longer working. For many, two of those legs are gone, and the third leg—the Social Security monthly payment for low-income workers—is, frankly, way too short.

We know that Social Security remains the safeguard of retirement security for working-class families. But, as I said, it was never meant to be the only method of saving for retirement.

As we emerge from the greatest recession since the Great Depression, the private retirement system is not working.

Over the last 30 years, the defined pension benefit has, for far too many people, disappeared. The new system of tax incentives for 401(k)s and IRAs only works if you are middle income, typically, or wealthier. The top fifth—the top quintile, if you will—of households hold three-quarters of all 401(k) and IRA assets. The average worker nearing retirement—believe this—has $12,000 in savings.

So the question our subcommittee asked was: What do we do?

One point of bipartisan agreement is that Social Security works. Witnesses from Vanguard to senior advocates agree on that point. We heard testimony from the left and from the right, from the private sector and from the Treasury Department. Everyone agreed that for low-income workers, Social Security is the most important and the most reliable way to guarantee a secure retirement. But it is not enough.

An upper income worker, once receiving Social Security, may get as much as $2,000 or more a month in Social Security earned benefits, while a low-income worker, who is used to receiving $9 or $10 or $11 an hour or less—even though working as many as 25 or 30 years—may get less than $1,000 a month in Social Security. That is the only wealth, that is the only income, so often, those in the bottom half have.

The only question, obviously, is whether the benefit is adequate. Too often it is not.

Two-thirds of low-income families are at risk of not having enough income to maintain anything close to their standard of living in retirement. Expanding Social Security could be the difference between a modest retirement—an earned modest retirement—and living in poverty.

The hearing discussed the administration's new MyRA accounts. ''MyRA'' stands for ''my retirement account''—a play, obviously, on the words of the IRA, the individual retirement account. It represents a small but important first step. Access to tax preferenced retirement accounts must not be something workers receive when they cross the threshold into the middle class but a tool that helps them start their journey into the middle class.

There is no easy fix to retirement savings. But in a system where we primarily administer our programs to encourage private retirement accounts through the Tax Code, we need to make sure the incentives are going to the people who need them.

So what we are doing through the Tax Code, as Senator CARDIN from Maryland, who has been a long-time advocate of stronger, better retirement security for seniors—and he attended our subcommittee hearing; he is a member of the Finance Committee—are the issues we need to work on.

When President Roosevelt signed the Social Security Act, he said: ''This law represents a cornerstone in a structure which is being built, but is by no means complete.''

The same could be said, maybe even more so, for our retirement system today. That structure is still being built. It is up to this body to ensure that it is built, that it does not collapse in the meantime, and that we can bring more retirement security to far more Americans who have worked their entire work lives.

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. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 2818

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Landrieu amendment No. 2818.

Mr. HARKIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—98

Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Barrasso	Hagan	Nelson
Begich	Harkin	Paul
Bennet	Hatch	Portman
Blumenthal	Heinrich	Pryor
Blunt	Heitkamp	Reed
Booker	Heller	Reid
Boozman	Hirono	Risch
Boxer	Hoeven	Roberts
Brown	Inhofe	Rockefeller
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (WI)	Schumer
Carper	Johnson (SD)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Corker	Lee	Toomey
Cornyn	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	Markey	Vitter
Donnelly	McCain	Walsh
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Flake	Mikulski	Wyden
Franken	Moran	

NOT VOTING—2

Coburn Rubio

The amendment (No. 2818) was agreed to.

Mr. HARKIN. I move to reconsider the vote.

VOTE ON AMENDMENT NO. 2813

Mr. HARKIN. Mr. President, we have no objections to this amendment. We agree to it and urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the Landrieu-Grassley amendment No. 2813.

The amendment (No. 2813) was agreed to.

Mr. HARKIN. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 2814

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Landrieu-Blunt amendment No. 2814.

The amendment (No. 2814) was agreed to.

Mr. HARKIN. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 2824

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Bennet-Isakson amendment No. 2824.

The amendment (No. 2824) was agreed to.

Mr. HARKIN. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

NOMINATION OF HEATHER L. MACDOUGALL TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

NOMINATION OF FRANCE A. CORDOVA TO BE DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION

NOMINATION OF JAMES H. SHELTON III TO BE DEPUTY SECRETARY OF EDUCATION

NOMINATION OF BRUCE HEYMAN TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CANADA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations en bloc, which the clerk will report.

The assistant legislative clerk read the nominations of Heather L. MacDougall, of Florida, to be a Member of the Occupational Safety and Health Review Commission; France A. Cordova, of New Mexico, to be Director of the National Science Foundation; James H. Shelton III, of the District of Columbia, to be Deputy Secretary of Education; and Bruce Heyman, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

VOTE ON MACDOUGALL NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Heather L. MacDougall, of Florida, to be a Member of the Occupational Safety and Health Review Commission?

The nomination was confirmed.

VOTE ON CORDOVA NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of France A. Cordova, of New Mexico, to be Director of the National Science Foundation?

The nomination was confirmed.

VOTE ON SHELTON NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of James H. Shelton III, of the District of Columbia, to be Deputy Secretary of Education?

The nomination was confirmed.

VOTE ON HEYMAN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Bruce Heyman, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are made and laid upon the table, the President will be immediately notified of the Senate's action and the Senate will resume legislative session.

LEGISLATIVE SESSION

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2014—Continued

AMENDMENT NO. 2837

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I understand the Scott amendment No. 2837 and the Boxer-Burr amendment No. 2809 have been cleared on both sides of the aisle; I know of no further debate on either amendment, and I urge adoption of these two amendments.

The PRESIDING OFFICER. The Scott amendment No. 2837 is pending.

The question is on agreeing to the amendment.

The amendment (No. 2837) was agreed to.

AMENDMENT NO. 2809

The PRESIDING OFFICER. The amendment 2809 is the pending amendment.

If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2809) was agreed to.

The PRESIDING OFFICER. The senator from North Carolina.

Mr. BURR. Mr. President, we have had a very productive day on the child care and development block grant bill, and we have processed a number of amendments, some by voice, some with record votes. All Members have had the opportunity to come to the floor during the day and offer their amendments, and we continue to have amendments that are either filed or talked about. It is still the intent of Senator HARKIN, Senator ALEXANDER, Senator MIKULSKI, and myself that we finish this bill tomorrow afternoon. We see no reason why we can't do it with the level of cooperation all Members have shown.

Let me try to sketch out for my colleagues what our intent will be. We intend hopefully to go to a period of morning business, a length to be determined by the leaders, when we conclude our remarks. At some point in the morning, probably 10:30, we would resume consideration of amendments and we would process those amendments until shortly before lunch. It is our hope Members would take the opportunity to file those amendments tonight so that our staffs can work with them to make sure as many amendments as possible can be adopted with the support of both sides of the aisle.

We certainly can't force everybody to do so, but I implore Members on both sides of the aisle, file those amendments tonight, work with our staffs.

They will be here as late as they need to be. By 10:30 tomorrow morning we should be able to move to amendments, have debate on those where there is additional debate needed; hopefully, start any votes by 12:15 and finish the amendment process before both sides break for lunch. It would be my hope we could come back right after lunch, with the leader agreements, and have passage on the child care and development block grant bill.

Let me just say, Mr. President, that I want to thank Chairman HARKIN, Ranking Member ALEXANDER and Senator MIKULSKI. I think we have gone into this and we have tried to urge our colleagues, if they can make this bill better, to come to the floor and to do that. I think we have seen, by the action of people who have done this in a responsible way, that we have worked in a bipartisan way to make sure we could present to the Members of the Senate amendments that didn't cause a great deal of concern, and, in fact, they did improve the bill.

So I encourage my colleagues to file those amendments tonight, to be prepared to finish this bill before the middle of the afternoon tomorrow, and we can expect to have a successful passage of this bill.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. First, Mr. President, I concur in everything the Senator from North Carolina just said. This is a very good bill. It is a great bill. The Senator from North Carolina has put a lot into this bill over the last couple of years, and we are close to seeing the finish line. So I hope Senators and their staffs who may not be present but who are watching will do just as the Senator suggested. If they have amendments, get them over to the floor tonight during morning business; we will take those up, our staffs can work those out, and, hopefully, we will be on track to finish the bill tomorrow.

Again, I thank the Senator from North Carolina for all the hard work he has put in over a long period of time.

Mr. President, I ask unanimous consent that the motion to reconsider the Landrieu amendment No. 2818 be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business until 7 p.m. with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Minnesota.

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2014

Ms. KLOBUCHAR. Mr. President, I rise today in support of the bipartisan Child Care and Development Block Grant Act of 2014. I thank Senator MIKULSKI for her great leadership, Senator BURR for his leadership, and Senators HARKIN and ALEXANDER. We have had a great afternoon.

We also had a number of people confirmed today, which I am very pleased about, including the Ambassador to Canada. I think it is pretty important we have an ambassador to Canada because Canada is our biggest trading partner. We haven't had one now for months, and this is a very good outcome.

But back to the bill. It has been almost 20 years since the Senate last reauthorized CCDBG. Since that time we have learned if we want strong communities, a robust workforce, and students who are ahead of the curve, we need to ensure that every child has access to high-quality childcare.

As the country's primary Federal childcare program, CCDBG provides millions of families with the assistance they need to ensure working parents can keep their jobs or finish schooling knowing their children are safe and receiving quality care. We know that a child's early years are critical to building a strong foundation for their lives. Up to 90 percent of brain development happens before age 5. Just think about that: 90 percent of brain development happens before age 5. That is why it is so important to invest in quality care and education. When we do, it pays off for the rest of us by giving us better informed citizens and a more productive workforce.

Investments in the Child Care and Development Block Grant Program also give parents the option of affordable childcare. Research indicates that higher childcare costs have a negative impact on a mother's employment because women are more likely to leave their jobs when childcare costs are high. That can have a lasting negative impact on families' finances and women's future earnings.

As the Senate chair of the Joint Economic Committee, I released a report last year that looked at the critical role mothers play in the financial well-being of their families. My report found that lower income families are especially dependent on the money earned by mothers who work outside the home. In families in the lowest 10 percent of the income distribution, mothers account for over half of family income. The high price of childcare these days—it averages over $14,000 each year for two children—means the child care and development block grant assistance makes a big difference between families rising into the middle class or falling further behind.

Working families across the country are counting on us to get this done. Since the child care and development block grant was last reauthorized in 1996, families have seen the cost of childcare increase while access to quality care has become more difficult to find.

This bipartisan legislation would provide the opportunity for Congress to make critical improvements to the Child Care and Development Block Grant Program to ensure that children are safe and healthy in their childcare setting, that families have access to quality programs, and that States have a coordinated system of early care and education for children from birth to age 13.

One of the primary updates in the 2014 reauthorization is the requirement that all childcare providers receiving this assistance must go through comprehensive background checks. It is unbelievable that currently only 13 States require comprehensive background checks for childcare providers. We have had a number of incidents in our State where children have had tragic injuries and tragic ends because of the lack of background checks. As a former prosecutor, I saw firsthand how abuse harmed young children, tore families apart, and challenged local law enforcement agencies, our court system, and our social service and health care providers. Our kids deserve better. We need to do everything we can to make sure people caring for our kids undergo comprehensive background checks before receiving child care and development block grants.

The bill also requires States to conduct regular health and safety inspections of the childcare settings so we can make sure kids are learning and developing in safe environments.

The legislation cuts redtape by giving families more flexibility around enrollment procedures.

These changes will not only strengthen the program's integrity but also improve transparency so that the 1.5 million children being served through this program every month get the best care possible.

Raising the next generation has always been a difficult job, and it has never been more expensive. The future of our Nation rests on making sure parents have the support they need to give their children a strong start.

I urge the Senate to reauthorize this bipartisan bill and ensure children and working families get the quality care and education they need to thrive. It is the best investment we can make.

I see the Senator from North Carolina Mr. BURR just came in. I thank him for his great work not only on this bill but also in allowing for this amendment process, which I believe is very important for the future of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to talk about two amendments I will call up on S. 1086, the child care and development block grant bill. The first one I will speak to is amendment No.

2834, which Senator MURKOWSKI and I are offering in relation to tribal childcare facilities.

As my colleagues know, I recently took over as chairman of the Senate Committee on Indian Affairs, and 2 weeks ago I held my first hearing. This hearing focused on early childhood development and education in Indian Country. This hearing was timely, as some of the testimony the committee received related to the child care and development block grant. At that hearing a childcare program director from the White Earth Nation—who is also the chair of the National Indian Child Care Association—testified about the needs of her program and the needs of all Indian childcare providers. One of the needs she highlighted was improving the condition of tribal childcare facilities in Indian Country.

According to the Administration for Children and Families, of the 260 Indian tribe or tribal organizations that receive CCDBG funds, only 14 of them constructed new tribal childcare facilities in the last 10 years.

In an effort to improve and replace facilities, my amendment allows tribes more flexibility in the use of their grant funds. Renovation and construction of tribal facilities is already an allowable activity under this legislation, but the law explicitly states that Indian tribes or tribal organizations cannot reduce services—even temporarily—to improve or replace their facilities.

This amendment allows the Secretary to grant a waiver to an Indian tribe or tribal organization, permitting them to temporarily reduce services if they can prove the outcome will improve capacity or improve services as a result of the construction. It is a simple, commonsense amendment that will improve the quality of life in Indian Country, and I urge its adoption when it comes up.

I will now speak to amendment No. 2835. Under current law, a parent who suffers the tragedy of the death of a child has to rely on their employer's compassion for time off to grieve. Many times this is not an issue. There are thousands of compassionate employers out there who give parents the space they need. But not everyone is so fortunate. Some folks who just aren't ready to come back after a few days end up having to choose between returning to work while struggling with the aftermath of their child's death or losing their job.

This amendment would fix the Family and Medical Leave Act to include the death of a child as a trigger for benefits provided under the FMLA. The FMLA currently allows parents to take time off to care for a child battling a serious health issue. But children between the ages of 1 and 14 are more than twice as likely to die suddenly from an accident than from cancer, flu, and pneumonia combined.

The FMLA protects parents who are caring for their children; it should support parents who are grieving for their children as well. This is a small amendment, but it will mean so much to parents who suffer the unimaginable loss of a child. I urge my colleagues to stand for compassion, and I urge adoption of this amendment when it is brought up.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I rise somewhat reluctantly today to speak about an intelligence committee matter.

Allegations in the past 24 hours have been discussed rampantly in the halls of Congress and in the press. Based on press reports today, yesterday, and even last week, allegations have been made regarding the Central Intelligence Agency's actions toward the committee, as well as staff and Members' actions on the Senate intelligence committee toward the CIA.

The reason I feel compelled to speak on this matter is the following: Although people speak as though we know all of the pertinent facts surrounding this matter, the truth is we do not. The Republican committee members on the Senate intelligence committee and staff were not involved in the underlying investigation of the detainee and interrogation report. We do not know the actual facts concerning the CIA's alleged actions or all of the specific details about the actions by the committee staff regarding the draft of what is now referred to as the ''Panetta internal review document.''

Both parties involved have made allegations against one another and have even speculated as to each other's actions, but there are still a lot of unanswered questions that must be addressed. No forensics have been run on the CIA computers—or, as my colleagues refer to them, ''the SSCI computers''—at the CIA facility to know what actually happened regarding the alleged CIA search or the circumstances under which the committee came into possession of the Panetta internal review document.

Given that both of these matters have now been referred to the Department of Justice, it may take us a while before any accurate factual findings can be reached and a satisfactory resolution of these matters can be achieved. It may even call for a special investigator to be named to review the entire factual situation. Eventually, we will get to the bottom of this, but today I cannot make a statement that will reflect what actually occurred and therefore what recommendations we ought to make as we move forward.

Right now our committee members are conducting an internal assessment of the facts and circumstances involved in both of these matters. This will be an ongoing process which should not be described or discussed in the public domain but, like all other intelligence committee matters, should remain within the purview of the confines of the intelligence committee.

Today I simply wanted everyone to know where I stand on this matter and how we need to get to the ground truth of these very important matters.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CASEY are printed in today's RECORD under ''Morning Business.'')

Mr. CASEY. Mr. President, we know it is well past time—and that is an understatement—to take up the reauthorization of this important legislation, the Child Care and Development Block Grant Program, which has not been reauthorized since 1996. It is hard to comprehend that, but that is true.

In the nearly two decades since, our understanding of early childhood development and the importance of high-quality childcare in early learning has expanded dramatically. Investing in high-quality early learning opportunities, such as childcare and prekindergarten, sets children on the path to success.

I like to say if children learn more now, they will earn more later, and that is why there is a direct nexus with the quality of the childcare we provide. The quality of early learning connects directly with our economic growth.

Our gross domestic product—our future economic growth and success as a country—is substantially dependent on the quality of early learning and the quality of childcare. It is good we are focused in a bipartisan way on the childcare aspects of this challenge.

We must update the Federal standards that relate to childcare to ensure that the Federal Government is supporting high-quality childcare—not just any quality childcare—for low-income children.

The bill we are considering sets a new standard for childcare in America. It makes sure Federal dollars are going to providers who are committed to providing childcare that meets certain criteria, such as health and safety standards.

Many of these changes reflect proposals I put forth in previous Congresses to improve the child care and development block grant. The Starting Early Starting Right Act was legislation I introduced.

I am encouraged we are able to reach consensus on many of the provisions I supported in the past and that they are represented in this bill. I, and I know many others, would have liked to have gone further to provide more of an investment both by way of dollars and

more of an investment by way of quality, but these are significant changes and we should all support them.

In terms of the increase in incentives that I would hope we can do at a future date, I described them in this way: incentives for States to invest in quality ratings and improvement systems. We know a lot of acronyms. This is QRIS, Quality Rating and Improvement Systems, which encourages childcare providers to make continuous improvements in the care they provide and the facilities they use often through financial incentives, such as higher reimbursement rates, when a certain quality level is reached.

However, I still believe the bill we have in front of us represents a substantial and significant improvement over the current law. We owe our most vulnerable children nothing less.

For the first time we are requiring all States to develop a robust health and safety set of standards and to institute a consistent background check for childcare providers. We are requiring States to formally coordinate their early learning programs to improve service coordination and delivery. We are allowing children who qualify for a subsidy to receive 1 year of care before their eligibility is redetermined. This will help promote stability and continuity for the entire family and encourage the child to develop strong relationships with his or her teachers and peers in childcare.

Finally, we are increasing the investment in quality from the 4-percent quality set-aside per year—currently required in law—to 10-percent within 5 years, including a separate set-aside for infants and toddlers. Quality is a continuum and continual investment. It is not a one-time purchase. It is something we need to support and sustain.

This bill is about investing in our children's future and supporting working parents. I urge all of my colleagues to join us in supporting the CCBDG reauthorization—a nice acronym for a long bill.

I mentioned earlier that if children get quality early care and learning, they will learn more now and earn more later when they are in the workforce. There is no question about that. All the studies indicate that. We know that. There is no disagreement about that.

We also have to recognize that there are so many families—somewhere in the millions—that have two parents working, and we know the stress and challenge that creates. In addition, we have just come through the worst economic downturn since the 1930s. Climbing out of that hole and having all of the economic pressures on these families, they are often also heavily burdened or even crushed by the cost of childcare.

We have an opportunity with this legislation to move forward and make needed changes on issues, such as health and safety standards and making sure we are setting aside more dollars for infants and toddlers.

There are a whole range of actions we are taking, but we still have a ways to go to speak directly to the needs that working families have in terms of the cost of childcare and ensuring the kind of quality they have a right to expect.

Finally, on a related topic, we need to make sure we are making a national and substantial commitment to early learning. The President has talked about this issue. People from both parties and CEOs tell us about it all the time. We need to get together on these other issues even as we pass this bipartisan legislation.

I wish to commend the work of Senator HARKIN and Ranking Member ALEXANDER, who are working to get this done, and the good work over several years now done by Senator MIKULSKI and Senator BURR.

We need to get this done and then get to work on some of the childcare and early learning challenges our country faces and families are often burdened with.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEVADA SESQUICENTENNIAL

Mr. REID. Mr. President, throughout this year, my home State will celebrate the 150th anniversary of its path to Statehood, on October 31, 1864.

Next week, while I will be home visiting my family and constituents, the Battle Born State will celebrate the day that Congress passed and President Abraham Lincoln signed legislation paving the way for Nevada to become the 36th State. At that time Congress was in a rush to welcome Nevada into the Union. It was during the Civil War; it was raging.

The only other State admitted to the Union during the war was West Virginia, which seceded from Virginia to remain part of the Union in 1863.

Congress didn't want to wait until the next session to admit another new State—a new State that could swing the Presidential election in Lincoln's favor and provide crucial votes for the 13th Amendment, which abolished slavery. Nevadans had already rejected one proposed State constitution, so there was no time to waste.

On March 21, 1864, in the waning hours of the 38th Congress, a law was passed allowing Nevada to enter the Union whenever voters finally passed and President Lincoln approved a State constitution.

It wasn't during the normal course of business, but this wasn't the normal course with the Civil War going on. Typically Congress would get the final word on admission of a new State to the Union.

But these, as I have indicated, were certainly not normal times. Even today we acknowledge Nevada's unique path to Statehood on our State flag with the words: ''Battle Born.''

Throughout this year, we will celebrate Nevada's 150th birthday with events in every corner of the State. From my hometown of Searchlight to Virginia City to Elko, there is a 150th anniversary event to match every interest.

Nevada is a very large State. Area wide it is the seventh largest in the country. It is a unique State with more mountains than any place other than Alaska. We have 314 separate mountain ranges. We have one mountain that is 14,000 feet high. We have 32 mountains over 11,000 feet high. We have wide-ranging land, and we have some of the coldest places in the Nation and some of the hottest places in the Nation.

We have all kinds of wildlife. Theodore Roosevelt created an antelope range that is large and sparsely populated. We have not only the antelope, we also have desert bighorn sheep. In Nevada we have mountain goats; we have almost 3 million acres of wilderness. It is a very beautiful State. It is more than the bright lights of Las Vegas, Reno, and Lake Tahoe—even though we are very proud of sharing the stewardship of Lake Tahoe with the State of California—as Mark Twain said: ''the fairest picture the whole earth affords.''

We will mark Nevada's second constitutional convention, the day Nevada voters finally approved its constitution and the day, Halloween, October 31, 1864, that Lincoln proclaimed Nevada's Statehood. The 150th anniversary of our admission to the Union provides a wonderful opportunity to study Nevada's history. It is also the birthday of my young brother, so it is easy to remember—admission day, Halloween, and my brother's birthday all occurred the same day.

It is also a chance to reflect on Nevada's unique pioneer spirit—a spirit that continues to make our State very special.

Mr. HELLER. Madam President, I rise to recognize the great State of Nevada, as we celebrate 150 years of statehood. It is a remarkable opportunity to speak on the floor of this Chamber about this milestone, given the role the Congress played in the formation of the Silver State. The movement to make the Nevada Territory a State began within the territory, but the first attempt to formulate a Constitution failed.

Shortly after, the 38th Congress passed an enabling act for Nevada statehood. Signed by President Abraham Lincoln on March 21, 1864, this bill

made it possible for Nevada to eventually adopt a State constitution. Lincoln proclaimed Nevada a State on October 31, 1864.

The guarantee of statehood was given to us by Abraham Lincoln, who, without assistance, would go on to pass the 13th amendment, win the Civil War, and heal our broken Nation.

Marking the 150th year of Nevada's statehood takes me back to Carson City when I was just 4 years old. It was Nevada's centennial celebration, the date was October 31, 1964. I remember being with my family, sitting on the lawn, listening to the Carson City Municipal Band lead the festivities at the State capitol.

During that same year, 1964, Lyndon Johnson was reelected over Barry Goldwater and would go on to declare a war on poverty. In 1964, race riots broke out in Harlem. Across the Nation, President Johnson signed the Civil Rights Act of 1964 into law. The 24th amendment to abolish the use of poll taxes was ratified. In 1964, the Summer Olympics were held in Tokyo, Congress passed the Gulf of Tonkin resolution, which ultimately allowed for increased military action in Vietnam. The James Bond film ''Goldfinger'' began its run in the United States and ''Bewitched'' premiered on television.

So much has changed in these past 50 years, but the character of Nevada has not. From its first birthday to its 100th, to its 150th, Nevada continues to be shaped by its people, people who are entrepreneurial, fiercely independent, and as diverse as our terrain. We are molded by the grit, hard work, and pioneering spirit of individuals determined to succeed.

The list of men and women who have molded our State is long. Where some saw impossibility, a Nevada Senator by the name of Newlands saw opportunity. To this day, his legacy lives on in the hay, the cattle, and the very fields that were made possible by the waters he brought to this desert.

Standing among our Nation's great, frozen in bronze, greeting visitors to the Nation's Capitol is another Nevadan, Sarah Winnemucca. She, similar to many Nevadans, challenged the status quo. She refused to accept the injustices brought on her Native American brothers and sisters.

Instead of fighting with a weapon, she fought with her pen. Through her words, the plight of our fellow Americans living on reservations was heard.

Of course, in Nevada, Mark Twain was born. Samuel Clemens adopted the famous pen name while covering the news for the Enterprise in Virginia City. Twain wrote eloquently about Nevada, from the rough-and-tumble attitude of the Wild West to the beauty of Lake Tahoe, dubbing it ''surely the fairest picture that the whole earth affords.'' Any visitor to this pristine landscape would also agree.

More recently, I think of Paul Laxalt, the former Lieutenant Governor, Governor, and U.S. Senator from Nevada. Among other things, he was instrumental in preserving Lake Tahoe and establishing our State's first community colleges and our medical school; or former Representative Barbara Vucanovich, who will be recorded in the history books as the first woman to represent Nevada in the U.S. House of Representatives. This alone is a remarkable achievement, but the integrity and determination with which she fulfilled her duties makes her achievement even grander.

Former State Senator Bill Raggio also comes to mind. He was a true statesman and the longest serving member in the history of the Nevada State Senate. These individuals have left their mark, but it is the people of Nevada who have forged the Silver State.

During the formation of our State's constitution, Nevadans demanded that our State's mothers and sisters be heard. The women of Nevada were granted the voice of a vote before the 19th Amendment was ratified by our Nation. We helped pioneer the vote for all.

During World War II, when our brave soldiers fought for peace and prosperity, Nevadans who were not able to fight abroad brought forth minerals such as magnesium from the ground. Magnesium, harvested near the township of Henderson, was considered a miracle metal for the munitions and airport parts which would help lead to us victory.

The residents of Boulder City built the Hoover Dam, a government infrastructure project which holds back 26 million acre-feet of water. The dam was completed early and under budget. With an expected 2,000-year lifespan, the Hoover Dam supplies clean energy to the grid, water to thirsty cities across the Southwest, and protection to downstream communities.

Ever since we were borne into the battle to mend our broken Nation, Nevadans have been willing and able. Although our population is small, our caliber is high. From all walks of life, brave Nevadans have heard and responded to the call to arms. At Naval Air Station Fallon, we host the Navy's top gun school. The elite men and women of our Armed Forces who train here push the limit, compete, and set the tone for global air superiority.

Welcoming tourists from across the globe, farming, mining, engineering, ranching, and serving in the Armed Forces, these are just a few things we Nevadans do. And as our State motto goes, all of these are done ''all for our country.''

Recent times have been tough in Nevada, but our pioneer spirit lives on. We continue to move forward. We have seen the booms and now, more than most, we continue to feel the most recent bust. Like many in our great Nation, Nevadans have lost homes, livelihoods, and the promise of a steady paycheck, but this will not deter us. Our State is battle born. We will continue to fulfill our 150-year-old promise of being willing and able to give all for our country.

I am a proud Nevadan, and as the son of a auto mechanic from Carson City, it is a privilege to stand on this Senate floor to recognize our State's 150 years of Statehood.

Before I close, I thank Lieutenant Governor Brian Krolicki, chair of the Nevada Sesquicentennial Commission, for the hard work he has put into recognizing this important milestone. Over the course of this year, the commission has planned and overseen many events and activities, providing Nevadans an opportunity to reflect on where we have been and where we are going.

SYRIA

Mr. CASEY. Mr. President, I rise tonight to talk about Syria and the humanitarian crisis this conflict has created. This week we mark a very grim anniversary: the third anniversary of the beginning of the conflict in Syria. So we are entering our fourth year.

There is much to cover and talk about. I will be brief tonight, but it is important that we don't forget what is happening to the Syrian people and especially to the children in Syria.

Over the past 3 years the brutal Assad regime has unleashed a campaign of unspeakable violence against its own citizens, with 9.5 million people now needing humanitarian assistance in Syria. Syria's neighbors are overflowing with 2.5 million refugees. This week Amnesty International and Save The Children released reports that underscore the atrocities the Syrian people have suffered and continue to suffer. These reports describe the regime's use of starvation tactics against its own citizens: Syrian children dying from preventable diseases and newborns, newborn babies freezing to death in underequipped hospitals. UNICEF reported this week that Syria is now one of the most dangerous places on Earth to be a child.

These unspeakable horrors confirm my worst fear about the conflict: that the most vulnerable and innocent are at the center of President Assad's siege against his own people.

I want to share the story of a 10-year-old Syrian boy when he recounted his experience with the conflict, this 10-year-old boy in his account from Save The Children's 2012 report entitled ''Untold Atrocities, The Stories of Syria's Children.'' Here is one of the stories in his own words:

> When the shells started to fall I ran. I ran so fast. I ran and I cried at the same time. When we were being bombed we had nothing. No food, no water, no toys, nothing. There was noway to buy food—the markets and shops were bombed out. After that we came back home. To make our food last we ate just once a day. My father went without food for days because there wasn't enough. I remember watching him tie his stomach with a rope so he would not feel hungry. One day men with guns broke into our house. They pulled out our food, threw it on the floor, stamped on it, so it would be too dirty to eat. Then we had nothing at all.

That is the recollection of a 10-year-old boy in Syria. And you go through the report, the catalog, really, of misery that was compiled by Save the Children from young boys and young girls of all different ages and every one of them has a tale of horror just as he outlined. Some are worse and more graphic than what I read.

This most recent report by Save the Children is entitled ''A Devastating Toll,'' and it describes the impact this conflict has had on children in great detail.

I commend the report to my colleagues.

In an article in the New York Times, in this case by Nicholas Kristof, he said, ''Syria is today the world capital of human suffering.''

Anyone who knows the work done by Nicholas Kristof knows he has seen a lot of places in the world where there is terrible misery and suffering. So for him to say that is a substantial indication of how bad the conditions are in Syria. Of course, when he made that statement it was back in September, many months ago. As bad as it was then, it is even worse now.

So today I call on all Senators, both parties, and the international community to support the efforts to bring this terrible chapter in Syrian history to a close. Peace talks could be a way to end the conflict. However, I am disappointed that the talks this past month did not lead to any tangible progress. The Assad regime has refused to negotiate in good faith.

Diplomacy is part of the solution, but what we need now is to change the momentum on the ground. Peace talks and diplomacy are fine, but unless something changes on the ground, unless we can take some action or take a series of steps to affect what is happening on the ground, all the talks in the world will be to no avail.

The Assad regime and their supporters calculate that they can defeat the opposition and remain in power. The United States should be working with our international partners to tip the balance in favor of the opposition. If we do, not another round of talks will yield the same result: No change.

The international community took a good step in ushering in the passage of U.N. Security Resolution 2139 on February 22. With U.S. leadership, Russia and China—which have obstructed other such resolutions—finally joined the international community in demanding an end to attacks on civilians and that the Syrian regime facilitate humanitarian aid to the besieged areas.

U.N. Security Council Resolution 2129 also condemned detention of journalists. We do not talk enough about this issue. Both international and Syrian journalists have bravely gone into areas of Syria that many other noncombatants would not dare, and many have paid the ultimate price. So far 60 journalists have reportedly been killed inside Syria. These courageous individuals have given us a window into the devastation inside of Syria.

I know myself from reading news reports or columns by journalists in this country how much information we can glean from what is happening inside the country where very few people can go to get information. So we need to focus on that aspect of the problem in the crisis as well.

But we shouldn't allow this crisis to continue worsening before our eyes. We need to act. I have been working on a bipartisan basis to put legislation and legislative support behind efforts to bring this conflict to an end.

In 2012 I worked with Senator RUBIO to introduce S. Res. 370, which called for democratic change in Syria, and S. 3498, the Syrian Humanitarian Support and Democratic Transition Assistance Act of 2012. In 2013 I traveled to Turkey where I met with opposition political and military leaders to discuss the situation inside of Syria. They asked for aid to help build the capacity of the political opposition as well as support to the military opposition in the form of communications gear, night vision goggles, and bulletproof vests.

A year ago Senator RUBIO and I proudly introduced S. 617, Syria Democratic Transition Act of 2013. This bill would, among other things, first increase U.S. assistance to victims of the conflict, both inside of Syria and outside of the country; No. 2, support a political transition by authorizing bilateral assistance to build the capacity of the moderate political opposition to prepare for a transition; No. 3, provide nonlethal equipment to vetted elements of the armed opposition; and fourth, expand sanctions against the Central Bank of Syria and designated individuals, especially any foreign entities that continue to do business with the Assad regime.

After picking up 10 bipartisan cosponsors to our bill, we worked to ensure that the important aspects of S. 617 was incorporated into another bill, S. 960, the Syria Transition Support Act, which then passed the Foreign Relations Committee in a substantial bipartisan manner last year, last summer.

I sent a letter to Secretary Kerry earlier this year urging him to resume nonlethal aid in order to help bolster the opposition before the talks in Switzerland. I was pleased to see that aid resumed not long after I sent the letter. We know Senators KAINE and RUBIO are working on many of the principles that I and others have been pushing for the past 3 years, reiterating the need for unfettered international aid for those in need in Syria and the surrounding region, emphasizing the neutrality of medical professionals and aid providers working inside Syria. Their legislation would support civilians who have suffered during this conflict, particularly women and children. I commend Senators KAINE and RUBIO for their leadership on this resolution. I intend to support this resolution when it is introduced and I urge all my colleagues to do the same.

I believe we can agree on a bipartisan basis that this kind of horrific human suffering is both unconscionable and unacceptable, and we have a national security interest in ending this conflict and countering the influence of Iran and Hezbollah in the region. It is one of the reasons it is in our direct national security interests to make sure we play a substantial role in ending the conflict. Every day the conflict goes on the regime in Iran strengthens to export terrorism and all the trouble the regime imposes upon the region, and secondly, Hezbollah and other extremist elements are empowered the longer the conflict goes.

We need to send a clear message from the Senate that we support efforts to bring Assad's tyrannical rule to an end and to respond to this devastating humanitarian crisis which threatens to destabilize the region and scar a generation of young Syrians.

When we talk about this, we are talking now about millions of children—by one estimate 5.5 million children—being adversely impacted. Thousands—by one estimate more than 10,000—of those children have already been killed. And the ones who have not been killed have seen the kinds of horrors no human being should ever see, even as adults. It would be very difficult to recover from some of the horror and some of the trauma these children have seen. It will be with them for the rest of their lives. We have an obligation to do everything we can to provide pathways to help them, but also to change the dynamic on the battlefield so those children will never have to see this kind of horror again.

Before I wrap up this segment of my remarks, I do want to note that despite the challenge here, the dynamic on the ground that hasn't gone very well, the opposition and the extremist elements within the opposition make it very difficult for us to be helpful even when our government is trying.

The humanitarian crisis that I just outlined is substantial, and the refugee issue in the region is substantial. Just imagine this: In Lebanon alone there are almost 1 million refugees in a country that cannot handle that kind of number. In Jordan, the number is just below 600,000. Most people think the number is a lot higher than that in Jordan. Lebanon, as I said, is almost 1 million; Turkey is 600,000—that number may be low, as well; more than 224,000, by estimates, in Iraq; 134,000 in Egypt. These are the numbers of refugees in just those five countries. Millions of people are being impacted, millions more within the country. If you subtract the refugees who have left the country and subtract the numbers I talked about with regard to children, just the adults within Syria who have been affected are in the millions.

Despite all that horror I think it is important for us to point out that our government has helped enormously. The Obama administration deserves a lot of credit, commendation for what

they have done already. They get criticized a lot, but we should highlight some of the good things they have done. The humanitarian assistance provided by the administration, paid for by U.S. taxpayers, is substantial and should be noted. It is now more than $1.7 billion. No country comes even close when it comes to the support our taxpayers and our government have provided. About half of that $1.7 billion has been to help within the country. By one USAID estimate, about $878 million is for help within Syria. The balance of that, something on the order of a little more than $850 million, of course, is helping refugees in neighboring countries. So substantial help by the American people should be noted. I think we need to figure out ways to do more. There is probably not a lot of room for more dollars and humanitarian aid, but we should consider that if we can. But there are lots of ways we can help here without directly engaging any of our troops or any of our military might on the ground.

There are lots of ways to help and we urge the administration to keep focus on a new and more substantial strategy, which I know they have been working on. They should consult with Congress and work with us as we move forward.

TRIBUTE TO DAVID KESSLER

Mr. LEAHY. Mr. President, earlier this year, after 39 years of public service, most recently as the National Zoo's keeper for the Small Mammal House, David Kessler turned in his keys and turned toward retirement. He has dedicated two-thirds of his life to caring for the howler monkeys, lemurs, and shrews living at the zoo.

In addition to feeding the animals and cleaning out their enclosures, Kessler spent his days watching, closely observing any changes in appetite or behavior that might suggest something was amiss. He remembers the endless hours he spent with William, a gibbon, after William's traumatizing experience at the hospital that left him afraid of humans and ostracized from his parents. Kessler holds on to a photo of William sleeping on his shoulder.

At the zoo, it wasn't just about Kessler caring for the animals; it was about connecting with them. They kept him as much as he kept them. He admits he wouldn't be the same person if it weren't for the animals. Their connection has kept him in the moment and happy.

I was touched to read a moving profile of David's career and of his last day in the Small Mammal House. His love for the small mammals for which he cared is evident. Health may have rushed his retirement, but by any measure his was a career spent in service to some of the most interesting creatures visited at our Nation's zoo. I ask unanimous consent to have printed in the RECORD this touching profile from the Washington Post of a career well worth celebrating.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, March 6, 2014]

NATIONAL ZOO'S LONGEST-SERVING KEEPER BIDS FAREWELL

(By Rachel Manteuffel)

On his last night as the longest-serving keeper at the National Zoo, David S. Kessler checks and rechecks the locks on the enclosures in the Small Mammal House. He collects his farewell gifts and mementos and softly narrates to himself what needs to be done. ''Okay, lights out here, good. Hi, babies!'' he says to Reuben and Jolla, the howler monkey couple. ''Aagh, g'night, sweetheart. Did I wake you up? I'm sorry.'' He checks the seven timers on the lights, saying ''timer'' aloud at each. He's not thinking, he says, about how this January night is the last time after 39 years, two-thirds of his life, at the zoo. Now Gus the rock hyrax—who looks like a four-pound guinea pig but is more closely related to the elephant—catches his attention in the dark. It's as if the little guy knows something is up.

Considering the personal magnitude of the occasion, everything is going fine as Kessler prepares to walk away from the animals who he says rescued him, who might just have saved his sanity.

''Gus is sticking his head out—'' Kessler notes, then stops. He sobs once, his knees buckle, and he drops face-down on the floor of his House.

Earlier in the day, Kessler talked about his career. ''I like to work with animals that nobody thinks about,'' he said. Small mammals, it's true, are not headliners. Hey, kids, let's go see the shrews! In the past few years, Kessler has been lavishing his attention on the naked mole rat, an animal that resembles a flaccid penis with buck teeth. He always has a favorite weirdo. He has been the red panda guy, the house shrew guy, the Prevost's squirrel guy and the moonrat guy. Moonrats have no natural predators, Kessler says with admiration and a little pride, because they smell so bad.

There aren't a lot of jobs like zookeeper. Technically, Kessler's job has been biologist, but the caretaking—the keeping—is what he loves best.

''It's the care of living things. To keep, that's a beautiful thing. The longer you watch an animal or a person just doing their thing, the more you feel connected to them.''

A keeper feeds the animals and mucks out their enclosures, but the real work is observation, watching their bodies and behavior closely for subtle changes that mean something is wrong. And figuring out how to fix it.

Take the lemurs, smallish primates with doglike faces, some of the most social creatures in the Small Mammal House. Cortes and Coronado are recent acquisitions—Kessler drove them down from the Bronx Zoo in his Honda Civic—who are being carefully phased in with Molly, who has been the sole lemur at the Small Mammal House since her mate died. The keepers noticed the new lemurs were keeping low to the ground, unlemurlike behavior. Lemurs are at home in treetops, and the damp ground was irritating one of Cortes's paws. Perhaps Molly was being territorial. They would wait and see, maybe give Molly more attention. And keep watching.

Kessler and his colleagues would eventually determine Molly wasn't behaving aggressively toward the other two lemurs. A volunteer noticed it was the rock hyraxes antagonizing Cortes and Coronado. The rock hyraxes were moved to a different exhibit and, voila, the lemurs returned to the trees.

Lemurs are comparatively easy to read. You can spend less than half an hour watching Molly and feel as if you almost understand her thought process. You can become so absorbed you forget who and what you are, and that you are watching. It can become like reading a novel, the closest humans can get to having someone else's consciousness for a change.

It took a year and a half in the reptile house, but eventually Kessler could tell when something was wrong with a snake.

He's about average height, and he has had a beard most of his 59 years, but not now. He wears khakis and polos to work, with big rubber boots, disposable gloves and face masks. Primates can pass each other disease easily, he says. A keeper's herpes cold sore can kill a gorilla.

In conversation, Kessler tosses out bits of philosophy, science, novels, plays—knowledge you should have, if you had time to read, and he acts as if you probably know them, too.

He knows each of the hundred-odd residents of the Small Mammal House by their six-digit reference number. He has also published or co-written about a dozen research papers. Written three unpublished novels. He once went on a radio show to compose sonnets on demand. He mentors high school students and oversees their research projects. Every year Kessler takes off work to see as many shows in the Capital Fringe Festival as possible, since they often run past midnight and his work would start at 6:30 a.m. He spends an hour a day on the treadmill. He lives in Silver Spring and has been married for 30 years—he still writes his wife, Patricia, sonnets. He smiles when he happens upon a picture of her unexpectedly. They have a grown son, Ben, who co-owns an urban farming company in Charlottesville.

When friends asked, he officiated their 2006 wedding, working with them to write a personalized service, complete with sermon. Kessler took lessons from an actor friend on how not to cry. He always cried at weddings but didn't want to distract while performing one. He was asked to officiate another wedding in Rockville, even though he was racing to New Jersey and back to be with his dying father. His father died. Kessler made the arrangements so his mother and sisters wouldn't have to, then drove from New Jersey to the rehearsal dinner that night. When another friend needed him to, he was the one to officially identify her husband's body.

For a while he fronted a calypso-reggae band. He is universally beloved among colleagues and friends—suspiciously so, if you are a person suspicious of that sort of thing.

Kessler's last ''Meet a Mammal'' demonstration for zoogoers, on his last day at work, was attended by Linda Hopkins, a zoo electrician who'd known him 11 years and brought him a bottle of wine, and Susie Kane, who had never met him, but she had heard he was leaving, and in 2005 he had kindly answered her e-mailed question about building a naked mole rat habitat for her dorm room.

In December, Scientific American declared the naked mole rat Vertebrate of the Year. He is a happy man who's leaving the job he loves.

He's retiring young because of his psoriatic arthritis. It's much better these days——he gets injections of monoclonal antibodies. But it is progressive. ''I only have so much health left,'' he says, and zookeeping is physically taxing. He wants to travel with his wife, and write.

A loved one once told him that he would probably be happier as a hermit. He wasn't insulted.

''I'm more comfortable by myself and with animals than I am with people,'' he says. ''I

don't feel like I fit around people.'' Around people, he is giving a sort of performance. ''But an honest performance.'' Sometimes he loves it, performing, fronting a band, officiating at weddings. ''There's tension, but fun tension, like scary movies. I like the attention and the tension.''

So ask to watch him work, ask him to ignore you, and it doesn't work. That's a private part of him, reserved for himself and the animals. He'll start offering you books or telling you stories, and if you patiently sit around, pretending to use a computer in his office until he forgets you're there, he will not forget you're there. He will grow slightly agitated and need some alone time with the lemurs after you're gone.

His last day is a whirl of well-wishers, friends, leftover food from the party the day before, paperwork, gifts, tears and hugs. ''I don't like to be touched,'' he says to one hugger, ''but being hugged is fine.''

He hadn't been assigned to do the lines that morning—the shift that starts before sunrise, when the animals get their breakfast and their enclosures are cleaned out. He had e-mails to read, but people kept coming by for hugs and predicting he'll be back. He says no, never coming back. He seems to mean it.

Even friends who aren't physically present are distracting him. ''Happy birthday to you,'' he sings into a friend's voice mail, gargling the last line. ''Happy Jimmy Page's birthday, happy your birthday, happy your aunt's birthday yesterday.'' He attends to the needs of the humans for hours, their need to say goodbye, to say they would miss him. He almost always has a specific memory or thought for each, as he thanks them and assures them he won't miss this place and, after some time, they won't miss him.

He's proudest of his work with William the gibbon in 1978. William was a juvenile living with his parents when he got stuck in the enclosure and broke his arm. He was in the hospital so long—so long in the company of humans—that his parents rejected him when he got back. And because his hospital experience was scary and painful, people now made William fearful and angry. He was kept out of the exhibit for a while, off by himself.

Kessler sat in his enclosure each day, doing nothing except being nonthreatening. No mask, no gloves. Back then, this was acceptable zookeeper behavior—interaction not initiated or welcomed by the animal.

William would brachiate around in the farthest corner from Kessler, swinging limb to limb, elaborately ignoring the 130-pound human in the room. Over the course of a week, William came closer and closer, until his feet would brush his keeper's head as he swung by. Eventually he would put his head on Kessler's sweatshirt and go to sleep. There's a picture with William's arms around Kessler's head.

One thing he will miss from the zoo: watching the howler monkeys eat. Jolla likes beets but not the squiggly end of the taproot. She will pick it up, put it down, eat something else, return as if to see if the bit she doesn't like is still there. Maybe it got better! You can learn so much about optimism from her, Kessler says. ''People tell me she's just stupid,'' he says, shaking his head at that human stupidity.

Twelve years ago, Kessler walked with a cane, couldn't turn his head and could sleep only an hour and a half at a time because of his arthritis.

Thirty-six years ago he called his psychiatrist to say he had everything ready to commit a tidy, no-fuss suicide, just a hose and towels in a car exhaust pipe. His doctor had him hospitalized for four days.

Then, at 27, he taught himself to be happy. ''You learn from evolution, from animals. If you have a strategy that doesn't work, change your strategy.''

His new strategy was to avoid introspection. Completely. ''Working with animals made me start thinking about other things more. And when I was able to start thinking about other animals more, I was able to include humans in that group.'' Understanding William the gibbon, for example, and building his trust, was a big ''breakthrough with myself.''

''The real change was Patricia,'' he says. ''But I probably couldn't be with her if I hadn't been working with animals.''

According to dominant psychology and philosophy, introspection is the key to living right. But Kessler's unexamined life is the only kind he wants to live.

For obvious reasons, it's difficult for him to explain how he stopped being introspective. Working with animals is one way, but there were others. When he worked alone off-exhibit, he narrated his novels in his head. He noticed that closing certain doors in the building was musical, producing two notes, a seventh interval: the first two notes of a song from ''West Side Story'': ''Somewhere.''

Sometimes he needs to go alone to see if Molly wants a belly rub. Lemurs and Reuben the howler are the only ones in the Small Mammal House to much enjoy the touch of a human. But lemurs are not pets. They did not evolve to be companions for humans, to cheer us up or give us something to love. Molly indicates if she wants a belly rub, not unlike a dog, and a keeper may administer it, but the belly rub is entirely for the animal. That's important to Kessler.

It turns out Molly wants a belly rub on Kessler's last day, after he has finally gotten rid of all the people and sneaks off to see her.

Afterward, he keeps putting off leaving, until his shift stretches to 11 hours. And because the rock hyraxes have been moved away from the lemurs they were scaring, here's Gus, too present-focused to understand ''goodbye'' but seeming to say goodbye, popping his head up, watching the keeper leave for the last time, and the keeper—finished with crying, hugs and goodbyes with people—goes down, face first.

Suzanne Hough, the volunteer coordinator, is leaving with him, and she joins him on the floor. ''I'm sorry, I'm sorry,'' he says. ''No. No, no, it's okay.''

After a moment, Hough speaks. ''The floor can be tricky this time of night,'' she says, generously. She helps him up. He's fine, as far as he lets anyone know.

Moments later he is calm again, and performing. ''Well, that was a surprise!'' he says breezily. Hough and Kessler walk out into the cold night.

Inside the House, the hundred-odd residents have no sense that their time as keepers of David S. Kessler has come to an end.

TRIBUTE TO KATHERINE PATERSON

Mr. LEAHY. Mr. President, I come to the Senate floor today to talk about a treasured Vermont author, Katherine Paterson. Her award-winning prose has won alcolades near and far, but her writing has reached more than just those who have read her published words. In 2004, she started a letter exchange with an American soldier based in Afghanistan. Upon his return, she helped him launch his writing career.

Trent Reedy of the Iowa Army National Guard was enthralled with Paterson's master work, ''Bridge to Terabithia,'' while deployed to Farah, Afghanistan. Reedy's wife Amanda sent him the book, and he loved it so much that he read it in one sitting and sent a thank you note to the author.

Katherine's husband John, whom I knew as a gentle soul, sorted her mail and made sure that his wife saw the letter from Trent. A correspondence began between the two, and Trent finally revealed his intent to become a writer. Upon his return, Trent visited Katherine and John in Vermont and at Katherine's urging, and with her recommendation, studied writing at the Vermont College of Fine Arts and later wrote his first novel, ''Words in the Dust.''

As someone who considers Katherine and her late husband to be special friends, I was thrilled to read Sally Pollak's article in the Burlington Free Press, ''Soldier finds lifeline in letter exchange with Vermont author.'' In fact I was so pleased, I called Katherine the day the story was published.

In addition to being a Vermont treasure, Katherine is an acclaimed author whose stories will be read for generations. Marcelle and I have enjoyed them, our children have enjoyed them, and now our grandchildren enjoy her stories. Katherine's influence is also felt through the many writers she has mentored, including Trent Reedy.

In honor of Katherine Paterson, I ask that Sally Pollak's story from the February 23, 2014, edition of the Burlington Free Press be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Feb. 23, 2014]

SOLDIER FINDS LIFELINE IN LETTER EXCHANGE WITH VERMONT AUTHOR

(By Sally Pollak)

While serving in Afghanistan Trent Reedy wrote Katherine Paterson to say thank you; the friendship that emerged changed his life.

The truck pulled into the U.S. Army base in Farah, Afghanistan, on another scorching desert day. This July, 2004, delivery promised exciting things: The cook was expecting a load of steak. He had rustled up some potatoes to serve with the meat.

The soldiers in the unit, housed in a stable with a well that often ran dry, were eager for a real meal. They'd been eating field rations called MREs, meals ready to eat. Yet when the cook opened the coveted steak he almost vomited. The meat had gone rancid en route, recalled Trent Reedy, a soldier in the unit. The meal was scrapped.

The truck also carried the mail. In it was a package for Reedy, sent by his wife in Iowa. She had mailed him a book by Katherine Paterson, ''Bridge to Terabithia.''

Paterson, who lives in Barre, is an acclaimed novelist who writes books for children and teenagers. She is a former National Ambassador for Young People's Literature whose honors include two National Book Awards and two Newbery Medals, the first for ''Bridge to Terabithia,'' published in 1977.

Reedy's wife, Amanda, read ''Bridge to Terabithia'' in sixth grade. She sent her husband the book after he mentioned to her that the stories he was thinking about concerned young people. Reedy had never read a Paterson book.

The day it arrived at the army base, he read ''Bridge to Terabithia'' in one sitting. It

would become a kind of lifeline for a frightened young man in a faraway place with dreams of writing. Reedy read Paterson's book in the place that would be the setting for his first novel. ''Bridge to Terabithia'' was also the starting point of a friendship between Reedy and Paterson.

''It was amazing,'' Reedy said the other day by telephone from his home in Spokane, Wash. ''I needed that reminder that there was still hope and still beauty in the world. At that time in my life there was none. There was nothing except guns and fear. I was really not at all sure that I was ever going to get out of that place.

''This book gave me a little bit of beauty at that time, and I needed it. Not the way I need a new app for my iPad. I needed it to keep my soul alive.''

EVERYTHING WAS DIFFERENT

Reedy, 35, was an English major at the University of Iowa when he enlisted in the Iowa Army National Guard. Clinton was president. Reedy never imagined he'd be deployed to fight in a war. He had graduated from college and was working two jobs: substitute teacher and monitoring a security camera at a store.

Ten years ago, on a shift at his security job, Reedy got a phone call from his sergeant.

''Stampede,'' the commanding officer said, using the code word that signaled the guard soldiers were activated for war, Reedy said.

''With one phone call, everything was different,'' he said.

After basic training at Fort Hood, Texas, Reedy was sent to western Afghanistan. Paterson's book reached him about six months after the word ''stampede'' altered his life. The day ''Bridge to Terabithia'' arrived, Reedy had a rare break from his three-part routine: the unit's mission (providing security for reconstruction efforts), guard duty, sleep. He read the book.

''Bridge to Terabithia'' is about two friends—a boy and a girl—who create an imaginary forest world where they play together and share adventures. The world is shattered by an accident: the girl drowns in the river the friends cross by rope swing to get to Terabithia. Paterson wrote the book after her son David's close friend was killed by lightning when the children were eight.

After reading the book, even as he carried his loaded M16 ''scanning my sector to make sure there weren't any hostiles in the area,'' all he could think about was Paterson's novel.

''I thought maybe I can keep going if I remember kids are still having friendships,'' he said. ''And the adventures of growing up.''

On Aug. 1, 2004, from Farah City, Afghanistan, Reedy wrote Paterson a letter. He sent it through her publisher—unsure if it would reach her. The letter begins with an apology that he didn't type it. Reedy explains that he is writing from Afghanistan, where he is on a mission ''in support of Operation Enduring Freedom.''

He thanks Paterson for a book that ''mesmerized'' him.

''You wrote an absolutely beautiful novel and I, like Jessie Aarons, fell in love with Leslie Burke,'' Reedy wrote, referring to characters in Paterson's book. '' . . . Maybe it was because she was a spark of beauty in a land and a war where beauty is of so little importance.''

In Vermont, where Paterson moved with her family 28 years ago, Reedy's letter made its way to her Barre home. It arrived in a batch of mail sent from her publisher. Paterson, 81, estimates she gets hundreds of letters a year, many from students who are encouraged by their teachers to write.

(Paterson described a humorous note: ''You're the best writer in the world,'' the student wrote. ''Sometime I'm going to read one of your books.'')

A WRITER ON MY HANDS

Paterson was married for 51 years to John Paterson, a pastor who died in September. They raised four children together, and have seven grandchildren. After John Paterson's retirement in 1995 from the First Presbyterian Church in Barre, he took up the practice of reading Katherine Paterson's mail. Each year, he passed on to Katherine Paterson a handful of letters among the hundreds he read. John Paterson selected Reedy's letter and gave it to his wife.

''You just read it and weep,'' Katherine Paterson said. ''And you think this poor, lonely kid out there, not knowing what was going to happen to him.''

She was struck by another aspect of his letter: ''By the time I finished that letter,'' Paterson said, ''I knew I had a writer on my hands.''

The two became pen pals, a friendship whose beginnings remain a source of happy amazement for Reedy.

''I didn't need to hear back,'' Reedy said. ''I just wanted to thank her for letting me keep going. And I thought she should know that what she's doing is really important.''

Yet he received a response in October, 2004.

''She talked about how special it feels for a reader to appreciate this story she had written that seemed, at the time of her writing it, to be almost too personal to share,'' Reedy recalled.

The next month, on leave in Iowa, Reedy bought all the Katherine Paterson books he could find and brought them back to Afghanistan with him.

''I read those and loved them,'' he said. ''There were some Afghans who were learning English, and I passed along the books to them and talked about how much I enjoyed her books.''

What Reedy initially kept to himself in his correspondence with Paterson was that he aspired to be a writer. He decided to share this when it occurred to him he might not make it home alive. But he never sent her any writing (apart from the letters), mindful of imposing on her.

Reedy did seek Katherine Paterson's advice about graduate writing programs, and she recommended Vermont College of Fine Arts in Montpelier. Paterson is a trustee of the college, whose low-residency programs include children's and adult literature.

''I said 'impose,'" Paterson recalled. '' 'Plenty of people impose on me that I don't like nearly as much as I like you.' ''

Based on his letters, Paterson offered to write a letter of recommendation for Reedy. He accepted only after a letter he expected fell through, she said.

Reedy was accepted at Vermont College of Fine Arts, the only MFA program he applied to. It was there that he wrote the manuscript for his first novel, ''Words in the Dust.'' The book, published by Arthur A. Levine Books, tells the story of an Afghan girl and her family. It concerns the girl's love for words; and her search for a connection to her dead mother, and for beauty in a place where it's not so easy to find that.

Reedy's story was inspired, in part, by a girl he met in Afghanistan. Like the character in the novel he would write, the child had a cleft lip. Soldiers in Reedy's unit pooled their money to pay the girl's transportation to a hospital, where a U.S. Army doctor performed surgery to repair her face.

''She faced this whole thing with this wonderful sort of quiet courage, this incredible dignity,'' Reedy recalled. ''I promised her that I would do whatever I could to tell her story. She couldn't understand me, but that's what I told her. In the army, we have to keep our promises, so you don't make many. I think if I hadn't made that promise, I wouldn't have been able to stick through to the end to write that book.''

He was also encouraged by Katherine Paterson to continue writing the book. Her support came amid concerns about cross-cultural writing: a white man from Iowa writing a novel about a disfigured girl in war-torn Afghanistan.

''I asked her if this made any sense, and if she thought it was a good idea to write this,'' Reedy said. ''And she said, 'Well, I think you should try.' And that was all the permission I needed.''

Paterson, who was born in China, has written books set in Japan and China. The notion that a writer can't write about a foreign culture, its people and places, essentially says imagination is worthless, she said.

''Ideally, she could write her own story,'' Paterson said of Reedy's protagonist. ''But she can't yet. And somebody needs to tell it for her. And I do believe in the power of imagination. Tolstoy can write about women very well, and he has never been one.''

TO BE A WRITER

Reedy's book, with an introduction by Katherine Paterson, was published three years ago. He dedicated it to Paterson and his father.

''I loved the book,'' she said. ''And if my name was going to call attention to it and my name was going to help promote it, I'd write an introduction.''

In her introduction, Paterson wrote in part: ''I am profoundly grateful for an introduction to a land and culture that are foreign to me through this beautiful and often heartbreaking tale of one strong and compassionate girl. She will live on in my heart and, I feel sure, the heart of every reader of this fine book.''

Before his first trip to Vermont, Reedy wrote once more to Katherine Paterson. He said he'd be honored, should he be accepted to Vermont College, to buy her a cup of coffee. Sure, she said, but Paterson also had an idea: Why don't you come and stay at our house the night before your residency begins?

In July, 2006, Katherine Paterson ''and Mr. Paterson,'' to use Reedy's words, picked him up at the airport in Burlington and drove him to their Barre home.

He was very nervous about meeting Katherine Paterson, Reedy said, expecting her to show up in an expensive car and drive him to her rich mansion. But he found that Paterson, ''arguably the most successful middle-school author who is really around,'' drives a regular car and lives in a ''normal house.''

The MFA program at Vermont College ''gave me my dream,'' Reedy said. Yet Katherine Paterson taught him what it means to be a writer.

''Nobody has taught me more about how to be the kind of writer I want to be than Katherine Paterson has,'' Reedy said. ''No one has taught me more about how to live as a writer. She has, I think, modeled the need for humility and generosity.''

Once, feeling he didn't belong at Vermont College of Fine Arts and that he was ''hopelessly outclassed,'' Reedy conveyed this in a letter to Katherine Paterson. He wanted to steal lines from Emily Dickinson and walk around campus saying: ''I'm nobody. Who are you?''

Paterson wrote back that she, too, is nobody. If she ever forgets that, she's in big trouble.

VERMONT COFFEE COMPANY

Mr. LEAHY. Mr. President, Vermont is known for its small and large businesses alike. Vermonters take pride in

buying locally, and as a result, businesses like the Vermont Coffee Company have been able to expand and become forces in their respective industries.

When Paul Ralston started the Vermont Coffee Company over 30 years ago in the small town of Middlebury, VT, he did so based on the belief that coffee creates community. Today, he continues his commitment to a high-quality farmer-friendly coffee blend by using only fair trade, certified organic coffee beans from around the world.

Paul's passion for coffee has created an opportunity for him to forge his own path to success, and he has expanded Vermont Coffee Company's distribution to retail outlets throughout the Northeast and along the Atlantic coast. His business continues to expand, and his success is just one hallmark of the respected Vermont Brand. I congratulate his success, and I ask that the text of an article appearing in the Burlington Free Press on February 20, 2014, about his success be printed in for the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Feb. 20, 2014]

MIDDLEBURY COFFEE ROASTER STILL GROWING AFTER 30 YEARS

(By Melissa Pasanen)

MIDDLEBURY, VT.—Vermont Coffee Company in Middlebury was ahead of the curve when it started roasting organic, fair trade beans 30 years ago. Its continued success is based on a simple philosophy.

In the front hall of Vermont Coffee Company's offices and production facility, dozens of photos of happy people, some with coffee cups in hand, smile down from the wall.

In keeping with the company's longtime tagline—''Coffee roasted for friends''—these are not just customers, founder-owner Paul Ralston clarified on a recent tour: They are friends.

''Before there was Facebook,'' Ralston, 61, said. ''We had our friends' wall.''

Ralston has always been a little ahead of the curve, since his first foray into roasting coffee beans some 30 years ago as a tiny bakery-based operation.

There have also been plenty of curves in the road he has traveled since then, but this year Ralston expects Vermont Coffee Company to purchase half a million pounds of green coffee beans, which will be roasted in its recently doubled 15,000-square-foot facility and shipped to accounts ranging from a small, highly regarded group of New York City coffee shops to Costco.

COFFEE CULTURE

It was during his ownership of Bristol Bakery from 1977 to 1983 that Ralston first stumbled upon the smoky and aromatic process of coffee-roasting in Manhattan's Bowery neighborhood while shopping for used bakery equipment. The smells conjured up memories of the strong espresso his Italian grandmother carefully brewed every Sunday when he was a child.

When he came back to Bristol, Ralston serendipitously found a classic turn-of-the-20th-century roaster, installed it in the bakery's front window and began roasting batches of green coffee beans well before the trend of small, local coffee roasters swept the country.

After selling the bakery, Ralston returned to school at Burlington's Trinity College to study business administration and planned to pay some of his tuition bills by running a Church Street espresso cart. But Starbucks was just opening its first Seattle coffeehouse and most people didn't know what to make of his cart. ''It was a huge flop,'' he said ruefully.

More than a decade went by, during which Ralston spent time in the San Francisco Bay area working in nonprofit arts management and appreciating the region's vibrant cafe culture before he and his wife, Deb Gwinn, returned to Vermont where he helped grow the cosmetics and skincare company Autumn Harp to $6 million in annual sales. That led to a job with The Body Shop in England where, he noted, ''There was a coffee drought, so I drank tea.''

BROWN-BAGGING IT

In 1997, Ralston and Gwinn returned again to Vermont and to the antique Royal Roaster #4, which had been gathering dust in their Bristol garage. ''I hooked it up in the garage and started roasting and taking the coffee to gatherings for feedback,'' Ralston said. As he developed his new business idea over the next few years, he kept things simple, both by design and by default.

Like back in the Bristol Bakery days, Vermont Coffee Company used brown paper lunch bags to package the coffee and a friend made a rubber stamp to label the bags. ''The brown bag was the starting principal,'' Ralston said. ''When you would get something fresh and from a local shop, there wouldn't be a lot of packaging.''

''We started with just dark and decaf,'' he said. ''What else do you need?'' And the coffee was available only as whole bean. ''We refuse to grind coffee. As soon as you grind it you start the staling process,'' Ralston explained.

Ralston's approach was also influenced strongly by his former boss, Body Shop founder, Anita Roddick, who he described as ''a pioneer in trade, not aid,'' cultivating mutually beneficial trade relationships with developing countries and communities to help them become self-sufficient rather than simply providing financial or other aid. When he first told Roddick he was thinking of getting back into coffee, he recalled that she said to him, ''Your coffee should be 100 percent organic and 100 percent fair trade.'' There wasn't a brand like that at the time, ''and it turned out there was a good reason for that,'' Ralston said. ''Everyone thought I was nuts. At the time, organic was just gnarly vegetables.''

WINDOW OF OPPORTUNITY

Count Vermont coffee expert Dan Cox among those who thought Ralston was a little nuts. Cox had been the first full-time employee of what was then Green Mountain Coffee Roasters. He worked there for a dozen years before he founded his own Burlington-based coffee-testing business, Coffee Enterprises, which does analysis for many major national coffee companies. ''Paul came to me and said, I want to learn everything about roasting,''' Cox recalled. ''He told me he wanted to be like Peet's [a leading San Francisco Bay area coffee roaster], which is like the Guinness of coffee. I said, This isn't the Bay area. The East Coast is not into dark roast. Like with Guinness, for every customer you turn on, you'll turn four off.'''

In addition, Cox remembers Ralston outlining his ''folksy'' marketing plan with the brown bags and emphasis on selling to friends. ''I said, That's a little far-fetched, pal.' And he said, That's all I've got.'''

Ralston spent six months learning how to evaluate green coffee beans, blend, roast and control quality and despite Cox's initial concerns, he carved out a niche and grew steadily. ''He was still there in five years and then another five,'' Cox said. ''He was very savvy, always asking for a better way to do something . . . and he has stayed true to his style. His packaging is still relatively unsophisticated but it works for him. He makes a respectable coffee and a pretty darn good decaf.''

A few other factors worked in Ralston's favor, Cox added: ''Number one, he had a passion for it, and number two, nobody really came right after him. He had a window of opportunity that doesn't exist today.''

SOLID FOCUS

As Cox noted, the competitive frame is very different today with new micro-roasters popping up regularly, but Ralston has stayed focused on his initial vision.

Since its official launch in 2001, Vermont Coffee Company has expanded to retail outlets all over Vermont, as well as New York, Massachusetts, Connecticut and New Hampshire with distribution growing at a healthy clip around the Northeast and down the Atlantic coast. The company has about 23 employees, about half of those full-time and many part-time by choice, older and partly retired or younger with children. ''Part of our business model is a flexible workforce,'' Ralston explained.

Ralston, who is sole owner, would not share sales figures but Vermont Coffee Company projects 20 percent growth in 2014. The flagship line of retail packaged whole beans remains simple and straightforward in its descriptors: Dark, Medium, Mild and Decaf. The down-to-earth brown bag packaging remains, although it takes the form of a brown box for Costco.

With the exception of one line from the Dominican Republic, rather than emphasizing single-sourced coffees from specific regions like many other small roasters, Vermont Coffee Company has always led with its blends.

''We are blenders. There's nothing magical about our beans,'' said Ralston. ''The goal is to keep our blends tasting the same, month to month, year to year.''

Vermont Coffee Company buys certified organic beans following principles set by the International Fair Trade Federation, Ralston said. The annual coffee harvest occurs at different times in different climates and over a year beans could be sourced from Ethiopia, Indonesia, Peru, Bolivia, Guatemala and Nicaragua, among other countries.

The beans are stacked high in burlap bags in a large storage room in Middlebury all tagged with their country, producer, and lot number. As he demonstrated how the beans are pulled for evaluation through a long hollow spiked tool that can dig deep into each bag, Ralston explained how different beans contribute to the overall blend. Coffee from Guatemala, for example, he said, ''We call them our spice beans. They add fruity and floral notes.''

The company's modest marketing budget still emphasizes grassroots relationship-building (now via social media), coffee sampling and offering loyal customers Vermont Coffee Company merchandise such as t-shirts and mugs for returning proof-of-purchases, which they do by weaving strips of brown bags into quilts, folding them into origami and even, in one case, using them to craft a collage of Johnny Cash drinking coffee ? black, of course.

Another thing that has not changed, Ralston noted with a smile: ''We always smell like coffee. When we go to the bank, they know who we are . . . It's a sensory business. We're in it for what it smells and tastes like.''

SLOW ROAST, SLOW GROWTH

Changes have come gradually, many in the form of process improvements such as the

adoption of the Japanese production scheduling system, Kanban; new pieces of equipment to mechanize jobs previously done by hand like bag-folding; and increased roasting capacity.

In the roasting room recently, a brand new, shiny stainless steel roaster with capacity of 150 pounds was in the process of being installed. It cost about $350,000 to purchase and install and would double Vermont Coffee Company's roasting capacity, Ralston said.

''The thing that makes it big, bold coffee is how we roast it,'' Ralston explained, pausing in front of one of the company's two smaller roasters where a small circular window gave a peek into the pre-roasted, dull grey-green beans while the glossy dark brown, roasted beans swirled below. Vermont Coffee Company roasts its beans about twice as long as many other larger roasters, Ralston said. He believes the longer, slower roast is key to building rounded flavors, similar to slowly caramelized onions or the depth of a long-cooked Cajun or Creole roux sauce base. ''It's a long, slow caramelizing roast,'' he said, ''which results in coffee with more body and sweeter, chocolate, caramel notes and a smoky tang and lower acidity.''

With a similar careful approach, Ralston has planned and budgeted for growth. Over his varied career, Ralston said, ''I've made all the mistakes you can make.'' He has seen firsthand, he said, that ''growth offers new ways to screw up.''

''We follow a model called bootstrapping,'' he said. ''We use yesterday's cash flow to finance growth. We're not extravagant.'' The company's credit line, he said, usually has a zero balance. An additional challenge these past four years has been Ralston's commitment to the Vermont legislature to which he was elected in November of 2010. He ran, he said, because ''I think there is a need for more people with active business experience in the legislature.''

He feels good about what he has accomplished there, he said, but it's been ''very hard'' balancing the four-month, four-day-a-week commitment with running an actively growing business. ''I think we would be further ahead if I hadn't done it,'' he said.

Looking ahead 15 years, Ralston said with a smile, ''I hope to still be grooving on coffee.'' He also hopes to be able to spend more time ''at origin,'' in countries where coffee is grown. ''It happens to be warmer than here,'' he added.

At home in Vermont, Ralston imagines a slightly bigger office ''with a wood-burning stove, a couch and a bigger coffee table where friends will come by to visit and sit to have a coffee.''

TRIBUTE TO BOB KLEIN

Mr. LEAHY. Mr. President, I would like to recognize the more than three decades of contributions by Bob Klein, one of the greatest conservationists in Vermont history, on the occasion of his retirement after 35 years as State Director of the Vermont Nature Conservancy.

Bob Klein is the founding Director of the Vermont Nature Conservancy, and under his guidance, its mission has been to protect Vermont's unique and rare landscapes, important wildlife habitat and biodiversity. Parcels are selected for their natural attributes, not necessarily for size, and in total, the Vermont Nature Conservancy has helped to conserve an incredible 188,000 acres during Bob's tenure. I followed his example, and one of my priorities through my work in the Senate has been to add approximately 200,000 acres to the Green Mountain National Forest. Bob has accomplished this scale of conservation within the framework of a relatively small private organization.

The Vermont Nature Conservancy has transferred most of the conserved land to the State and other land managers, while retaining ownership of the gems, to ensure their careful stewardship. These parcels included 55 natural areas dispersed across the State and open to visitors and naturalists. Bob has guided the Nature Conservancy in protecting forever iconic Vermont landscapes such as Camel's Hump, Hunger Mountain, Shelburne Pond, Alburgh Dunes, the Maidstone Bends of the Connecticut River and the Green River Reservoir.

Bob's contributions to conservation go well beyond lands that the Nature Conservancy has purchased. His leadership within the State was instrumental in the 132,000 acre Champion Lands conservation project when he helped bring together the U.S. Fish and Wildlife Service, the Vermont legislature and multiple private partners. At the Nature Conservancy, Bob has carefully assembled a team of conservation biologists, geographers and naturalists whose work has transformed conservation thought and practice. Vermont State agencies, recreational trails organizations, Federal agencies and private developers look first to the Nature Conservancy when seeking a better understanding of Vermont's ecosystems and how to protect them.

Other Nature Conservancy Chapters across the United States have been modeled on the Vermont office that Bob created. Bob's patient, generous and kind work with members and the general public is reflected in the fact that the Vermont has, by far, the highest per-capita Nature Conservancy membership of any State. I have often looked to Bob for advice on national conservation policy and he has led national Nature Conservancy visits to Washington, D.C.

Bob is retiring as the State Director of the Vermont Nature Conservancy but I know that he will continue to pursue his passions of botany, photography and exploration of nature. Bob's photographs have graced national publications and gallery walls. I will continue to look to Bob as an advisor on conservation policy and wish him all the best as he begins this new chapter.

TRIBUTE TO AUGUST SCHAEFER

Mr. DURBIN. Mr. President, on February 28, 2014, August Schaefer, better known as Gus, stepped down from his post as chief safety officer of Underwriters Laboratories, after dedicating 41 years to the company.

Underwriters Laboratories is an independent safety certification organization that tests products, conducts factory inspections, and writes standards for safety. Gus has served in many leadership roles during his time at UL, but in all capacities he has been dedicated to promoting public safety.

Under his leadership, UL launched the Firefighter Safety Research Institute which works to provide first responders and firefighters with additional information on burning buildings and the behavior of specific materials in fires.

In 2012, Mr. Schaefer shared his expertise on the safety and effectiveness of flame retardant chemicals as he testified before the Senate Appropriations Subcommittee on Financial Services and General Government. His testimony on the effectiveness of flame retardant chemicals and furniture flammability standards was a significant contribution to the hearing.

Mr. Schaefer also worked to have UL, as part of a partnership with Disney, bring safety education campaigns to children all over the world through the Safety Smart Ambassador Program. The program's video campaign educates children on fire safety, personal safety, water safety, health, environmental protection, and online safety.

UL, under his guidance, expanded its operations overseas. In response to a growing number of imports, UL has increased its presence in Asia, where it tests products intended for consumers in the United States. UL also has expanded its safety outreach to India, establishing an annual Road Safety Council where fire officials work to solve challenges in a developing nation.

Mr. Schaefer's service in Illinois is felt well beyond product safety and testing. Under his leadership, UL established annual Living the Mission Celebrations, which encourage UL staff to spend a day volunteering in the community.

Gus Schaefer's leadership at UL has made the world a better—and safer—place. When we use products approved by Underwriters Labs, we thank Gus Schaefer. I thank him for his many years of service and wish him the best in his retirement.

NATIONAL YOUTH SYNTHETIC DRUG AWARENESS WEEK

Mr. GRASSLEY. Mr. President, I am pleased to join Senator KLOBUCHAR in cosponsoring a resolution designating the week of March 9, 2014, as National Youth Synthetic Drug Awareness Week. The abuse of synthetic drugs has grown rapidly in a very short amount of time. Calls into poison control centers concerning synthetic marijuana, also known as ''K2,'' doubled between 2010 and 2011 and remained elevated throughout 2012. Emergency room visits connected to synthetic marijuana use more than doubled, to 28,000 visits, from 2010 to 2011. In addition, other synthetic drugs commonly known as ''bath salts'' produced over 22,000 emergency room admissions.

The serious symptoms associated with synthetic drug use range from

rapid heart rate, psychosis, and agitation which may lead to suicide, cardiac arrest, or organ failure. In 2010, a constituent of mine named David Rozga committed suicide shortly after ingesting ''K2'' with his friends. After smoking the drug, David became highly agitated. His friends calmed him down, and he decided to go home. Not long afterward, however, he committed suicide. David's death was one of the first in the United States attributed to synthetic drug use.

I worked with Senators KLOBUCHAR, SCHUMER, and FEINSTEIN, along with many others, to place many of these terrible drugs on the list of Schedule I controlled substances. I am grateful that the Senate and the House worked together to pass the Synthetic Drug Abuse Prevention Act of 2012. Our efforts were an important step in allowing the Drug Enforcement Administration to begin enforcement actions against those who are poisoning our communities.

However, new synthetic drugs have emerged since the passage of that law. In fact, the Drug Enforcement Administration has moved to administratively place an additional 17 chemical compounds on the list of schedule I narcotics in recent months. Included among these drugs is a compound called 5F-PB–22, which was blamed for the deaths of three young Iowans last year. Moreover, in just the past few days, police in Iowa have arrested six people and raided multiple stores in the Des Moines area for selling synthetic drugs. These tragic deaths and arrests of those pushing these substances underscore the ongoing need to raise awareness of these deadly drugs.

The good news is that people, including in my home State of Iowa, are fighting back against the scourge of synthetic drugs. The Rozga family has been active in sharing David's story. They have also started a Web site, K2drugfacts.com, which creates a forum for other parents, friends, and people who have survived terrifying experiences with synthetic drugs to share their stories and spread the word that these drugs are destructive. Other anti-drug organizations and coalitions are raising public awareness in Iowa. For example, a local community group in Johnson County, Iowa called Iowans Against Synthetics has raised synthetic drug awareness throughout that county.

The National Youth Synthetic Drug Awareness Week resolution encourages other individuals and organizations throughout the country to continue their efforts to raise awareness about the deadliness of these drugs. I urge all my colleagues to join me in supporting this resolution.

ADDITIONAL STATEMENTS

CONGRATULATING CONNOR PERKINS

● Mr. HELLER. Mr. President, today I wish to congratulate Connor Perkins on obtaining one of the Boy Scouts of America's highest ranks of Eagle Scout.

Connor began this journey as a Cub Scout in 2005 and 5 years later became a Boy Scout with Troop 695. His commitment to excellence continues to expand his record of 35 merit badges, 80 hours of community service, and 100 miles of hiking. Connor has also assumed leadership roles in the Scouts, serving as a den chief for the newer members, including his younger brother Bradley. Furthermore, Connor has lead as troop guide and historian, and he is presently the troop's senior patrol leader.

As one of tomorrow's leaders, Connor enhances my faith in our great Nation's future. It is truly an honor for me to help in celebrating his advancement to Eagle Scout. Continuing at this level of accomplishment, with such a strong commitment to civic duty, Connor will certainly be a strong, contributing citizen of this great Nation.

Connor plans to continue being an active Scout, even after receiving his Eagle status. The guidance of his loving parents and Scout leaders has undoubtedly instilled him with these motivations to do a good turn and make change daily wherever he may go. I am proud to have such a loyal and prepared member in my family and the Boy Scout family.

I ask my colleagues to join me in congratulating Connor on his loyal service and contributions to his troop and community.●

TRIBUTE TO SEAN T. HAYES

● Mr. BENNET. Mr. President, it is a pleasure to congratulate Capt. Sean T. Hays on being selected for promotion to the rank of major within the U.S. Marine Corps.

Every day, the men and women of the Armed Forces make incalculable contributions to our society. Nearly 22 years ago, Major (select) Hays swore an oath to protect our Nation and to lead by example. Entering the Marine Corps as a private, the lowest rank, he has diligently worked his way up through the ranks and continues to serve as a role model for his peers.

I had the distinct honor of meeting Major (select) Hays while he was deployed in Afghanistan. He is one of Colorado's best and brightest. His dedication to protecting his country speaks for itself, and I am confident that as a senior officer, he will continue to lead and protect with pride.

Congratulations to Major (select) Hays. I know his continued service will contribute to a stronger U.S. military and a safer nation.●

REMEMBERING THELMA SAYLER

● Mr. THUNE. Mr. President, I wish to honor the life of Thelma Sayler.

Thelma Sayler was born in Lynch, NE, on September 3, 1924, to Mads and Ruth (Christensen) Nelson. In 1927, she moved with her parents and younger sister, Donna Faye, in a Model T with the company of 24 chickens, to a one-room ''shack'' north of White River. Ten years later her father tore down an old house and hauled the lumber in the Model T, using it to build a new house for the family. They moved into their new house just 1 day before Christmas, where Thelma had her own bedroom, which was a mansion to her.

Since there were no boys, the girls helped with farming, ranching, and chores around the house. Thelma liked to remember how she, her sister and mother, during the dirty thirties, used aprons to shoo away the Mormon crickets to save their garden.

Thelma graduated from White River High School in 1942. After high school, she traveled with her Aunt and Uncle to Oregon to work in the shipyards during the war. When traveling, she sat in the back of a pickup on a chair. In 1949, Thelma, and her daughters Karen and Sharon, moved back to White River. A couple years later they moved north to the ''Old Rassy Place.''

In 1953, Thelma accepted a teaching job at the Cottonwood School that was about 2 miles from their home. In 1954, she taught in Jones County. When she started teaching, she worked without certification for a number of years. She eventually started taking classes during the summer through Black Hills State Teacher College, and earned her bachelor's degree in 1969. In 1971, Thelma and her family moved 10 miles north of White River to the ''Teddy Fredericks Place,'' where she then began teaching second grade in Murdo.

She taught in Murdo until retiring in 1987. Even after retirement, Thelma continued her passion to educate, which included volunteering at the school, substitute teaching, and even providing snacks for students and staff. Thelma was a lifelong member of the Cottonwood Ladies Aide and volunteered at the Mellette County Museum & Library, blood drives, and the Grand Stand Committee. She was also a longtime member of the United Methodist Church in Murdo.

Thelma Sayler passed away at the age of 89 on February 9, 2014, at her daughter's house in White River. She will be forever remembered for her love of teaching and for all that she has done for her community.

I was among Thelma Sayler's many students. She was a teacher in the truest and best sense of the word, and I am forever grateful for her investment in me. She was patient and kind but tough when needed—and most importantly, she was passionate about seeing kids learn and truly committed to her work. Like so many others who passed through her classroom, I was blessed to have her as a teacher and later in life to call her a friend.●

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN THAT WAS DECLARED IN EXECUTIVE ORDER 12957 ON MARCH 15, 1995—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared on March 15, 1995, is to continue in effect beyond March 15, 2014.

The crisis between the United States and Iran resulting from the actions and policies of the Government of Iran has not been resolved. The Joint Plan of Action (JPOA) between the P5+1 and Iran went into effect on January 20, 2014, for a period of 6 months. This marks the first time in a decade that Iran has agreed to and taken specific actions to halt its nuclear program and to roll it back in key respects. In return for Iran's actions on its nuclear program, the P5+1, in coordination with the European Union, are taking actions to implement the limited, temporary, and reversible sanctions relief outlined in the JPOA.

Nevertheless, certain actions and policies of the Government of Iran are contrary to the interests of the United States in the region and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and to maintain in force comprehensive sanctions against Iran to deal with this threat.

BARACK OBAMA.

THE WHITE HOUSE, *March 12, 2014.*

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 2019. An act to eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10–year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.

At 5:43 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 311. An act to direct the administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

H.R. 1814. An act to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

H.R. 3474. An act to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

H.R. 3675. An act to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes.

H.R. 3979. An act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 311. An act to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

H.R. 3675. An act to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2110. A bill to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes.

H.R. 4152. An act to provide for the costs of loan guarantees for Ukraine.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2122. A bill to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, 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–4885. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenamidone; Pesticide Tolerances'' (FRL No. 9906–99) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4886. A communication from the Under Secretary of Defense (Intelligence), transmitting, pursuant to law, a notification that the annual report on the current and future military strategy of Iran will be delivered to Congress in May of 2014; to the Committee on Armed Services.

EC–4887. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA FAR Supplement: Proposal Adequacy Checklist'' (RIN2700–AE13) received in the Office of the President of the Senate on March 6, 2014; to the Committee on Armed Services.

EC–4888. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report entitled ''Report on Proposed Obligations for Cooperative Threat Reduction''; to the Committee on Armed Services.

EC–4889. A communication from the Acting Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to proposals on military compensation included in the President's fiscal year 2015 budget; to the Committee on Armed Services.

EC–4890. A communication from the President of the United States of America, transmitting, pursuant to law the Economic Report of the President together with the 2014 Annual Report of the Council of Economic Advisers; to the Joint Economic Committee.

EC–4891. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Second Ten-Year PM 10 Maintenance Plan for Pagosa Springs'' (FRL No. 9907–57–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on Environment and Public Works.

EC–4892. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of California; 2012 Los Angeles County State Implementation Plan for 2008 Lead Standard'' (FRL No. 9907–14–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on Environment and Public Works.

EC–4893. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Placer County Air Pollution Control District'' (FRL No. 9905–18–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on Environment and Public Works.

EC–4894. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Disapproval of State Implementation Plan Revisions; Clark County, Nevada'' (FRL No. 9907–56–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to

the Committee on Environment and Public Works.

EC–4895. 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; Texas; Stage II Vapor Recovery Program and Control of Air Pollution from Volatile Organic Compounds'' (FRL No. 9907–55–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on Environment and Public Works.

EC–4896. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan; South Coast Air Quality Management District and El Dorado County Air Quality Management District'' (FRL No. 9905–26–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on Environment and Public Works.

EC–4897. 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; New Hampshire; Manchester and Nashua Carbon Monoxide Limited Maintenance Plans'' (FRL No. 9906–76–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on Environment and Public Works.

EC–4898. A communication from the Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Waivers of Rights and Claims in Settlement of a Charge or Lawsuit under the Age Discrimination in Employment Act'' (RIN3046–AA58) received in the Office of the President of the Senate on March 6, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–4899. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Congressional Budget Justification for fiscal year 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–4900. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Temporary Placement of 10 Synthetic Cathinones into Schedule I'' (Docket No. DEA–386) received during adjournment of the Senate in the Office of the President of the Senate on March 7, 2014; to the Committee on the Judiciary.

EC–4901. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Permit Delayed Submission of Certain Requirements for Prioritized Examination'' (RIN0651–AC93) received in the Office of the President of the Senate on March 6, 2014; to the Committee on the Judiciary.

EC–4902. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Continued Prosecution Application Practice'' (RIN0651–AC92) received in the Office of the President of the Senate on March 6, 2014; to the Committee on the Judiciary.

EC–4903. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a notification of a delay in submitting Amtrak's operations update and a general and legislative annual report; to the Committee on Commerce, Science, and Transportation.

EC–4904. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Dallas/Fort Worth Class B Airspace Area; TX'' ((RIN2120–AA66) (Docket No. FAA–2012–1168)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4905. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0791)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4906. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (Type Certificate previously held by Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2013–0737)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4907. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; ATR–GIE Avions de Transport Regional Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0799)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4908. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron, Inc. (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0735)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4909. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0054)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4910. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0210)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4911. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Restricted Category Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0736)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4912. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co. KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0342)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4913. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0793)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4914. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0997)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4915. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Costruzioni Aeronautiche Tecnam srl Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0888)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4916. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0632)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4917. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0538)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4918. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France (Eurocopter) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0039)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4919. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. (Type Certificate currently held by AgustaWestland S.p.A.) (Agusta) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0478)) received in the Office of the

President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4920. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Beechcraft Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0611)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4921. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France (Eurocopter) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0679)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4922. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0501)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4923. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Area Navigation (RNAV) Routes; Atlanta, GA'' ((RIN2120–AA66) (Docket No. FAA–2013–0891)) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4924. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Design-Build Contracting'' (RIN2125–AF58) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4925. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''List of Nonconforming Vehicles Decided To Be Eligible for Importation'' (Docket No. NHTSA–2013–0092) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4926. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Occupant Crash Protection'' (RIN2127–AK56) received in the Office of the President of the Senate on February 25, 2014; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–203. A resolution adopted by the House of Representatives of the State of Michigan urging complete hydrologic separation of the Great Lakes and Mississippi River basins, calling for the formation of a regional body to negotiate terms of hydrologic separation, and urging Congress and other entities to take interim steps to prevent Asian carp movement into the Great Lakes; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 305

Whereas, The Great Lakes constitute one of the world's greatest inland waterway systems. Recreational opportunities on the lakes make Michigan and the region an attractive place for businesses to locate. The Great Lakes support jobs across a spectrum of industries that include manufacturing, tourism, recreation, shipping—including freight transport and warehousing—agriculture, science, engineering, utilities, and mining. The protection of the Great Lakes is essential to local and national economic growth; and

Whereas, The Great Lakes are central to Michigan's state identity and economy with a $15 billion annual tourism industry and more than 1 million licensed anglers contributing $2 billion to the economy; and

Whereas, Aquatic invasive species (AIS) are one of the foremost challenges facing the Great Lakes. Economic and environmental damage from invasive species in the Great Lakes basin is estimated at $5.7 billion per year, and commercial and sport fishing in the Great Lakes basin have suffered losses estimated at $4.5 billion; and

Whereas, Asian carp pose an imminent threat to the Great Lakes ecosystem and economy. The leading front of the Asian carp population has been confirmed 25 miles downstream of the electric barriers located on the Chicago Sanitary and Ship Canal, and monitoring has detected Asian carp DNA between the electric barriers and Lake Michigan. Research by U.S. and Canadian fishery experts shows that there is a significant risk of Asian carp surviving, spreading, and establishing populations in the Great Lakes, particularly in shallow, near-shore areas like Green Bay, Saginaw Bay, Lake St. Clair, and Western Lake Erie. Once established, they can reproduce rapidly, consume large quantities of food, disrupt local ecosystems, outcompete native fish species, and devastate recreational fishing and boating opportunities. If populations of Asian carp become established in the Great Lakes, they will be difficult, if not impossible, to control or eradicate, and thus, the federal government has recognized Asian carp as ''the most acute [aquatic invasive species] threat facing the Great Lakes today''; and

Whereas, A recent study conducted by the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service showed that the electric barriers in the Chicago Sanitary and Ship Canal, designed to prevent the spread of Asian carp and other invasive fish, are not effective in stopping the movement of all fish, especially small fish, and that barges can sweep fish through the electric barrier; and

Whereas, The Restoring the Natural Divide report prepared by the Great Lakes Commission and the Great Lakes and St. Lawrence Cities Initiative in 2012 presented three alternatives for hydrologically separating the Great Lakes and Mississippi River basins. The report demonstrates that a long-term solution to prevent AIS transfer—while maintaining or enhancing water quality, flood control, and transportation—is possible; and

Whereas, The U.S. Army Corps of Engineers released the Great Lakes and Mississippi River Interbasin Study (GLMRIS) report presenting a range of eight options and technologies to prevent AIS movement between the Great Lakes and Mississippi River basins, including two alternatives for full hydrologic separation. The GLMRIS report recognizes hydrologic separation as the most effective way to keep Asian carp out of the Great Lakes and mitigate flooding; and

Whereas, Complete hydrologic separation of the Great Lakes and Mississippi River basins would be a project measured in decades, not months or years. Asian carp pose a near certainty of establishing populations in the Great Lakes before the implementation of hydrologic separation from the Mississippi River basin unless strong, strategic interim measures are implemented; and

Whereas, While the long-term solution is developed and implemented, priority in the near-term should be given to effectively preventing the movement of Asian carp into the Great Lakes from the Mississippi River basin through technologies, waterway system improvements, technology demonstrations, and continued aggressive management practices leading to real reductions in populations. One-way or partial separation to prevent fish from moving upstream may be possible to achieve in the near-term without having to address major flooding and water quality issues. A short-term plan of action should include study and evaluation of the impacts on shipping infrastructure to provide feasible options for promoting new alternative long-term solutions: Now, therefore, be it

Resolved by the House of Representatives, That we find that complete hydrologic separation is the most effective long-term solution for protecting the Great Lakes and Mississippi River basins from aquatic invasive species (AIS) transfer and urge its implementation; and be it further

Resolved, That we memorialize the Congress of the United States to call for immediate action on a suite of measures to reduce the risk of Asian carp and other invasive species passing through the Chicago Area Waterway System until hydrologic separation can be completed, including:

1. Continued implementation of the Asian Carp Control Strategy Framework and related efforts;

2. Continued support of extensive monitoring and control efforts, including commercial fishing in the Chicago Area Waterway System, led by the Illinois Department of Natural Resources and its federal partners;

3. Design and engineering of modifications to the Brandon Road lock and dam structure or other appropriate lock to reduce the risk of one-way transfer into Lake Michigan, including additional electric barriers at the entrance and exit of the lock, use of carbon dioxide as a fish deterrent, modifications of the gates on the dam, and other technologies; and be it further

Resolved, That we urge the U.S. Army Corps of Engineers to implement physical separation immediately through lock closure should Asian carp pose an imminent threat of passing through the Brandon Road Lock; and be it further

Resolved, That we call upon commercial navigation industries to identify practices to reduce the risk of AIS transfer that can be instituted on an escalating pace commensurate with the advance of Asian carp toward Lake Michigan; and be it further

Resolved, That we urge the United States Department of Transportation to study and evaluate the current and future infrastructure needs in the affected region to ensure the continued flow of commerce in and out of the region; and be it further

Resolved, That we call for the assembly of a consensus-building body of state and federal agencies, industries, regional commissions, and nongovernmental organizations to negotiate terms of hydrologic separation of

the Great Lakes and Mississippi River basins even while planning for interim measures are underway; and be it further

Resolved, That we request that Congress call upon the U.S. Fish and Wildlife Service to provide a lead role in accomplishing these goals and coordinating efforts of the U.S. Army Corps of Engineers and other federal agencies through the Asian Carp Control Strategy Framework and the national control plan for Asian carp; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the Secretary of Transportation, the Secretary of the Interior, the Commanding General of the U.S. Army Corps of Engineers, the Commander of the U.S. Army Corps of Engineers—Chicago District, and the Asian Carp Regional Coordinating Committee.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 2124. An original bill to support sovereignty and democracy in Ukraine, and for other purposes.

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. MCCAIN:

S. 2111. A bill to reauthorize the Yuma Crossing National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself, Mr. HOEVEN, and Mr. ENZI):

S. 2112. A bill to authorize the approval of natural gas pipelines and establish deadlines and expedite permits for certain natural gas gathering lines on Federal land and Indian land; to the Committee on Energy and Natural Resources.

By Mr. COBURN (for himself, Ms. AYOTTE, Mr. BEGICH, Mr. BURR, Mr. CHAMBLISS, Ms. COLLINS, Mr. CRUZ, Mr. ENZI, Mr. FLAKE, Mr. HATCH, Mr. INHOFE, Mr. JOHNSON of Wisconsin, Mr. MCCAIN, Mrs. MCCASKILL, Mr. PAUL, Mr. PORTMAN, Mr. RISCH, Mr. SCOTT, Mr. VITTER, and Mr. WARNER):

S. 2113. A bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER (for himself and Mr. COBURN):

S. 2114. A bill to amend the Securities Exchange Act of 1934 with respect to disclosures to investors in municipal and corporate debt securities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. REED, Ms. HIRONO, Mr. BROWN, Mrs. FEINSTEIN, Mr. MARKEY, Mr. CASEY, Mr. CARDIN, Mrs. BOXER, and Mrs. HAGAN):

S. 2115. A bill to provide for the establishment of a fund to provide for an expanded and sustained national investment in biomedical research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself and Mr. UDALL of New Mexico):

S. 2116. A bill to direct the Secretary of Agriculture, in consultation with Indian tribes, to make grants, competitive grants, and special research grants to, and enter into cooperative agreements and other contracting instruments with, eligible entities to conduct research and education and training programs to protect and preserve Native American seeds, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. WARREN (for herself and Mr. PORTMAN):

S. 2117. A bill to amend title 5, United States Code, to change the default investment fund under the Thrift Savings Plan, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUNT (for himself, Mr. CORNYN, Mr. SCOTT, Mr. MORAN, Mr. PAUL, Mr. THUNE, Mr. VITTER, Ms. MURKOWSKI, Mr. KIRK, Mr. CRAPO, Mr. BARRASSO, Mr. JOHANNS, Mr. COBURN, Mr. WICKER, Mr. COATS, Mr. COCHRAN, Mr. GRASSLEY, Mr. ALEXANDER, Ms. AYOTTE, Mr. GRAHAM, Mr. HATCH, Mr. BOOZMAN, Mr. ENZI, Mrs. FISCHER, and Mr. ISAKSON):

S. 2118. A bill to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE:

S. 2119. A bill to amend the Head Start Act to authorize block grants to States for prekindergarten education; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 2120. A bill to expand the prohibition on the manufacture, distribution, and importation of children's products that contain phthalates, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WALSH (for himself, Mr. BEGICH, and Mr. TESTER):

S. 2121. A bill to repeal title II of the REAL ID Act of 2005; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself, Mr. MCCONNELL, and Mr. CORNYN):

S. 2122. A bill to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes; read the first time.

By Mr. FRANKEN (for himself and Ms. KLOBUCHAR):

S. 2123. A bill to authorize the exchange of certain Federal land and non-Federal land in the State of Minnesota; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 2124. An original bill to support sovereignty and democracy in Ukraine, and for other purposes; from the Committee on Foreign Relations; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. COBURN, Mr. ENZI, Mr. COATS, Mr. PAUL, Mr. CRUZ, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. HATCH, Mr. SESSIONS, Mr. FLAKE, Mr. RISCH, Mr. INHOFE, Mrs. FISCHER, Mr. LEE, Mr. TOOMEY, Mr. BLUNT, Mr. BURR, Mr. VITTER, Mr. THUNE, Mr. CHAMBLISS, Mr. ISAKSON, Mr. SCOTT, Mr. ROBERTS, Mr. BARRASSO, and Mr. RUBIO):

S. Res. 382. A resolution to amend the Standing Rules of the Senate to modify the provision relating to timing for filing of cloture motions; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 635

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 775

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 775, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property.

S. 824

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 824, a bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes.

S. 933

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 933, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2018.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 1135

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1135, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1150

At the request of Mr. BLUMENTHAL, the name of the Senator from Iowa

(Mr. HARKIN) was added as a cosponsor of S. 1150, a bill to posthumously award a congressional gold medal to Constance Baker Motley.

S. 1364

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1364, a bill to promote neutrality, implicity, and fairness in the taxation of digital goods and digital services.

S. 1397

At the request of Mr. PORTMAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1397, a bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1456

At the request of Mr. BENNET, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Indiana (Mr. DONNELLY), the Senator from Illinois (Mr. DURBIN), the Senator from North Carolina (Mrs. HAGAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Hawaii (Ms. HIRONO), the Senator from South Dakota (Mr. JOHNSON), the Senator from Maine (Mr. KING), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. MANCHIN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Oregon (Mr. MERKLEY), the Senator from Maryland (Ms. MIKULSKI), the Senator from Connecticut (Mr. MURPHY), the Senator from Arkansas (Mr. PRYOR), the Senator from Rhode Island (Mr. REED), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. WALSH), the Senator from Virginia (Mr. WARNER), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1506

At the request of Mr. WICKER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1506, a bill to provide tax relief for persons affected by the discharge of oil in connection with the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon*.

S. 1708

At the request of Mr. HEINRICH, his name was added as a cosponsor of 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.

S. 1737

At the request of Mr. HARKIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1737, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

S. 1738

At the request of Mr. CORNYN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1738, a bill to provide justice for the victims of trafficking.

S. 1793

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1793, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 1802

At the request of Mr. DONNELLY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1802, a bill to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes.

S. 1803

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1803, a bill to require certain protections for student loan borrowers, and for other purposes.

S. 2004

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 2004, a bill to ensure the safety of all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, as they travel on and across federally funded streets and highways.

S. 2024

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2024, a bill to amend chapter 1 of title 1, United States Code, with regard to the definition of ''marriage'' and ''spouse'' for Federal purposes and to ensure respect for State regulation of marriage.

S. 2053

At the request of Ms. WARREN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2053, a bill to direct the Architect of the Capitol to place a chair honoring American Prisoners of War/Missing in Action on the Capitol Grounds.

S. 2077

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2077, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 2082

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2082, a bill to provide for the development of criteria under the Medicare program for medically necessary short inpatient hospital stays, and for other purposes.

S. 2086

At the request of Mr. THUNE, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 2086, a bill to address current emergency shortages of propane and other home heating fuels and to provide greater flexibility and information for Governors to address such emergencies in the future.

S. 2099

At the request of Mr. COATS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2099, a bill to amend title 5, United States Code, to establish uniform requirements for thorough economic analysis of regulations by Federal agencies based on sound principles, and for other purposes.

S. 2106

At the request of Mrs. FISCHER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2106, a bill to amend the Internal Revenue Code of 1986 to provide that the individual health insurance mandate not apply until the employer health insurance mandate is enforced without exceptions.

S. CON. RES. 33

At the request of Ms. STABENOW, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Ohio (Mr. BROWN), the Senator from Indiana (Mr. DONNELLY), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Nebraska (Mr. JOHANNS), the Senator from North Dakota (Mr. HOEVEN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Con. Res. 33, a concurrent resolution celebrating the 100th anniversary of the enactment of the Smith-Lever Act, which established the nationwide Cooperative Extension System.

S. RES. 348

At the request of Mr. BURR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 348, a resolution expressing support for the internal rebuilding, resettlement, and reconciliation within Sri Lanka that are necessary to ensure a lasting peace.

S. RES. 355

At the request of Mr. GRAHAM, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 355, a resolution calling on the Government of the Islamic Republic of Afghanistan to cease the extra-judicial release of Afghan detainees, carry out its commitments pursuant to the Memorandum of Understanding governing the transfer of Afghan detainees from the United States custody to Afghan control and to uphold the Afghan Rule of Law with respect to the referral and disposition of detainees.

S. RES. 365

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 365, a resolution deploring the violent repression of peaceful demonstrators in Venezuela, calling for full accountability for human rights violations taking place in Venezuela, and supporting the right of the Venezuelan people to the free and peaceful exercise of representative democracy.

At the request of Mr. THUNE, his name was added as a cosponsor of S. Res. 365, supra.

S. RES. 377

At the request of Mr. MENENDEZ, the names of the Senator from Ohio (Mr. BROWN), the Senator from Illinois (Mr. DURBIN), the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. MURPHY), the Senator from Oregon (Mr. WYDEN) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. Res. 377, a resolution recognizing the 193rd anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

At the request of Mr. JOHNSON of South Dakota, his name was added as a cosponsor of S. Res. 377, supra.

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. Res. 377, supra.

AMENDMENT NO. 2812

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 2812 proposed to S. 1086, a bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

AMENDMENT NO. 2814

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2814 proposed to S. 1086, a bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

AMENDMENT NO. 2818

At the request of Ms. LANDRIEU, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 2818 proposed to S. 1086, a bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2818 proposed to S. 1086, supra.

AMENDMENT NO. 2819

At the request of Mr. SCOTT, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 2819 intended to be proposed to S. 1086, a bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN:

S. 2111. A bill to reauthorize the Yuma Crossing National Heritage Area; to the Committee on Energy and Natural Resources.

Mr. MCCAIN. Mr. President, I am please to introduce legislation that would reauthorize the Yuma Crossing National Heritage Area located in Yuma, AZ. A companion bill is being introduced in the House of Representatives by Congressman RAÚL GRIJALVA and Congressman ED PASTOR from Arizona.

The Yuma Crossing National Heritage Area is a unique success story in the National Heritage Areas, NHA, system. It was first authorized in 2000 under legislation sponsored by myself and former Senator Jon Kyl, P.L. 106–319. Yuma Crossing NHA has proven to be a central component in a collaborative effort by local, tribal and federal partners to transform the City of Yuma downtown riverfront area and restore riparian habitat along the banks of the Colorado River. Like many other NHAs, it was established as a means of encouraging historic preservation at a local level without assigning large federal resources for the management of land as a National Park. The Yuma Crossing NHA model continues to involve a broad coalition of local businesses, farmers, and the Quechan Tribe of the Fort Yuma Indian Reservation among others.

Yuma Crossing NHA was the first NHA to be established west of the Mississippi River. Its purpose is to preserve and share the history of the Yuma Crossing, which is a narrow granite outcropping on the Colorado River that for centuries served as the only transportation gateway for those traveling west to California, including Spanish missionaries, American pioneers, and gold rush prospectors. Prior to the completion of the transcontinental railroad in the 1860's, if you wanted to trade or travel to California, you had to go through Yuma Crossing.

The NHA designation has enabled the City of Yuma to develop plans to leverage about $80 million in private investments, not Federal funding, for the revitalization of downtown Yuma and the historic landmark. The Yuma Crossing NHA also played a critical role in saving a former Arizona State Park unit, the historic Yuma Quartermaster Depot, which had closed and fallen into disrepair due to state budget cuts. Moreover, the Yuma Crossing NHA has led the way in a remarkable environmental project along the Colorado River known as the Yuma East Wetlands project, which aims to remove 1,400 acres of non-native, water-guzzling salt cedar thickets and re-vegetate the area with native willows, cottonwood, and mesquite trees. The 400 acres completed thus far has aided in the initial recovery of a number of endangered and migratory bird species, including the Yuma clapper rail, the yellow-billed cuckoo, and the southwestern willow flycatcher.

As a testament to its successes, the National Park Service has downgraded the Yuma Crossing historic landmark from Threatened to Watch status. However, more work remains to be done. For example, the Yuma East Wetlands project has secured a funding commitment from non-federal parties for the next fifty years. Because NHA's have an authorization period of 15 years, it's critical that Congress reauthorize the Yuma Crossing NHA before the end of Fiscal Year 2015 so that this effort continues uninterrupted. I understand there may be a need to offset the federal spending that's authorized by this legislation, and I hope to address this concern as the bill advances through the legislative process. I encourage my colleagues to support the passage of this bill.

By Mr. DURBIN (for himself, Mr. REED, Ms. HIRONO, Mr. BROWN, Mrs. FEINSTEIN, Mr. MARKEY, Mr. CASEY, Mr. CARDIN, Mrs. BOXER, and Mrs. HAGAN):

S. 2115. A bill to provide for the establishment of a fund to provide for an expanded and sustained national investment in biomedical research; 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. 2115

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 ''American Cures Act''.

SEC. 2. BIOMEDICAL RESEARCH FUND.

(a) PURPOSE.—It is the purpose of this section to establish a Biomedical Research Fund (referred to in this section as the ''Fund''), to be administered by the Secretary of the Treasury, to provide for an expanded and sustained national investment in biomedical research through the programs and agencies described in subsection (b)(2).

(b) USE OF FUND.—

(1) IN GENERAL.—For each fiscal year, amounts shall be transferred from the Fund to the accounts related to the programs and agencies described in paragraph (2) to ensure that funding for such programs and agencies for such fiscal year does not fall below 105 percent of the level of funding provided for the fiscal year immediately preceding the

fiscal year for which the determination is being made and an additional amount to account for any increases in the Gross Domestic Product for the year involved.

(2) AGENCIES.—The programs and agencies described in this paragraph are the following:

(A) The National Institutes of Health.

(B) The Centers for Disease Control and Prevention.

(C) The Department of Defense health program.

(D) The medical and prosthetics research program of the Department of Veterans Affairs.

(c) MINIMUM CONTINUED FUNDING REQUIREMENT.—Amounts appropriated for each of the programs and agencies described in subsection (b)(2) for a fiscal year shall not be less than the amounts appropriated for such programs and agencies for fiscal year 2014.

(d) FUNDING.—There are hereby authorized to be appropriated, and appropriated, to the Fund, out of any monies in the Treasury not otherwise appropriated, such sums as may be necessary in each fiscal year to enable the transfers to be made in accordance with subsection (b)(1).

(e) TRANSFER AUTHORITY.—The Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives may provide for the transfer of funds in the Fund to eligible programs and agencies under this section, subject to subsection (b).

(f) EXEMPTION OF CERTAIN PAYMENTS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after ''Advances to the Unemployment Trust Fund and Other Funds (16–0327–0–1–600).'' the following:

''Biomedical Research Fund.''.

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 382—TO AMEND THE STANDING RULES OF THE SENATE TO MODIFY THE PROVISION RELATING TO TIMING FOR FILING OF CLOTURE MOTIONS

Mr. GRASSLEY (for himself, Mr. COBURN, Mr. ENZI, Mr. COATS, Mr. PAUL, Mr. CRUZ, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. HATCH, Mr. SESSIONS, Mr. FLAKE, Mr. RISCH, Mr. INHOFE, Mrs. FISCHER, Mr. LEE, Mr. TOOMEY, Mr. BLUNT, Mr. BURR, Mr. VITTER, Mr. THUNE, Mr. CHAMBLISS, Mr. ISAKSON, Mr. SCOTT, Mr. ROBERTS, Mr. BARRASSO, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Rules and Administration.:

S. RES. 382

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Stop Cloture Abuse Resolution''.

SEC. 2. TIME PRE-CLOTURE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended in the first undesignated subparagraph—

(1) by inserting ''after the end of the 24-hour period beginning at the time the Senate proceeds to consideration of a measure, motion, or other matter'' after ''at any time''; and

(2) by striking ''any measure'' and inserting ''the measure''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2820. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table.

SA 2821. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1086, supra.

SA 2822. Mr. FRANKEN (for himself, Ms. MURKOWSKI, Ms. HIRONO, Ms. BALDWIN, Mrs. MURRAY, Mr. THUNE, Ms. HEITKAMP, Mr. TESTER, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 1086, supra.

SA 2823. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2824. Mr. BENNET (for himself, Mr. ISAKSON, Ms. LANDRIEU, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1086, supra.

SA 2825. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2826. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2827. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2828. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2829. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2830. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2831. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2832. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2833. Mr. RISCH (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2834. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2835. Mr. TESTER (for himself, Mr. BEGICH, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2836. Ms. BALDWIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2837. Mr. SCOTT (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 1086, supra.

SA 2838. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2839. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2840. Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2841. Ms. STABENOW (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2842. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 1086, supra; which was ordered to lie on the table.

SA 2843. Mr. BENNET (for himself, Mr. BEGICH, Mr. SCHATZ, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 1086, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2820. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 98, strike line 15 and insert the following:

view.

''(U) IDENTIFICATION.—

''(i) IN GENERAL.—The plan shall contain an assurance that the State will—

''(I) require each parent, who applies for assistance for child care services for a child under this subchapter, to include the name and valid identification number of the child on the application; and

''(II) check the number before providing the assistance.

''(ii) DEFINITION.—In this subparagraph, the term 'valid identification number' means a social security number issued to an individual by the Social Security Administration. Such term shall not include a taxpayer identification number issued by the Internal Revenue Service.'';

SA 2821. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

On page 136, between lines 2 and 3, insert the following:

(e) PROTECTION OF INFORMATION.—Section 658K(a)(1) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i(a)(1)) is amended by adding at the end the following:

''(D) PROHIBITION.—Reports submitted to the Secretary under subparagraph (C) shall not contain individually identifiable information.''.

SA 2822. Mr. FRANKEN (for himself, Ms. MURKOWSKI, Ms. HIRONO, Ms. BALDWIN, Mrs. MURRAY, Mr. THUNE, Ms. HEITKAMP, Mr. TESTER, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care

and Development Block Grant Act of 1990, and for other purposes; as follows:

On page 136, strike lines 8 and 9 and insert the following:

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—The Secretary'';

(ii) by striking ''1 percent, and not more than 2 percent,'' and inserting ''2 percent''; and

(iii) by adding at the end the following:

''(B) LIMITATIONS.—Notwithstanding subparagraph (A), the Secretary shall only reserve an amount that is greater than 2 percent of the amount appropriated under section 658B, for payments described in subparagraph (A), for a fiscal year (referred to in this subparagraph as the 'reservation year') if—

''(i) the amount appropriated under section 658B for the reservation year is greater than the amount appropriated under section 658B for fiscal year 2014; and

''(ii) the Secretary ensures that the amount allotted to States under subsection (b) for the reservation year is not less than the amount allotted to States under subsection (b) for fiscal year 2014.''; and

(B) by adding at the end the following:

SA 2823. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ___. ALLOTMENT OF SPACE IN FEDERAL BUILDINGS FOR CHILD CARE.

Section 590(b)(2) of title 40, United States Code, is amended by striking subparagraph (C) and inserting the following:

''(C) the allotment officer determines that—

''(i) the space will be used to provide child care services to children of whom at least 50 percent have 1 parent or guardian who—

''(I) is employed by the Federal Government; or

''(II)(aa) has met the requirements for a master's degree or a doctorate degree from an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); and

''(bb) is conducting research under an arrangement between the parent or guardian and a Federal agency; and

''(ii) for available child care services in the space, the child care provider will give—

''(I) first priority to Federal employees; and

''(II) second priority to persons that meet the requirements described in items (aa) and (bb) of clause (i)(II).''.

SA 2824. Mr. BENNET (for himself, Mr. ISAKSON, Ms. LANDRIEU, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

On page 91, line 17, insert ''efficiently'' before ''coordinate''.

On page 93, strike line 9 and insert the following:

''(ii) OPTIONAL USE OF COMBINED FUNDS.—If the State elects to combine funding for the services supported to carry out this subchapter with funding for any program described in subclauses (I) through (VII) of clause (i), the plan shall describe how the State will combine the multiple sets of funding and use the combined funding.

''(iii) RULE OF CONSTRUCTION.—Noth-

On page 128, line 16, strike ''chapter; and'' and insert ''chapter;''.

On page 128, strike line 22 and insert the following:

ance with this subchapter.

''(5) after consultation with the Secretary of Education and the heads of any other Federal agencies involved, issue guidance, and disseminate information on best practices, regarding use of funding combined by States as described in section 658E(c)(2)(O)(ii), consistent with law other than this subchapter.''; and

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SA 2825. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 99, strike lines 16 through 20 and insert the following:

tivity described in clause (iii)).'';

(iii) by striking '', with priority'' and all that follows through the period and inserting the following: ''. In using those amounts for child care services, the State shall give priority for services first to children with disabilities from low-income families (whose family income does not exceed 85 percent of the State median income for a family of the same size), then to children of families with very low family incomes (taking into consideration family size), and then to children with disabilities.''; and

(iv) by adding at the end the following:

''(ii) REPORT BY INSPECTOR GENERAL.—

''(I) IN GENERAL.—Not later than September 30 of the first full fiscal year after the date of enactment of the Child Care and Development Block Grant Act of 2014, and September 30 of each fiscal year thereafter, the Inspector General of the Department of Health and Human Services shall prepare and submit to the Secretary a report that contains a determination about whether each State uses amounts provided to such State for the fiscal year involved under this subchapter in accordance with the priority for services described in clause (i).

''(II) PENALTY FOR NONCOMPLIANCE.—For any fiscal year that the report of such Inspector General described in subclause (I) indicates that such a State has failed to give priority for services in accordance with such clause, the Secretary shall withhold 5 percent of the funds that would otherwise be allocated to that State in accordance with this subchapter for the following fiscal year.

''(iii) CHILD CARE RESOURCE AND REFERRAL SYSTEM.—''

SA 2826. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 120, strike line 12 and insert the following:

preceding 5 years; or

''(E) has been convicted of a violent misdemeanor, such as assault or domestic violence, against a child.

SA 2827. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 78, line 9, insert ''and early language and literacy development'' after ''readiness''.

SA 2828. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, line 22, strike ''such sums as may be necessary for each'' and insert ''$14,400,000,000 for the period consisting''.

SA 2829. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. EVALUATION AND CONSOLIDATION OF DUPLICATIVE EARLY LEARNING AND CHILD CARE PROGRAMS.

(a) ELIMINATION OF DUPLICATIVE PROGRAMS.—

(1) CHILD CARE ACCESS MEANS PARENTS IN SCHOOL PROGRAM.—Subpart 7 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070e et seq.) is repealed.

(2) EVEN START.—Subpart 2 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6371 et seq.) is repealed.

(3) EARLY READING FIRST.—Subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.) is repealed.

(4) EARLY LEARNING OPPORTUNITIES ACT.—The Early Learning Opportunities Act (20 U.S.C. 9401 et seq.) is repealed.

(5) EARLY CHILDHOOD EDUCATOR PROFESSIONAL DEVELOPMENT GRANT PROGRAM.—Subsection (e) of section 2151 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6651(e)) is repealed.

(b) RESTRICTED USE OF FUNDS.—Notwithstanding any other provision of law, no funds appropriated for any of the following programs or activities shall be used for child care or early education:

(1) Any assistance provided by the Appalachian Regional Commission under chapters 143 or 145 of title 40, United States Code.

(2) The Safe Start Program administered under part C of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651 et seq.).

(3) The SMART Prevention grant program under section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2).

(4) The transitional housing assistance for victims of domestic violence, dating violence, stalking, or sexual assault grant program under section 40299 of the Violence Against Women Act of 1994 (42 U.S.C. 13975).

(5) The migrant and seasonal farmworker programs under section 167 of the Workforce Investment Act of 1998 (29 U.S.C. 2912).

(6) The Native American programs under section 166 of the Workforce Investment Act of 1998 (29 U.S.C. 2911).

(7) Adult and dislocated worker employment and training activities under chapter 5 of subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2861 et seq.).

(c) REPORT.—

(1) DEFINITION OF APPLICABLE SECRETARY.—In this subsection, the term ''applicable Secretary'' means a Secretary with authority

over a program, activity, service, or provision of law described in paragraph (3).

(2) IN GENERAL.—Not later than March 1, 2015, each applicable Secretary shall submit to Congress, and make available through the Internet on the public website of the agency of the applicable Secretary, a report on the outcomes of each program, activity, and service described in paragraph (3) under the authority of the Secretary. Each such report shall include—

(A) a determination of the total administrative expenses of the applicable program, activity, or service;

(B) a determination of the expenditures for services for the applicable program, activity, or service; and

(C) an estimate of the number of clients served by the applicable program, activity, or service and beneficiaries who received assistance under the applicable program, activity, or service (if applicable).

(3) COVERED PROGRAMS.—The programs, activities, and services described in this paragraph are the following:

(A) The local educational agency grant program for Indian education under subpart 1 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7421 et seq.).

(B) The Native Hawaiian education program under part B of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7511 et seq.).

(C) Any Indian child and family service program funded by a grant awarded under title II of the Indian Child Welfare Act of 1978 (25 U.S.C. 1931 et seq.).

(D) Assistance provided to schools under section 1121(b)(3) of the Education Amendments of 1978 (25 U.S.C. 2001).

(E) The Indian child and family education program authorized under part B of title XI of the Education Amendments of 1978 (25 U.S.C. 2000 et seq.)

(F) The Alaska native educational program under part C of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7541 et seq.).

(G) The grant program for the improvement of educational opportunities for Indian children authorized under section 7121(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441(c)).

(H) The Race to the Top State incentive grant program under section 14006 of the American Recovery and Reinvestment Act of 2009 (Public Law 112–10).

(I) The grant program for special education for infants, toddlers, and families authorized under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.).

(J) The special education grant program for preschool-aged children authorized under section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419).

(K) The child care development block grant program under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), including funds provided under section 418 of the Social Security Act (42 U.S.C. 618).

(L) Programs provided under the Head Start Act (42 U.S.C. 9831 et seq.).

(M) Space allotted in a Federal building for child care services under section 590 of title 40, United States Code.

(N) Any assistance provided by the Appalachian Regional Commission under chapters 143 or 145 of title 40, United States Code.

(O) The child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766).

(P) The school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(Q) The school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(R) The special milk program authorized under section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772).

(S) The full-service community school grant program carried out under subpart 1 of part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7243 et seq.).

(T) The promise neighborhood grant program carried out under subpart 1 of part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7243 et seq.).

(U) The education for homeless children and youth program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

(V) The English language acquisition and language enhancement program under subpart 1 of part A of title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6821).

(W) The education of migratory children program under part C of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6391 et seq.).

(X) The local educational agency grant program authorized under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

(Y) The special education State personnel development grant program under subpart 1 of part D of the Individuals with Disabilities Education Act (20 U.S.C. 1451 et seq.).

(Z) The State grant program for children with disabilities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

(AA) The technology and media services for individuals with disabilities program under section 674 of the Individuals with Disabilities Education Act (20 U.S.C. 1474).

(BB) The community services block grant program under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

(CC) The program of block grants to States for social services under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

(DD) The program of block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(EE) Grants provided under the Community Development Block Grant program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) for areas that are not nonentitlement areas.

(FF) Grants provided under the Community Development Block Grant program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) for insular areas, as defined in section 102 of such Act (42 U.S.C. 5302).

(GG) Grants provided under the Community Development Block Grant program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) for nonentitlement areas in Hawaii.

(HH) The Safe Start Program administered under part C of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651 et seq.).

(II) The SMART Prevention grant program under section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2).

(JJ) The transitional housing assistance for victims of domestic violence, dating violence, stalking, or sexual assault grant program under section 40299 of the Violence Against Women Act of 1994 (42 U.S.C. 13975).

(KK) Migrant and seasonal farmworker programs under section 167 of the Workforce Investment Act of 1998 (29 U.S.C. 2912).

(LL) Native American programs under section 166 of the Workforce Investment Act of 1998 (29 U.S.C. 2911).

(MM) Adult and dislocated worker employment and training activities under chapter 5 of subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2861 et seq.).

(NN) The donation of surplus Federal personal property through State agencies under section 549 of title 40, United States Code.

(d) COMBINATION OF INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION PROGRAMS.—By not later than September 15, 2015, the Secretary of Education and the Secretary of Interior jointly shall—

(1) review the program outcomes reports required under this section for the programs, activities, and services described in subparagraphs (A) though (F) of subsection (c)(3); and

(2) prepare and submit to Congress a plan, including legislative and administrative recommendations, regarding how to combine such programs, activities, and services into a single program serving the same populations.

SA 2830. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ELIMINATION OF CHILD CARE SUBSIDIES FOR MILLIONAIRES.

(a) INTERNAL REVENUE CODE.—

(1) NO HOUSEHOLD AND DEPENDENT CARE CREDIT FOR MILLIONAIRES.—Section 21 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) NO CREDIT FOR MILLIONAIRES.—No credit shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than $1,000,000 for such taxable year.''.

(2) NO DEPENDENT CARE ASSISTANCE PROGRAMS FOR MILLIONAIRES.—Section 129(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) NO EXCLUSION FOR MILLIONAIRES.—No exclusion shall be allowed by reason of this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than $1,000,000 for such taxable year.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(b) FEDERAL PAYMENTS.—

(1) NO CHILD CARE SUBSIDIES FOR MILLIONAIRES.—Notwithstanding any other provision of law, no Federal funds may be used to make payments relating to child care or child care services for any individual whose adjusted gross income in the preceding year was equal to or greater than $1,000,000.

(2) EFFECTIVE DATE.—The prohibition under this subsection shall apply to any payments made on or after the date of the enactment of this Act.

SA 2831. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and

for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 132, strike line 10 and all that follows through page 136, line 17, and insert the following:

(d) REPORT BY SECRETARY.—Section 658L of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858j) is amended—

(1) by striking ''1998'' and inserting ''2016''; and

(2) by striking ''to the Committee'' and all that follows through ''of the Senate'' and inserting ''to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 9. PAYMENTS TO BENEFIT INDIAN CHILDREN.

Section 658O(c)(2) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(c)(2)) is amended by adding at the end the following:

SA 2832. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ELIMINATION OF CHILD CARE SUBSIDIES FOR HIGH-INCOME INDIVIDUALS.

(a) INTERNAL REVENUE CODE.—

(1) NO HOUSEHOLD AND DEPENDENT CARE CREDIT FOR HIGH-INCOME INDIVIDUALS.—Section 21 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) NO CREDIT FOR HIGH-INCOME INDIVIDUALS.—No credit shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than $250,000 for such taxable year.''.

(2) NO DEPENDENT CARE ASSISTANCE PROGRAMS FOR HIGH-INCOME INDIVIDUALS.—Section 129(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) NO EXCLUSION FOR HIGH-INCOME INDIVIDUALS.—No exclusion shall be allowed by reason of this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than $250,000 for such taxable year.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(b) FEDERAL PAYMENTS.—

(1) NO CHILD CARE SUBSIDIES FOR HIGH-INCOME INDIVIDUALS.—Notwithstanding any other provision of law, no Federal funds may be used to make payments relating to child care or child care services for any individual whose adjusted gross income in the preceding year was equal to or greater than $250,000.

(2) EFFECTIVE DATE.—The prohibition under this subsection shall apply to any payments made on or after the date of the enactment of this Act.

SA 2833. Mr. RISCH (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, line 15, insert after ''services.'' the following: ''The Secretary shall not promulgate any rule (including any regulation), issue any guidance, or take any other action, that incentivizes, encourages, or mandates any such individual or entity to acquire such a credential.''.

SA 2834. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 136, strike line 16 and all that follows through page 137, line 7, and insert the following:

(2) in subsection (c)—

(A) in paragraph (2), by adding at the end the following:

''(D) LICENSING AND STANDARDS.—In lieu of any licensing and regulatory requirements applicable under State or local law, the Secretary, in consultation with Indian tribes and tribal organizations, shall develop minimum child care standards that shall be applicable to Indian tribes and tribal organizations receiving assistance under this subchapter. Such standards shall appropriately reflect Indian tribe and tribal organization needs and available resources, and shall include standards requiring a publicly available application, health and safety standards, and standards requiring a reservation of funds for activities to improve the quality of child care provided to Indian children.''; and

(B) in paragraph (6), by striking subparagraph (C) and inserting the following:

''(C) LIMITATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary may not permit an Indian tribe or tribal organization to use amounts provided under this subsection for construction or renovation if the use will result in a decrease in the level of child care services provided by the Indian tribe or tribal organization as compared to the level of child care services provided by the Indian tribe or tribal organization in the fiscal year preceding the year for which the determination under subparagraph (B) is being made.

''(ii) WAIVER.—The Secretary shall waive the limitation described in clause (i) if—

''(I) the Secretary determines that the decrease in the level of child care services provided by the Indian tribe or tribal organization is temporary; and

''(II) the Indian tribe or tribal organization submits to the Secretary a plan that demonstrates that after the date on which the construction or renovation is completed—

''(aa) the level of child care services will increase; or

''(bb) the quality of child care services will improve.''.

SA 2835. Mr. TESTER (for himself, Mr. BEGICH, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. FAMILY LEAVE BECAUSE OF THE DEATH OF A SON OR DAUGHTER.

(a) SHORT TITLE.—This section may be cited as the ''Parental Bereavement Act of 2014''.

(b) FAMILY LEAVE.—

(1) ENTITLEMENT TO LEAVE.—Section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) is amended by adding at the end the following new subparagraph:

''(F) Because of the death of a son or daughter.''.

(2) REQUIREMENTS RELATING TO LEAVE.—

(A) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the third sentence the following new sentence: ''Leave under subsection (a)(1)(F) shall not be taken by an employee intermittently or on a reduced leave schedule unless the employee and the employer of the employee agree otherwise.''.

(B) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(B) of such Act (29 U.S.C. 2612(d)(2)(B)) is amended, in the first sentence, by striking ''(C) or (D)'' and inserting ''(C), (D), or (F)''.

(C) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following new paragraph:

''(4) NOTICE FOR LEAVE DUE TO DEATH OF A SON OR DAUGHTER.—In any case in which the necessity for leave under subsection (a)(1)(F) is foreseeable, the employee shall provide such notice to the employer as is reasonable and practicable.''.

(D) SPOUSES EMPLOYED BY SAME EMPLOYER.—Section 102(f)(1)(A) of such Act (29 U.S.C. 2612(f)(1)(A)) is amended by striking ''subparagraph (A) or (B)'' and inserting ''subparagraph (A), (B), or (F)''.

(E) CERTIFICATION REQUIREMENTS.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

''(g) CERTIFICATION RELATED TO THE DEATH OF A SON OR DAUGHTER.—An employer may require that a request for leave under section 102(a)(1)(F) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe. If the Secretary issues a regulation requiring such certification, the employee shall provide, in a timely manner, a copy of such certification to the employer.''.

(F) FAILURE TO RETURN FROM LEAVE.—Section 104(c) of such Act (29 U.S.C. 2614(c)) is amended—

(i) in paragraph (2)(B)(i), by inserting before the semicolon the following: '', or a death that entitles the employee to leave under section 102(a)(1)(F)''; and

(ii) in paragraph (3)(A)—

(I) in the matter preceding clause (i), by inserting '', or the death,'' before ''described'';

(II) in clause (ii), by striking ''or'' at the end;

(III) by redesignating clause (iii) as clause (iv); and

(IV) by inserting after clause (ii) the following:

''(iii) a certification that meets such requirements as the Secretary may by regulation prescribe, in the case of an employee unable to return to work because of a death specified in section 102(a)(1)(F); or''.

(G) EMPLOYEES OF LOCAL EDUCATIONAL AGENCIES.—Section 108 of such Act (29 U.S.C. 2618) is amended—

(i) in subsection (c)—

(I) in paragraph (1)—

(aa) in the matter preceding subparagraph (A), by inserting after ''medical treatment'' the following: '', or under section 102(a)(1)(F) that is foreseeable,''; and

(bb) in subparagraph (A), by inserting after ''to exceed'' the following: ''(except in the case of leave under section 102(a)(1)(F))''; and

(II) in paragraph (2), by striking ''section 102(e)(2)'' and inserting ''paragraphs (2) and (4) of section 102(e), as applicable''; and

(ii) in subsection (d), in paragraph (2) and (3), by striking ''or (C)'' each place it appears and inserting ''(C), or (F)''.

(c) FAMILY LEAVE FOR CIVIL SERVICE EMPLOYEES.—

(1) ENTITLEMENT TO LEAVE.—Section 6382(a)(1) of title 5, United States Code, is amended by adding at the end the following:

''(F) Because of the death of a son or daughter.''.

(2) REQUIREMENTS RELATING TO LEAVE.—

(A) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the third sentence the following new sentence: ''Leave under subsection (a)(1)(F) shall not be taken by an employee intermittently or on a reduced leave schedule unless the employee and the employing agency of the employee agree otherwise.''.

(B) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended, in the first sentence, by striking ''or (E)'' and inserting ''(E), or (F)''.

(C) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following new paragraph:

''(4) In any case in which the necessity for leave under subsection (a)(1)(F) is foreseeable, the employee shall provide such notice to the employing agency as is reasonable and practicable.''.

(D) CERTIFICATION REQUIREMENTS.—Section 6383 of such title is amended by adding at the end the following:

''(g) An employing agency may require that a request for leave under section 6382(a)(1)(F) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe. If the Office issues a regulation requiring such certification, the employee shall provide, in a timely manner, a copy of such certification to the employer.''.

SA 2836. Ms. BALDWIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. __. QUALITY FOSTER CARE SERVICES.

(a) INCLUSION OF THERAPEUTIC FOSTER CARE AS MEDICAL ASSISTANCE.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)—

(A) in paragraph (28), by striking ''and'' at the end;

(B) by redesignating paragraph (29) as paragraph (30); and

(C) by inserting after paragraph (28) the following new paragraph:

''(29) therapeutic foster care services described in subsection (ee); and''; and

(2) by adding at the end the following new subsection:

''(ee)(1) For purposes of subsection (a)(29), subject to subparagraph (C), therapeutic foster care services described in this subsection are services provided for children who have not attained age 21, and who, as a result of mental illness, other emotional or behavioral disorders, medically fragile conditions, or developmental disabilities, need the level of care provided in an institution (including a psychiatric residential treatment facility) or nursing facility the cost of which could be reimbursed under the State plan but who can be cared for or maintained in a community placement, through therapeutic foster care programs that—

''(A) are licensed by the State and accredited by the Joint Commission, the Commission on Accreditation of Rehabilitation Facilities, the Council on Accreditation, or by another equivalent accreditation agency (or agencies) as the Secretary may recognize;

''(B) provide structured daily activities, including the development, improvement, monitoring, and reinforcing of age-appropriate social, communication and behavioral skills, trauma-informed and gender-responsive services, crisis intervention and crisis support services, medication monitoring, counseling, and case management, and may furnish other intensive community services; and

''(C) provide foster care parents with specialized training and consultation in the management of children with mental illness, trauma, other emotional or behavioral disorders, medically fragile conditions, or developmental disabilities, and specific additional training on the needs of each child provided such services.

''(2) In making coverage determinations under paragraph (1), a State may employ medical necessity criteria that are similar to the medical necessity criteria applied to coverage determinations for other services and supports under this title.

''(3) The services described in this subsection do not include the training referred to in paragraph (1)(C).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to calendar quarters beginning on or after the date of enactment of this Act.

SA 2837. Mr. SCOTT (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

On page 140, between lines 2 and 3, insert the following:

SEC. 10A. PARENTAL RIGHTS AND RESPONSIBILITIES.

Section 658Q of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858o) is amended—

(1) by inserting before ''Nothing'' the following:

''(a) IN GENERAL.—''; and

(2) by adding at the end the following:

''(b) PARENTAL RIGHTS TO USE CHILD CARE CERTIFICATES.—Nothing in this subchapter shall be construed in a manner—

''(1) to favor or promote the use of grants and contracts for the receipt of child care services under this subchapter over the use of child care certificates; or

''(2) to disfavor or discourage the use of such certificates for the purchase of child care services, including those services provided by private or nonprofit entities, such as faith-based providers.''.

SA 2838. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 88, line 5, insert ''offering child care certificates to parents,'' after ''tions,''.

SA 2839. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ___. ALLOTMENT OF SPACE IN FEDERAL BUILDINGS FOR CHILD CARE.

Section 590(b)(2)(C) of title 40, United States Code, is amended by striking clause (i) and inserting the following:

''(i) the space will be used to provide child care services to children of whom at least 50 percent have 1 parent or guardian who—

''(I) is employed by the Federal Government; or

''(II)(aa) has met the requirements for a master's degree or a doctorate degree from an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); and

''(bb) is conducting research under an arrangement between the parent or guardian and a Federal agency.''.

SA 2840. Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 122, between lines 16 and 17, insert the following:

(5) IMPACT ON EMPLOYMENT OFFER.—Except as provided in paragraph (2), a child care provider covered by subsection (c) may not make an offer of employment as a child care staff member to an individual, even for employment on a conditional or temporary basis, until the individual—

(A) obtains a qualifying background check result for a criminal background check described in subsection (b); or

(B) qualifies under paragraph (4).

SA 2841. Ms. STABENOW (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 141, after line 4, add the following:

SEC. 13. QUALITY MEASURES FOR MATERNITY CARE UNDER MEDICAID AND CHIP; QUALITY COLLABORATIVE GRANTS.

(a) QUALITY MEASURES FOR MATERNITY CARE UNDER MEDICAID AND CHIP.—

(1) IN GENERAL.—Section 1139A of the Social Security Act (42 U.S.C. 1320b–9a) is amended by adding at the end the following new subsection:

''(j) MOTHER AND INFANT CARE (MIC) QUALITY MEASURES.—

''(1) IN GENERAL.—As part of the pediatric quality measures program established under subsection (b) and the Medicaid Quality Measurement Program established under section 1139B(b)(5)(A), the Secretary shall—

''(A) review quality measures endorsed under section 1890(b)(2) that relate to the care of childbearing women and newborns, particularly with respect to the application of such measures to the Medicaid and CHIP programs under titles XIX and XXI, and identify omissions and deficiencies in the application of those measures to such programs;

''(B) develop and publish a set of maternity care quality measures for the Medicaid and CHIP programs under titles XIX and XXI (in this subsection referred to as the 'Mother and Infant Care (MIC) quality measures') in accordance with the requirements of paragraphs (2) and (3); and

''(C) on an ongoing basis, review the MIC quality measures and develop and publish any modifications of, or additions or deletions to, such measures that reflect the development, testing, validation, and consensus process described in paragraph (4).

''(2) PROCESS FOR INITIAL REVIEW AND PUBLICATION.—

''(A) CONSULTATION AND PUBLIC COMMENT.—Not later than January 1, 2016, the Secretary shall—

''(i) solicit public comment on the proposed MIC quality measures; and

''(ii) consult with the stakeholders identified in paragraph (6)(A) regarding such measures.

''(B) PUBLICATION OF INITIAL SET OF MEASURES.—Not later than January 1, 2017, the Secretary shall identify and publish the initial MIC quality measures.

''(3) REQUIREMENTS.—

''(A) IN GENERAL.—The MIC quality measures shall—

''(i) be evidence-based;

''(ii) utilize risk adjustment or risk stratification methodologies, if appropriate;

''(iii) utilize attribution methods to specify the clinicians, facilities, and other entities that the measures are applicable to;

''(iv) be pilot-tested with regards to scientific validity, feasibility, and attribution method; and

''(v) include a balance of each of the types of measures listed in subparagraph (B).

''(B) LIST OF TYPES OF MEASURES.—The measures listed in this subparagraph are the following:

''(i) Measures of the process, experience, efficiency, and outcomes of maternity care, including postpartum outcomes.

''(ii) Measures that apply to—

''(I) women and newborns who are healthy and at low risk, including measures of appropriately low-intervention, physiologic birth in low-risk women; and

''(II) women and newborns at higher risk.

''(iii) Measures that apply to—

''(I) childbearing women; and

''(II) newborns.

''(iv) Measures that apply to care during—

''(I) pregnancy;

''(II) the intrapartum period; and

''(III) the postpartum period.

''(v) Measures that apply to—

''(I) clinicians and clinician groups;

''(II) facilities;

''(III) health plans; and

''(IV) accountable care organizations.

''(vi) Measurement of—

''(I) disparities;

''(II) care coordination; and

''(III) shared decisionmaking.

''(C) PHYSIOLOGIC DEFINED.—For purposes of this paragraph, the term 'physiologic' means characteristic of or conforming to the normal functioning or state of the body or a tissue or organ, normal, and not pathologic.

''(D) CONSTRUCTION.—Nothing in this paragraph shall be construed as supporting the restriction of coverage, under title XIX or XXI or otherwise, to only those services that are evidence-based, or in any way limiting available services.

''(4) ONGOING REVIEW OF THE MIC MEASURES; eMEASURES.—

''(A) CONTRACTS WITH QUALIFIED ENTITIES.—Not later than June 30, 2017, the Secretary, acting through the Agency for Healthcare Research and Quality, in consultation with the Centers for Medicare & Medicaid Services, shall enter into grants, contracts, or intergovernmental agreements with qualified measure development entities for the purpose of identifying quality of care issues that are not adequately addressed by the MIC quality measures and developing, testing, and validating modifications of, or additions or deletions to, the MIC quality measures, and creating eMeasures for data collection related to the MIC quality measures.

''(B) QUALIFIED MEASURE DEVELOPMENT ENTITY DEFINED.—For purposes of this paragraph, the term 'qualified measure development entity' means an entity that—

''(i) has demonstrated expertise and capacity in the development and testing of quality measures;

''(ii) has adopted procedures for quality measure development that ensure the inclusion of—

''(I) the views of the individuals and entities referred to in paragraph (3)(B)(v) and whose performance will be assessed by the measures; and

''(II) the views of other individuals and entities (including patients, consumers, and health care purchasers) who will use the data generated as a result of the use of the quality measures;

''(iii) for the purpose of ensuring that the MIC quality measures meet the requirements to be considered for endorsement under section 1890(b)(2), has provided assurances to the Secretary that the measure development entity will collaborate with—

''(I) the Secretary;

''(II) the consensus-based entity with a contract under section 1890(a)(1); and

''(III) stakeholders (including those stakeholders identified in paragraph (6)(A)), as practicable;

''(iv) has transparent policies regarding governance and conflicts of interest; and

''(v) submits an application to the Secretary at such time, and in such form and manner, as the Secretary may require.

''(C) eMEASURES.—

''(i) IN GENERAL.—A qualified measure development entity with a grant, contract, or intergovernmental agreement under subparagraph (A) shall consult with the voluntary consensus standards setting organizations and other organizations involved in the advancement of evidence-based measures of health care that the Secretary consults with under subsection (b)(3)(H) and section 1139B(b)(5)(A) to create, as part of the MIC quality measures, eMeasures that are aligned with the measures developed under the pediatric quality measures program established under subsection (b) and the Medicaid Quality Measurement Program established under section 1139B(b)(5)(A).

''(ii) eMEASURE DEFINED.—For purposes of this subparagraph, the term 'eMeasure' means a measure for which measurement data (including clinical data) will be collected electronically, including through the use of electronic health records and other electronic data sources.

''(D) ENDORSEMENT.—Any modifications of, or additions or deletions to, the MIC quality measures shall be submitted by the qualified measure development entity to the consensus-based entity with a contract under section 1890(a)(1) to be considered for endorsement under section 1890(b)(2).

''(5) MATERNITY CONSUMER ASSESSMENT OF HEALTH CARE PROVIDERS AND SYSTEMS SURVEYS.—

''(A) ADAPTION OF SURVEYS.—Not later than January 1, 2018, for the purpose of measuring the care experiences of childbearing women and newborns, the Agency for Healthcare Research and Quality shall adapt the Consumer Assessment of Healthcare Providers and Systems program surveys of—

''(i) providers;

''(ii) facilities; and

''(iii) health plans.

''(B) SURVEYS MUST BE EFFECTIVE.—The Agency for Healthcare Research and Quality shall ensure that the surveys adapted under subparagraph (A) are effective in measuring aspects of care that childbearing women and newborns experience, which may include—

''(i) various types of care settings;

''(ii) various types of caregivers;

''(iii) considerations relating to pain;

''(iv) shared decisionmaking;

''(v) supportive care around the time of birth; and

''(vi) other topics relevant to the quality of the experience of childbearing women and newborns.

''(C) LANGUAGES.—The surveys adapted under subparagraph (A) shall be available in English and Spanish.

''(D) ENDORSEMENT.—The Agency for Healthcare Research and Quality shall submit any Consumer Assessment of Healthcare Providers and Systems surveys adapted under this paragraph to the consensus-based entity with a contract under section 1890(a)(1) to be considered for endorsement under section 1890(b)(2).

''(E) CONSULTATION.—The adaption of (and process for applying) the surveys under subparagraph (A) shall be conducted in consultation with the stakeholders identified in paragraph (6)(A).

''(6) STAKEHOLDERS.—

''(A) IN GENERAL.—The stakeholders identified in this subparagraph are—

''(i) the various clinical disciplines and specialties involved in providing maternity care;

''(ii) State Medicaid administrators;

''(iii) maternity care consumers and their advocates;

''(iv) technical experts in quality measurement;

''(v) hospital, facility and health system leaders;

''(vi) employers and purchasers; and

''(vii) other individuals who are involved in the advancement of evidence-based maternity care quality measures.

''(B) PROFESSIONAL ORGANIZATIONS.—The stakeholders identified under subparagraph (A) may include representatives from relevant national medical specialty and professional organizations and specialty societies.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $16,000,000 to carry out this subsection. Funds appropriated under this paragraph shall remain available until expended.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1139A of the Social Security Act (42 U.S.C. 1320b–9a) is amended—

(i) in subsection (a)(6), in the matter preceding subparagraph (A), by inserting ''and the Medicaid and CHIP Payment and Access Commission'' after ''Congress''; and

(ii) in subsection (i), by striking ''subsection (e)'' and inserting ''subsections (e) and (j)''.

(B) Section 1139B(b)(4) of such Act (42 U.S.C. 1320b–9b(b)(4)) is amended by inserting ''and the Medicaid and CHIP Payment and Access Commission'' after ''Congress''.

(b) QUALITY COLLABORATIVES.—

(1) GRANTS.—The Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') may make grants to eligible entities to support—

(A) the development of new State and regional maternity care quality collaboratives;

(B) expanded activities of existing maternity care quality collaboratives; and

(C) maternity care initiatives within established State and regional quality collaboratives that are not focused exclusively on maternity care.

(2) ELIGIBLE ENTITY.—The following entities shall be eligible for a grant under paragraph (1):

(A) Quality collaboratives that focus entirely, or in part, on maternity care initiatives, to the extent that such collaboratives use such grant only for such initiatives.

(B) Entities seeking to establish a maternity care quality collaborative.

(C) State Medicaid agencies.

(D) State departments of health.

(E) Health insurance issuers (as such term is defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91)).

(F) Provider organizations, including associations representing—

(i) health professionals; and

(ii) hospitals.

(3) ELIGIBLE PROJECTS AND PROGRAMS.—In order for a project or program of an eligible entity to be eligible for funding under paragraph (1), the project or program must have goals that are designed to improve the quality of maternity care delivered, such as—

(A) improving the appropriate use of cesarean section;

(B) reducing maternal and newborn morbidity rates;

(C) improving breast-feeding rates;

(D) reducing hospital readmission rates;

(E) identifying improvement priorities through shared peer review and third-party reviews of qualitative and quantitative data, and developing and carrying out projects or programs to address such priorities; or

(F) delivering risk-appropriate levels of care.

(4) ACTIVITIES.—Activities that may be supported by the funding under paragraph (1) include the following:

(A) Facilitating performance data collection and feedback reports to providers with respect to their performance, relative to peers and benchmarks, if any.

(B) Developing, implementing, and evaluating protocols and checklists to foster safe, evidence-based practice.

(C) Developing, implementing, and evaluating programs that translate into practice clinical recommendations supported by high-quality evidence in national guidelines, systematic reviews, or other well-conducted clinical studies.

(D) Developing underlying infrastructure needed to support quality collaborative activities under this paragraph.

(E) Providing technical assistance to providers and institutions to build quality improvement capacity and facilitate participation in collaborative activities.

(F) Developing the capability to access the following data sources:

(i) A mother's prenatal, intrapartum, and postpartum records.

(ii) A mother's medical records.

(iii) An infant's medical records since birth.

(iv) Birth and death certificates.

(v) Any other relevant State-level generated data (such as data from the pregnancy risk assessment management system (PRAMS)).

(G) Developing access to blinded liability claims data, analyzing the data, and using the results of such analysis to improve practice.

(5) SPECIAL RULE FOR BIRTHS.—

(A) IN GENERAL.—Subject to subparagraph (B), if a grant under paragraph (1) is for a project or program that focuses on births, at least 25 percent of the births addressed by such project or program must occur in health facilities that perform fewer than 1,000 births per year.

(B) EXCEPTION.—In the case of a grant under paragraph (1) for a project or program located in a State in which less than 25 percent of the health facilities in the State perform less than 1,000 births per year, the percentage of births in such facilities addressed by such project or program shall be commensurate with the Statewide percentage of births performed at such facilities.

(6) USE OF QUALITY MEASURES.—Projects and programs for which such a grant is made shall—

(A) include data collection with rapid analysis and feedback to participants with a focus on improving practice and health outcomes;

(B) develop a plan to identify and resolve data collection problems;

(C) identify and document evidence-based strategies that will be used to improve performance on quality measures and other metrics; and

(D) exclude from quality measure collection and reporting physicians and midwives who attend fewer than 30 births per year.

(7) REPORTING ON QUALITY MEASURES.—Any reporting requirements established by a project or program funded under paragraph (1) shall be designed to—

(A) minimize costs and administrative effort; and

(B) use existing data resources when feasible.

(8) CLEARINGHOUSE.—The Secretary shall establish an online, open-access clearinghouse to make protocols, procedures, reports, tools, and other resources of individual collaboratives available to collaboratives and other entities that are working to improve maternity care quality.

(9) EVALUATION.—A quality collaborative (or other entity receiving a grant under paragraph (1)) shall—

(A) develop and carry out plans for evaluating its maternity care quality improvement programs and projects; and

(B) publish its experiences and results in articles, technical reports, or other formats for the benefit of others working on maternity care quality improvement activities.

(10) ANNUAL REPORTS TO SECRETARY.—A quality collaborative or other eligible entity that receives a grant under paragraph (1) shall submit an annual report to the Secretary containing the following:

(A) A description of the activities carried out using the funding from such grant.

(B) A description of any barriers that limited the ability of the collaborative or entity to achieve its goals.

(C) The achievements of the collaborative or entity under the grant with respect to the quality, health outcomes, and value of maternity care.

(D) A list of lessons learned from the grant.

Such reports shall be made available to the public.

(11) GOVERNANCE.—

(A) IN GENERAL.—A maternity care quality collaborative or a maternity care program within a broader quality collaborative that is supported under paragraph (1) shall be governed by a multi-stakeholder executive committee.

(B) COMPOSITION.—Such executive committee shall include individuals who represent—

(i) physicians, including physicians in the fields of general obstetrics, maternal-fetal medicine, family medicine, neonatology, and pediatrics;

(ii) nurse-practitioners and nurses;

(iii) certified nurse-midwives and certified midwives;

(iv) health facilities and health systems;

(v) consumers;

(vi) employers and other private purchasers;

(vii) Medicaid programs; and

(viii) other public health agencies and organizations, as appropriate.

Such committee also may include other individuals, such as individuals with expertise in health quality measurement and other types of expertise as recommended by the Secretary. Such committee also may be composed of a combination of general collaborative executive committee members and maternity specific project executive committee members.

(12) CONSULTATION.—A quality collaborative or other eligible entity that receives a grant under paragraph (1) shall engage in regular ongoing consultation with—

(A) regional and State public health agencies and organizations;

(B) public and private health insurers; and

(C) regional and State organizations representing physicians, midwives, and nurses who provide maternity services.

(13) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $15,000,000 to carry out this subsection. Funds appropriated under this paragraph shall remain available until expended.

SA 2842. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, strike line 17 and insert the following:

early neurological development of children; and

''(L) connecting child care staff members of child care providers with available Federal and State financial aid, or other resources, that would assist child care staff members in pursuing relevant postsecondary training.

SA 2843. Mr. BENNET (for himself, Mr. BEGICH, Mr. SCHATZ, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 13. NATIVE AMERICAN INDIAN EDUCATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Native American Indian Education Act''.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Nontribal colleges that serve Native American Indian students have a valuable supplemental role to that provided by tribally controlled community colleges in making available educational opportunities to Native American Indian students.

(B) Some 4-year colleges serve Native American Indian students by providing tuition-free education, with the support of the State in which the institutions are located, as mandated by Federal statute, to hundreds of Native American Indian students in fulfillment of a condition under which the United States provided land and facilities for colleges to a State or college.

(C) The value of the Native American Indian student tuition waiver benefits contributed by these colleges and the States that support them today far exceeds the value of the original grant of land and facilities.

(D) The ongoing financial burden of meeting this Federal mandate to provide tuition-free education to Native American Indian students is no longer equitably shared among the States and colleges because it does not distinguish between Native American Indian students who are residents of the State or of another State.

(E) In fiscal year 2012, the State of Colorado paid approximately $13,000,000 in tuition fees to support the education of Native American Indian students at Fort Lewis College in Colorado. In the State of Minnesota, the University of Minnesota waived $2,600,000 in tuition for Native American Indian students in fiscal year 2012.

(F) Native American Indian student tuition waiver benefits are now at risk of being

terminated by severe budget constraints being experienced by these colleges and the States which support them.

(2) PURPOSE.—It is the purpose of this section to ensure that Federal funding is provided in order to relieve constrained State education budgets and to support and sustain the longstanding Federal mandate requiring colleges and States to waive, in certain circumstances, tuition charges for Native American Indian students admitted to an undergraduate college program, including the waiver of tuition charges for Native American Indian students who are not residents of the State in which the college is located.

(c) STATE RELIEF FROM FEDERAL MANDATE.—Part A of title III of the Higher Education Act of 1965 (20 U.S.C. 1057 et seq.) is amended by inserting after section 319 the following:

"SEC. 319A. STATE RELIEF FROM FEDERAL HIGHER EDUCATION MANDATE.

''(a) AMOUNT OF PAYMENT.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), for fiscal year 2014 and each succeeding fiscal year, the Secretary shall pay to any eligible college an amount equal to the charges for tuition for such year for all Native American Indian students who—

''(A) are not residents of the State in which the college is located; and

''(B) are enrolled in the college for the academic year ending before the beginning of such fiscal year.

''(2) ELIGIBLE COLLEGES.—For purposes of this section, an eligible college is any institution of higher education serving Native American Indian students that provides tuition-free education as mandated by Federal statute, with the support of the State in which it is located, to Native American Indian students in fulfillment of a condition under which the college or State received its original grant of land and facilities from the United States.

''(3) LIMITATION.—The amount paid to any eligible college for each fiscal year under paragraph (1) may not exceed the amount equal to the charges for tuition for all Native American Indian students of that college who were not residents of the State in which the college is located and who were enrolled in the college for academic year 2012–2013.

''(b) TREATMENT OF PAYMENT.—Any amounts received by an eligible college under this section shall be treated as a reimbursement from the State in which the college is located, and shall be considered as provided in fulfillment of any Federal mandate upon the State to admit Native American Indian students free of charge of tuition.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to relieve any State from any mandate the State may have under Federal law to reimburse a college for each academic year—

''(1) with respect to Native American Indian students enrolled in the college who are not residents of the State in which the college is located, any amount of charges for tuition for such students for such academic year that exceeds the amount received under this section for such academic year; and

''(2) with respect to Native American Indian students enrolled in the college who are residents of the State in which the college is located, an amount equal to the charges for tuition for such students for such academic year.

''(d) DEFINITION OF NATIVE AMERICAN INDIAN STUDENTS.—In this section, the term 'Native American Indian students' includes reference to the term 'Indian pupils' as that term has been utilized in Federal statutes imposing a mandate upon any college or State to provide tuition-free education to Native American Indian students in fulfillment of a condition under which the college or State received its original grant of land and facilities from the United States.''.

(d) OFFSET.—

(1) IN GENERAL.—Notwithstanding any other provision of law, $15,000,000 in appropriated discretionary funds are hereby rescinded, on a pro rata basis, by account, from all available unobligated funds.

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(3) EXCEPTION.—This subsection shall not apply to the unobligated funds of the Department of Defense, the Department of Veterans Affairs, or the Department of Education, or any unobligated funds available to the Department of the Interior for the postsecondary education of Native American Indian students.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 12, 2014, at 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 12, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MIKULSKI. 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 March 12, 2014, at 9 a.m. in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''From Poverty to Opportunity: How a Fair Minimum Wage Will Help Working Families Succeed.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. MIKULSKI. 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 March 12, 2014, at 9 a.m. to conduct a hearing entitled ''Management Matters: Creating a 21st Century Government.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 12, 2014, at 9:30 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on on Rules and Administration be authorized to meet during the session of the Senate on March 12, 2014, at 9:45 a.m., to conduct a hearing entitled ''Election Administration: Innovation, Administrative Improvements and Cost Savings.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 12, 2014, at 10 a.m. in room SD–G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 12, 2014, at 2 p.m. in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ECONOMIC POLICY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs subcommittee on Economic Policy be authorized to meet during the session of the Senate on March 12, 2014, at 2:30 p.m. to conduct a hearing entitled ''The State of U.S. Retirement Security: Can the Middle Class Afford to Retire?''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on Wednesday, March 12, 2014, at 10 a.m., to conduct a hearing entitled ''Superstorm Sandy Recovery: Ensuring Strong Coordination Among Federal, State, and Local Stakeholders.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of

the Senate on March 12, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BURR. Mr. President, I ask unanimous consent that Max Freedman, an intern in Senator AYOTTE's office, be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent the period for morning business be extended until 8 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

T'UF SHUR BIEN PRESERVATION TRUST AREA ACT

Mr. CASEY. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 299, S. 611.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 611) to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 611

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sandia Pueblo Settlement Technical Amendment Act''.

SEC. 2. SANDIA PUEBLO SETTLEMENT TECHNICAL AMENDMENT.

Section 413(b) of the T'uf Shur Bien Preservation Trust Area Act (16 U.S.C. 539m–11(b)) is amended—

(1) in the first sentence of paragraph (4), by striking ''conveyance'' and inserting ''title to be conveyed''; and

(2) by adding at the end the following:

''(6) FAILURE TO EXCHANGE.—

''(A) IN GENERAL.—If the land exchange authorized under paragraph (1) is not completed by the date that is 30 days after the date of enactment of this paragraph, the Secretary, on request of the Pueblo and the Secretary of the Interior, shall transfer the National Forest land generally depicted as 'Land to be Held in Trust' on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013, to the Secretary of the Interior to be held in trust by the United States for the Pueblo—

''(i) subject to the restriction enforced by the Secretary of the Interior that the land remain undeveloped, with the natural characteristics of the land to be preserved in perpetuity; and

''(ii) consistent with subsection (c).

''(B) OTHER TRANSFERS.—After the transfer under subparagraph (A) is complete, the Secretary of the Interior, with the consent of the Pueblo, shall—

''(i) transfer to the Secretary, consistent with section 411(c)—

''(I) the La Luz tract generally depicted on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013; and

''(II) the conservation easement for the Piedra Lisa tract generally depicted on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013; and

''(ii) grant to the Secretary a right-of-way for the Piedra Lisa Trail within the Piedra Lisa tract generally depicted on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013.''.

Mr. CASEY. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, 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. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 611), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

SUPPORTING A VENEZUELAN DEMOCRACY

Mr. CASEY. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 323, S. Res. 365.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 365) deploring the violent repression of peaceful demonstrators in Venezuela, calling for full accountability for human rights violations taking place in Venezuela, and supporting the right of the Venezuelan people to the free and peaceful exercise of representative democracy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Mr. President, I would like to express my strong support for S. Res. 365, a resolution I cosponsored deploring the violent repression of peaceful demonstrators in Venezuela, calling for full accountability for human rights violations taking place in Venezuela, and supporting the right of the Venezuelan people to the free and peaceful exercise of representative democracy.

Since February 4, 2014, the Venezuelan people have taken to the streets on a daily basis to express frustration with the country's high inflation, corruption, food shortages, lack of press freedoms, lack of due process, violent crime, and other grievances. Addressing these legitimate concerns is a basic function of a democratic government. Instead, we have seen a crackdown on protests through unlawful use of force, a stifling of the media, and the detention of opposition leaders. Over 22 people have been killed, hundreds injured, and over 1,000 people arrested during these protests.

The Venezuelan Government is an elected government and, as such, it should act like a democratic government by immediately addressing the core concerns of its people through meaningful dialogue, halting the use of force, and providing a safe space for the Venezuelan people to express their views peacefully. Without a genuine, transparent conversation to address the central concerns raised by the protestors, Venezuela faces a bleak future.

Contrary to comments by the Venezuelan Government, this crisis is not about the United States; it is about the Venezuelan people. But the crisis does have implications for peace and security in the hemisphere and the broader international community. The United States always has stood and always will stand for basic freedoms, including freedom of speech, freedom of assembly, and freedom of the press. We will not back down on protecting and promoting these universal values, nor should the international community. It is incumbent upon neighboring countries and regional organizations to be vocal during this critical point, to take a stand for universal human rights, and to expect the highest level of respect for representative democracy from its hemispheric neighbor.

Today, we see tension and unrest around the world. Each situation is unique; however, the desire for fundamental human rights is universally recognized. I call on my colleagues and nations around the world to stand up for these basic freedoms and support a path toward a stable, peaceful, and prosperous Venezuela.

Mr. CASEY. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and 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. 365) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 2122

Mr. CASEY. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2122) to amend XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes.

Mr. CASEY. I ask for a second reading and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be

read for a second time on the next legislative day.

Mr. CASEY. Mr. President, 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. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DIFFERING VIEWS

Mr. REID. I apologize to the Presiding Officer and all the staff, but I have been conducting for the last hour and a half or more a meeting in the classified room dealing with Ukraine. I am sorry I couldn't be here, but I just couldn't because I had to conduct that meeting.

Mr. President, the senior Senator from Iowa is my friend, but I am quite disappointed in my friend the senior Senator from Iowa. This afternoon he delivered another one of his ''Alice in Wonderland'' speeches. He has delivered a few of these, but the one today especially is a view of reality that only exists in fairy tales.

He complains that I file too many cloture motions. His complaint is like that of an arsonist who complains about having to hear the sirens of too many fire engines.

The real reason I have had to file so many cloture motions is because Republicans have engaged in a systematic pattern of obstruction—and not last week, not last month, but this has been going on for 5 years. We have come to see this as something of the pinnacle, the landmark, the zenith of obstructionism led by my Republican colleagues.

I have now had to file cloture motions during the time I have been the majority leader more than 500 times. Lyndon Johnson, who had the job for 6 years—I have had it a little longer than that—only had to face one filibuster. I have had to deal with 500.

I don't file cloture, as the Senator from Iowa would like folks to think, in this fairy tale world he believes in, I guess, because I enjoy it. It is not something I enjoy. It takes a lot of my time, the staff's time, the Senate's time, and the country's time. I don't like to do it. I file these motions because Republicans have made it clear that we can't get a vote on anything without going to cloture, and that is basically true.

What is the solution of the Senator from Iowa to the problem? Listen to this. Now, this really is ''Alice in Wonderland.'' He proposes it should take longer to file. He proposes it should take longer to file cloture. Now, that is some dreamland that I don't understand. He says the solution to the problem of Republican obstructionism is to make obstruction easier.

We have on the Executive Calendar 140 nominations. We have Ambassadors—there is an Executive Calendar here someplace. The pages have stripped all the desks of the calendars, but they are always around. The Republic of Mauritania, the Republic of Colombia—South America is a continent that has been our friend for decades—we have most all countries in Africa waiting to have Ambassadors appointed: Zambia, Niger, Peru, Belize, Albania, Angola, Palau, Cameroon, Sierra Leone, Lesotho, Namibia, Tanzania, Morocco, Netherlands, Norway, Hungary, Iceland, U.S. Human Rights Council.

I am not going to take more of the staff's time, but throughout this Executive Calendar there are about 40 Ambassadors—40 Ambassadors—who are waiting to be confirmed and 35 or so judges. Do the math yourself. That is 75 or 80 very important jobs they have stopped.

So my friend from Iowa is living in a dream world. I don't know where it exists, but it doesn't exist here in the Senate. And his solution is to give them more time? Can you imagine that. This is an ''Alice in Wonderland'' speech from the Senator from Iowa, and he should have better use of his time than playing fairy tales in the Senate.

The obstruction led by Republican Senators from all over this country is an embarrassment to our country. It is preventing the people of this country from getting what they need.

Now, I know people around the country are not too worried about an Ambassador to some foreign country, but to our country it is important. Our foreign policy is important. Being able to get work done here legislatively is important, and we have been stymied every step of the way.

I am sorry to say my friend has stepped over the line with his speech here today about what a terrible thing has happened here, that we have filed cloture 500 times. The record speaks for itself.

ORDERS FOR THURSDAY, MARCH 13, 2014

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, March 13, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, and the time be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; and that following morning business, the Senate resume consideration of S. 1086, the child care and development block grant reauthorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Rollcall votes are expected throughout the day tomorrow in an effort to complete action on the child care and development block grant bill. We are also working on an agreement on the flood insurance bill. Senators will be notified when votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:43 p.m., adjourned until Thursday, March 13, 2014, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 12, 2014:

DEPARTMENT OF THE TREASURY

SARAH BLOOM RASKIN, OF MARYLAND, TO BE DEPUTY SECRETARY OF THE TREASURY.

DEPARTMENT OF STATE

BRUCE HEYMAN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CANADA.

THE JUDICIARY

CAROLYN B. MCHUGH, OF UTAH, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

MATTHEW FREDERICK LEITMAN, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

JUDITH ELLEN LEVY, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

LAURIE J. MICHELSON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

LINDA VIVIENNE PARKER, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

DEPARTMENT OF EDUCATION

JAMES H. SHELTON III, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF EDUCATION.

NATIONAL SCIENCE FOUNDATION

FRANCE A. CORDOVA, OF NEW MEXICO, TO BE DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION FOR A TERM OF SIX YEARS.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

HEATHER L. MACDOUGALL, OF FLORIDA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2017.

EXTENSIONS OF REMARKS

KATIA MERAZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Katia Meraz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Katia Meraz is a 10th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Katia Meraz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Katia Meraz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING ANTHONY DEFFENBAUGH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Anthony Deffenbaugh. 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 865, 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 numerous merit badges, but also the respect of his family, peers, and community. Most notably, Anthony has earned the rank of Tom-Tom Beater in the Tribe of Mic-O–Say. Anthony has also contributed to his community through his Eagle Scout project. Anthony redesigned the trailer for the Blue Springs High School marching band, including the welding, fabricating and assembly of the parts needed to properly protect the instruments during transportation.

Mr. Speaker, I proudly ask you to join me in commending Anthony Deffenbaugh for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. HUFFMAN. Mr. Speaker, on March 11, 2014, I was absent for rollcall vote 116. Had I been present for rollcall vote 116, on passage of H.R. 3979, I would have voted "yes."

HONORING PAST AND CURRENT AFRICAN AMERICAN UNITED STATES SENATORS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor our past and current African American Senators.

Following the ratification of the Fifteenth Amendment, and beginning with the Reconstruction Era of our great nation, nine African Americans have served in the upper chamber of the United States Congress. Yet, the 113th Congress marked the first time in our nation's history that two African Americans served concurrently in the Senate.

In celebration of Black History Month, U.S. Senator TIM SCOTT of South Carolina brought together a panel of past and present African American Senators. The Honorable James H. Billington, Ambassador Carol Moseley Braun, the Honorable Roland Burris, the Honorable William "Mo" Cowan, as well as newly elected Senator COREY BOOKER discussed their individual paths to Congress. In their deliveries, it was clear that we have come a long way. Each of their unique stories represents the progress that this country has made.

Mr. Speaker, I want to commend Senator SCOTT for hosting such an important event. It was truly an honor to be in attendance.

KARLA LOPEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Karla Lopez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Karla Lopez is an 8th grader at Wheat Ridge 5–8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Karla Lopez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Karla Lopez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent during the week of February 24, 2014. If I were present, I would have voted on the following:

Rollcall No. 63, H.R. 1211, "yea"; rollcall No. 64, H.R. 1123,"yea"; rollcall No. 65, Motion on Ordering the Previous Question on the Rule, "nay"; rollcall No. 66, H. Res. 487, "no"; rollcall No. 67, H.R. 1944, "yea"; rollcall No. 68, Democratic Motion to Recommit H.R. 3865, "yea"; rollcall No. 69, Final Passage of H.R. 3865, "no"; rollcall No. 70, Agreeing to the Polis of Colorado Amendment to the Title, "aye"; rollcall No. 71, Rothfus/Barr Amendment, "no"; rollcall No. 72, Connolly Amendment, "aye", rollcall No. 73, Jackson-Lee Amendment, "aye"; rollcall No. 74, Jackson-Lee/Johnson Amendment, "aye"; rollcall No. 75, George Miller/Courtney Amendment No. 10, "aye"; rollcall No. 76, George Miller/Courtney Amendment No. 11, "aye."

Rollcall No. 77, Democratic Motion to Recommit H.R. 2804, "aye"; rollcall No. 78, Final Passage of H.R. 2804, "no"; rollcall No. 79, Motion on Ordering the Previous Question on the Rule, "nay"; rollcall No. 80, H. Res. 492, "no"; rollcall No. 81, Rigell Amendment, "no"; rollcall No. 82, DeSantiis Amendment, "no"; rollcall No. 83, Moore Amendment, "aye"; rollcall No. 84, Motion to Recommit H.R. 3193, "aye"; rollcall No. 85, Final Passage of H.R. 3193, "no"; rollcall No. 86, Cummings Amendment, "aye"; rollcall No. 87, Connolly Amendment, "aye"; rollcall No. 88, Jackson-Lee Amendment, "aye"; rollcall No. 89, Democratic Motion to Recommit H.R. 899, "aye"; rollcall No. 90, Final Passage of H.R. 899, "no."

HONORING JACK KNIPP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jack Knipp. Jack 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 865, and earning the most prestigious award of Eagle Scout.

Jack has been very active with his troop, participating in many scout activities. Over the many years Jack 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, Jack has earned the rank of Firebuilder in the Tribe of Mic-O–Say. Jack has also contributed to his community through his Eagle Scout project. Jack led fellow members of his swim team in putting together a class for basic swim lessons, providing a valuable life lesson to the children he taught.

Mr. Speaker, I proudly ask you to join me in commending Jack Knipp for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RESPONSIBLY AND PROFESSIONALLY INVIGORATING DEVELOPMENT ACT OF 2013

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2014

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2641) to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes:

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to H.R. 2641, which would limit public input in the federal decision-making process and short-circuit responsible review of taxpayer-funded projects.

This legislation would create a new, convoluted review process for certain projects, setting rigid, arbitrary deadlines for even the most complex and hazardous plans and deeming them approved if the deadlines are not met. It allows for clear conflict of interest by giving project sponsors the authority to do their own environmental review. Finally, it confuses the process and risks litigation by blurring lines between state and federal law, and agency and private sector authority.

Complicating our public input process will not jumpstart construction projects. The only way to do that is by replenishing the Highway Trust Fund to repair our crumbling roads and bridges, and investing in the backlog of already-approved water resources projects that are on hold due to lack of funds. I urge my colleagues to support infrastructure investment and vote no on this bill.

IN RECOGNITION OF THE JAMIE GRODSKY PRIZE FOR ENVIRONMENTAL LAW SCHOLARSHIP

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. CONYERS. Mr. Speaker, I rise to commemorate the fourth anniversary of the Jamie Grodsky Prize for Environmental Scholarship. It is awarded annually to a George Washington law student who contributes an original paper to the environmental law field. The award is given in memory of Jamie Grodsky, a law professor at George Washington University, who passed away on May 22, 2010.

There is no doubt in my mind that legal scholarship in the field of environmental law plays a critical role in developing innovative ideas and thoughts to help preserve our citizens' quality of life, health, and safety. As a result, the annual award of the Jamie Grodsky Prize serves as not only a fitting tribute to Professor Grodsky, but helps preserve and protect our environment and our planet.

The Grodsky Prize is funded through the generosity of her family and friends, and is awarded annually to a George Washington law student who contributes an original paper to the environmental law field, as judged by a panel of experts. Tomorrow will mark the fourth time this award has been given. This year's recipient is Molly Masterton, who wrote on "Promoting Marine and Hydrokinetic Energy and Managing Environmental Risk: Toward an Adaptive Management Strategy."

Past Grodsky Award recipients include:

In 2011, Renee Martin-Nagle for her paper titled "Fossil Aquifers: A Common Heritage of Mankind."

In 2012, Lieutenant Commander Jonathan Dowling's paper titled "Improving Energy Security with the Great Green Fleet: The Case for Transitioning from Ethanol to Drop-In Renewable Fuels."

In 2013, Joel Meister, for his paper titled "Sunny Dispositions: Modernizing Investment Tax Credit Recapture Rules for Solar Energy Project Finance After the Stimulus."

We look forward to the award of many more Grodsky prizes to deserving George Washington University students.

The fourth anniversary of the award is also an opportunity to recognize the life of Professor Grodsky, a preeminent member of the Nation's environmental bar, whose legal imprint continues to this day. Although time and space limitations do not permit me to itemize all of Jamie's contributions and unique talents and gifts, I would like to note a few highlights (many of Jamie's contributions were referenced in the CONGRESSIONAL RECORD by Rep. MILLER on September 15, 2010):

Prof. Grodsky left an indelible mark on all three branches of government, countless law students at the University of Minnesota and George Washington University, and the environmental and legal community as a whole.

Jamie served the Congress initially as an analyst with the then Official of Technology Assessment, and later as counsel to the Natural Resources Committee in the House, and the Judiciary Committee in the Senate.

She served as Senior Advisor to the General Counsel of the Environmental Protection Agency during the Clinton Administration.

She served as clerk to the Chief Judge of Ninth Circuit, the Hon. Proctor Hug, who referred to Jamie as "the most multi-talented person I have ever met."

Jamie was dedicated to environmental causes, acting as Educational Director of the San Francisco Oceanic Society and she conducted marine research at Woods Hole Oceanographic Institute in Massachusetts.

After leaving government service, Jamie dedicated herself to passing along her passion for the environment through her work in academia, eventually becoming a tenured Professor of Environmental Law at George Washington University.

Although Jamie's passing was a tremendous loss to us all, I am pleased that that her legacy is continuing to inspire the next generation of attorneys through the annual award of the Jamie Grodsky Prize.

JOHNNIE DINA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Johnnie Dina for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Johnnie Dina is an 11th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Johnnie Dina is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Johnnie Dina for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

ELECTRICITY SECURITY AND AFFORDABILITY ACT

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2014

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3826) to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes:

Mr. DINGELL. Mr. Chair, I agree with my dear friend Chairman WHITFIELD that we must provide clarity on EPA's authority to regulate greenhouse gases. However, as we have seen all too often in the 113th Congress, the legislation before us does nothing to address the underlying problem. Instead, this bill simply blocks the EPA from taking action without providing any alternative solution.

My first problem with this legislation is that it creates a peculiar and entirely new process for regulations under the Clean Air Act. This bill would take a long-established and reasonably well understood and turn it upside down to the great detriment of all of those in industry who are seeking certainty. This bill would then eliminate the delegation of rulemaking authority to EPA and set up Congress as a regulatory agency. Traditionally, Congress has given EPA the authority to develop regulations to address particular issues. I'm concerned that we may be setting a troubling precedent that allows regulations to be set without extensive public comments or technical data and input from industry and stakeholders.

Second, as I have seen time and time again this Congress, H.R. 3826 attempts to address an issue without dealing with the underlying law or providing an alternative solution. This bill does not amend the Clean Air Act to address the regulation of greenhouse gases but rather abolishes over 40 years of precedent by establishing an entirely new regulatory process. If Congress truly wants to legislate on this issue and pass legislation that can be signed by the President, let's put forward a comprehensive, bipartisan solution with both industry and other stakeholder support. I don't see anything in H.R. 3826 that approaches compromise or resembles an honest solution to the problems I've outlined.

Once again we have a bill before us that will pass with little bipartisan support, won't pass the Senate, and won't be signed by the President. While I understand this is an election year, we should be coming together to find workable solutions that can make meaningful change instead of creating more partisan rhetoric.

HONORING DONOVAN CHAMBERS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Donovan Chambers. Donovan 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 865, and earning the most prestigious award of Eagle Scout.

Donovan has been very active with his troop, participating in many scout activities. Over the many years Donovan 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, Donovan has earned the rank of Firebuilder in the Tribe of Mic-O-Say. Donovan has also contributed to his community through his Eagle Scout project. Donovan led a food drive at his church, St. Mark the Evangelist Catholic Church, on behalf of the food pantry for Sacred Heart—Guadalupe Catholic Church in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Donovan Chambers for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF MS. ANN LALLY OF SALEM, NEW HAMPSHIRE

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Ms. KUSTER. Mr. Speaker, I rise today in honor of one of my district's finest residents and greatest contributors: Ann R. Lally, of Salem, New Hampshire. Next week, Ms. Lally, who serves as President of Salem Co-operative Bank, will be honored with the Chief John P. Ganley Community Service Award, which recognizes outstanding individuals who exhibit great concern, involvement, and leadership in the town of Salem in New Hampshire's southern tier.

The award is named in honor of John P. Ganley, who served the Salem community as police chief before his death in 1989. Ms. Lally honors Chief Ganley's memory each day through her tireless efforts to strengthen the community, both through her work at the bank and on the many local boards on which she serves.

Over 28 years at Salem Co-operative, Ms. Lally has helped to support countless children and other community members through the bank's charitable wing, the Salem Community Benefit, which provides funding for education, youth development, and other community agencies. As a board member of the Greater Salem Chamber of Commerce, she was instrumental in the creation of the Hidden Jewel Awards, which honor deserving women for their contributions to the Salem area; and as president of the Boys & Girls Club of Greater Salem, she helped lead a capital campaign to help fund renovations and expansion at the community center.

Through her dedicated service to these and other organizations, Ms. Lally has made Salem a stronger, healthier, and happier place to live, work, and raise a family. On March 17, the Greater Salem Boys and Girls Club will honor her with the prestigious Ganley Award. As the Salem community celebrates Ms. Lally, I urge all Granite Staters and all Americans to join them in honoring her many contributions to our state and our Nation.

IN MEMORIAM OF THE HONORABLE BUCKNER MELTON, SR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a generous community leader and outstanding public servant, and friend of longstanding, the Honorable Buckner F. "Buck" Melton, Sr., Former Mayor of Macon, Georgia. Sadly, Mr. Melton passed away on Wednesday, March 5, 2014. His passing leaves a tremendous void in the hearts of his family, friends and the Macon, Georgia community.

On Saturday, March 8, 2014, friends and family gathered to celebrate the life and career of this influential man at a memorial service held at St. Paul's Episcopal Church in Macon.

Buck Melton was born on October 24, 1923, in Arlington, Georgia to the Reverend and Mrs. Henry Martin Melton. He grew up in Moultrie, Georgia, but moved to Macon to attend Mercer University. He went on to graduate from Mercer University's Walter F. George School of Law and began his career as an attorney in Macon.

After serving as city attorney during the 1960s, Attorney Melton was elected to the office of Mayor in 1975. During his one term as Mayor, Mr. Melton helped to establish Mercer University's School of Medicine as well as the city's local option sales tax, which is still used today. Mr. Melton was also particularly proud of the seventy miles of roads paved in Macon during his tenure.

The World War II and Korean War veteran loved his adopted hometown of Macon and he served his community in many capacities. He was president of the Greater Macon Chamber of Commerce in 1971, president of the Macon Bar Association in 1973 and he served on the board of the Macon-Bibb County Urban Development Authority, among the numerous other civic organizations he belonged to during his life.

George Washington Carver once said, "No individual has any right to come into the world and go out of it without leaving behind distinct and legitimate reasons for having passed through it." Buck Melton left behind a legacy of leadership and kindness that is still felt throughout the Macon, Georgia community today.

Buck is survived by his loving wife of sixty years, Tommie; children, Leigh and Buckner, Jr.; grandson, Grady; nephews, Tim, Hank and Will; and niece, Mary Ann.

Mr. Speaker, I ask my colleagues to join me, my wife, Vivian, and the Macon, Georgia community in honoring the life of Former Mayor Buckner Melton, Sr. He will truly be missed, but his legacy will not soon be forgotten.

JOANNA MOSMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud JoAnna Mosman for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. JoAnna Mosman is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by JoAnna Mosman is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to JoAnna Mosman for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE 102ND ANNIVERSARY OF THE GIRL SCOUTS

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mrs. BEATTY. Mr. Speaker, I rise today to honor the 102nd anniversary of the Girl Scouts of the USA.

On this day in 1912, Juliette 'Daisy' Gordon Low officially registered the organization's first eighteen Girl Scouts in Savannah, Georgia.

Since that first meeting, more than 59 million young women have been inspired, challenged, and empowered as Girl Scout alumnae.

Thanks to Daisy Gordon's vision, millions of girls have learned the values of personal responsibility, conservation, friendship, community, and teamwork.

Girl Scouts carry these important lessons with them for the rest of their lives.

The Girl Scouts and I share a birthday and on this Girl Scout Day, I applaud the Girl Scouts for affording millions of girls across the country with the opportunity to be part of something much bigger than themselves.

OBSERVING INTERNATIONAL WOMEN'S DAY

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in observance of International Women's Day, March 8—recognized by the United Nations. Today, we celebrate the social, political, economic, cultural and intellectual achievements of women around the globe. The United Nations' theme for this year's international recognition—"Equality for women is progress for all"—emphasizes empowerment of women and women's full enjoyment of human rights and stresses the vital role of women as agents of change in our society. Today, courageous women like Bui Thi Minh Hang need our immediate attention.

Two years ago on this occasion, I stood on the House floor recognizing and advocating for Ms. Hang, who was sentenced without trial for participating in peaceful protests related to the Eastern Sea. She was eventually released but face ongoing harassment from the Vietnamese authorities. Recently, Ms. Hang and her friends were brutally beaten and unlawfully detained while on their way to visit a former prisoner of conscience. It has been almost one month and Ms. Hang is still detained without any due process for "obstructing traffic". I am once again recognizing Ms. Hang for her ongoing efforts to for social and political issues in Vietnam. Ms. Hang has inspired many Vietnamese women, youth and fellow human rights activists.

Mr. Speaker, I ask my colleagues on both sides of the aisle to join me in recognizing International Women's Day and women like Bui Thi Minh Hang who are advocating for freedom and democracy in their communities, and call on governments like Vietnam to immediately and unconditionally release Bui Thi Minh Hang and all prisoners of conscience.

HONORING TOM CLEMENTS

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. GARDNER. Mr. Speaker, I rise today to honor Tom Clements of Monument, Colorado. Mr. Clements served for two years as Executive Director of the Colorado Department of Corrections and made many improvements to the prisons of Colorado before he tragically lost his life in March of 2013.

During his time at the Colorado Department of Corrections, Mr. Clements had an enormous impact on Colorado's prison system. He implemented reforms to benefit staff and inmates and developed innovative solutions to some of the Department's most persistent problems. Mr. Clements also worked to improve the lives of Coloradans both inside and outside of the prison system by providing inmates with the counseling and skills necessary to become successful members of society upon release. In rehabilitating these individuals, Mr. Clements helped create a better future for our state.

The loss of Mr. Clements has been a loss for all of Colorado. His kindness, compassion, and dedication to public service must never be forgotten. Please join me in remembering this extraordinary man.

IN HONOR OF MASTER SERGEANT DAVID POIRIER

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Ms. KUSTER. Mr. Speaker, today, I honor the life of Master Sergeant David Poirier, a New Hampshire National Guardsmen who passed away late last month while serving in support of Operation Enduring Freedom. Master Sergeant Poirier was an exemplary Guardsman, a long-serving Postmaster in his hometown of Atkinson, and a great family man. His service reminds us of the sacrifice our National Guardsmen and their families make on behalf of our state and our country.

In recent years, we have asked these brave men and women to leave friends and family at home as they supported Operations Enduring and Iraqi Freedom, and performed humanitarian missions around the world. We must not forget how much our Guardsmen give to keep us all safe, prosperous, and free. May Master Sergeant Poirier rest in peace, and may we honor him by celebrating the service and sacrifice of all those who wear the uniform each and every day.

UNITED STATES PARALYMPIANS FROM THIRD DISTRICT OF COLORADO TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. TIPTON. Mr. Speaker, I rise today in honor of the two outstanding athletes from Colorado's 3rd district who are competing in the 2014 Winter Paralympic Games in Sochi, Russia. With their dedication, passion, and spirit, these two women are fine examples of the best our nation has to offer, and they serve as role models for young people around the world. To formally acknowledge their distinction and excellence, I stand to recognize these athletes from Colorado's 3rd district:

Melanie Schwartz of Aspen, Colorado, will represent the United States in Alpine Skiing. Ms. Schwartz began her Paralympic career in her home country of Canada during the 2010 Vancouver games. In 2012 and 2013, Ms. Schwartz chose to represent the United States in two World Cups, placing first in the slalom event in 2013. Earlier this year, she took second place at the 2014 U.S. National Championships for downhill. When she isn't representing us on the mountain, she spends much of her time giving back to her community through volunteer services, including serving as a ski instructor for children with disabilities.

Heidi Jo Duce of Ouray, Colorado, will take to the slopes to compete in the challenging snowboard cross events. Ms. Duce has rapidly become a champion athlete since she won the U.S. National Championships in 2013, her first year of competing professionally. She is currently ranked second in the world for para-snowboard cross. An avid outdoorswoman, she enjoys all that Colorado has to offer, including rock climbing, mountain biking, backpacking, and hunting.

Mr. Speaker, it is truly an honor to recognize these fine athletes. Together, they show us what determination and passion can accomplish. Ms. Schwartz and Ms. Duce continue to inspire all of us and it is an honor to congratulate them on their extraordinary careers as they represent the best of America to the world.

JESUS CORTEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jesus Cortez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jesus Cortez is an 8th grader at Everitt Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jesus Cortez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jesus Cortez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. McINTYRE. Mr. Speaker, on rollcall No. 115, 116, 117, I was unavoidably detained because of airplane mechanical issues on my return trip to Washington. Had I been present I would have voted "yes" on each of these suspension votes.

IN OPPOSITION TO H.R. 2804 AND H.R. 899

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 2804, the so-called ''All Economic Regulations are Transparent (ALERT) Act and H.R. 899, the so-called ''Unfunded Mandates Information and Transparency Act.''

This week, the House took up a series of rehashed bills—under the guise of the ''Stop Government Abuse Week''—that would limit the ability of federal agencies to enforce commonsense rules and regulations. While supporters of H.R. 2804 and H.R. 899 claim they are needed to curb overregulation, in reality, they would prevent federal agencies from doing their jobs and working to ensure there are safeguards in place to protect consumer health and safety.

My Republican colleagues contend that the two bills before us are a response to the ''tsunami'' of regulations under the Obama Administration. However, this is simply not true. In fact, federal agencies under President Obama have issued significantly less rules during his first four years in office when compared to President Bush's first term. Moreover, the ALERT Act would actually create more red tape by imposing unnecessary new procedures on agencies and adding over 60 new barriers in the federal rulemaking process.

Much like the ALERT Act, H.R. 899 would also introduce uncertainty into agency decision-making and undermine the ability of agencies to provide critical public health and safety protections. It would also weaken our democracy by giving powerful special interests and private industry an unfair advantage in the rulemaking process. Specifically, it would require agencies to consult with private industry—but not most other stakeholders, such as public health or food safety experts—before proposing rules.

I was disappointed that amendments offered by Representative CUMMINGS and Representative CONNOLLY were not adopted. Rep. CUMMINGS' amendment would have overturned a provision in the bill that directly compromises the autonomy of independent regulatory agencies—including the CFPB, SEC, and CPSC—by requiring that they report proposed rules to the OMB. Rep. CONNOLLY's amendment would have simply evened the playing field and ensured that public interest organizations and other stakeholders are provided the same opportunity for consultation afforded to special interest groups and private industry under this bill.

Over the last four years, President Obama has implemented significant reforms to the rulemaking process. In January 2010, the President signed an Executive Order that required agencies to determine if the benefits of proposed rules are justified considering their cost to society. He required an interagency review of overlapping rules and regulation between agencies that may prevent innovation in the private sector and instituted a policy to allow agencies to consider input from affected public and private stakeholders and experts when developing rules and regulations.

There is also a mechanism in place that already requires agencies to adhere to specific requirements of Federal law before issuing a rule or regulation. The Administrative Procedure Act, the Regulatory Flexibility Act (RFA), the Unfunded Mandates Reform Act of 1995 (UMRA), the Paperwork Reduction Act (PRA), and the Congressional Review Act all serve the purpose of making sure that agencies are not overstepping their bounds when issuing rules and enforcing existing regulations.

At a time when Congress should be doing everything it can to create jobs and improve the economy, these bills are nothing but a distraction. They are unnecessary and potentially harmful to the public health and safety. I urge my colleagues to oppose each of them.

PERSONAL EXPLANATION

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. ENGEL. Mr. Speaker on rollcall No. 117, H.R. 499, I was unavoidably detained. Had I been present, I would have voted ''yes.''

DR. STEVEN R. SWANSON TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. TIPTON. Mr. Speaker, I rise today to honor Dr. Steven R. Swanson, a United States Astronaut who will launch on his third trip to the International Space Station (ISS) on March 25 from the Baikonur Cosmodrome in Kazakhstan. Dr. Swanson will spend six months on the station, serving three months as the ISS Commander.

I'm proud to say that Dr. Swanson lives in Colorado's 3rd Congressional District, in Steamboat Springs, with his wife, Mary and their three children. Dr. Swanson attended the University of Colorado, where he received a degree in Engineering Physics. He has also received both Masters and Doctorate degrees in Computer Science.

Since joining NASA in 1998, Dr. Swanson has led a remarkable career, earning the NASA Exceptional Achievement Medal, the Johnson Space Center Certificate of Accommodation, and the Flight Engineering Award. He travelled on the space shuttle to help assemble the ISS in June of 2007 and again in March of 2009. It is fitting that he now becomes the station's commanding officer.

Mr. Speaker, it is truly an honor to recognize such a distinguished ambassador of the sciences. I rise today to thank him for his continued service in the name of exploration and congratulate him on his truly remarkable career.

KASSIDY LINDLEY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kassidy Lindley for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kassidy Lindley is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kassidy Lindley is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kassidy Lindley for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONDEMNING VIOLATION OF UKRAINIAN SOVEREIGNTY, INDEPENDENCE AND TERRITORIAL INTEGRITY

SPEECH OF

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2014

Mr. HOLT. Mr. Speaker, I rise in support of this resolution.

Just today, a CNN camera crew reported evidence that Russian troops are literally digging in on the Crimean peninsula, including the installation of minefields along the new, illegal border they have created with the Ukraine. The world community cannot stand idly by in the face of this unprovoked Russian aggression against another sovereign member of the United Nations. The House, by passing this resolution, will be taking an important step towards that end.

There are several provisions in this resolution calling on the new Ukrainian government to implement measures to end political corruption, respect the human rights and civil liberties of ethnic minorities in the Ukraine, and so on. These and other reforms are essential for Ukraine to truly consolidate its revolution and ensure a transition to a truly open, democratic society.

But the people of the Ukraine will find it difficult to maintain their freedom and independence if their largest neighbor continues its illegal occupation of the Crimea, threatens additional areas of eastern Ukraine with invasion, and takes steps—overt and covert—to undermine the new Ukrainian government. The resolution before the House today calls upon the Obama administration to boycott the upcoming G8 summit and work with our partners to expel Russia from the G8. Given that the Russian government refuses to recognize Ukraine's new government and is proceeding with a sham ''referendum'' on Crimea's future, I believe the Administration must take the steps called for in this resolution. I also call upon the Administration to keep the Congress fully and currently informed on any indications that further Russian aggression may be attempted elsewhere in the Ukraine.

There is one amendment to this resolution that the committee adopted that concerns me, and it involves a call to increase U.S. natural gas exports. Simply, the U.S. does not currently possess the ability to export LNG to

Ukraine or other European allies, and export facilities currently under construction will not be operational until late 2015, at the earliest. It is opportunistic and frankly not based in fact, to have natural gas companies and their allies in Congress using this crisis as a catalyst for increased LNG exports.

Further, the U.S. does not have a state run energy conglomerate like Russia, and we cannot simply turn our energy exports up or down following a single executive decree. LNG export terminals cost billions and the companies making these investments will not proceed with their construction unless they have already secured LNG supply contracts, typically with Asian countries, like Japan, China, and India, where high natural gas prices will result in the greatest profits. If our concern is ensuring Ukraine has reliable energy sources, we should be talking to our European partners about how best to accomplish that goal.

Again, I encourage my colleagues to join me in supporting this legislation.

HONORING THE MEMBERS OF STILLWATER TRINITY LUTHERAN CHURCH

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Ms. McCOLLUM. Mr. Speaker, I rise today to honor members of Stillwater Trinity Lutheran Church and acknowledge their recent efforts to feed more than half a million people in a community food drive called ''Meals from the Heart.'' This ambitious initiative will provide nutritious meals to be distributed through a variety of organizations from the Saint Croix Valley all the way to Tanzania.

''Meals from the Heart'' is a community-led, full-scale mission to address hunger—both here at home and around the world. Beginning in 2008, Trinity Lutheran Church, located in Stillwater, Minnesota, has partnered with churches, schools, nonprofits, and local businesses, including Andersen Windows, to provide meals for those in need. Working together, their benevolent efforts have produced impressive results. During the past five years, 10,500 volunteers have packed more than 3 million meals that have been delivered to diverse locations, ranging from a church in Saint Paul to an orphanage in Haiti.

Access to affordable, nutritious food is fundamental to the health and economic success of communities. Unfortunately, for far too many, access to nutritious food is not dependable. Food insecurity is rising at an alarming rate, causing regional conflicts and forcing 1 billion people worldwide to struggle with chronic hunger and disease. In America, economic strain from the Great Recession continues to place significant financial hardships on families looking to put food on the table.

Just last month, our nation celebrated the 50th Anniversary of President Johnson's ''War on Poverty.'' While President Johnson's call to action has resulted in profound change for a generation of Americans, our nation still must confront the stark reality that poverty, hunger, and income inequality persist today. To be successful in the fight against hunger, it will take collective action between public, private, and community forces—just as we have seen with the ''Meals from the Heart'' program.

Mr. Speaker, it is with great pride I submit this statement for the CONGRESSIONAL RECORD, recognizing the benevolent actions of local volunteers and businesses who have collaborated to make a difference in combating hunger across the globe and in our own neighborhoods in the United States.

PERSONAL EXPLANATION

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Ms. GABBARD. Mr. Speaker, on March 12, 2014, I was unavoidably detained and was unable to record my vote for rollcall No. 118. Had I been present I would have voted ''nay'' on ordering the previous question.

WOMEN'S HISTORY MONTH

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

RECOGNIZING THE CONTRIBUTIONS OF DOMINIQUE GELIN

Mr. GRAYSON. Mr. Speaker, I rise today, in honor of Women's History Month, to recognize Dominique Gelin. Born and raised in Miami, Florida, Dominique is the proud daughter of immigrant parents. She has worked to shape policy and mobilize members of her community.

Dominique moved to Orlando to attend the University of Central Florida in the fall of 2008. It was there that she got her first taste of organizing her peers, encouraging them to vote and become a part of the process. After receiving her Bachelor's degree, she continued her community service, becoming a Youth Outreach Director and extending her work to high school students and young professionals.

Over the years, Dominique has had the opportunity to work with organizations like Ruth's List Florida, the National Congress of Black Women, and most recently, as an Aide at the Florida House of Representatives. In 2011, Dominique was awarded the Achievement Award by the Florida Commission on the Status of Women.

She looks forward to continuing her work by advocating for those with the most urgent needs through compassionate leadership.

I am happy to honor Dominique Gelin, during Women's History Month, for her contributions to her community.

RECOGNIZING THE LEADERSHIP OF SENATOR GERALDINE F. THOMPSON

Mr. Speaker, I rise today, in honor of Women's History Month, to recognize Florida Senator Geraldine Thompson. Senator Thompson began serving the people of Florida in 1970 when she worked as a Secretary for State Representative Gwendolyn Sawyer Cherry, the first African American female to serve in the Florida House of Representatives. During her time with Representative Cherry, she learned that conditions could be changed and lives improved through the enactment of legislation.

After working for several years, Senator Thompson enrolled at Florida State University from which she received a M.S. in Communication in 1973. She and her husband moved to Orlando and immediately became active in the Central Florida community. She later became the Assistant to the President at Valencia Community College where she served for 24 years. Among her many accomplishments was the establishment of the ''College Reach Out Program.'' The program enabled thousands of low income and disadvantaged students to fulfill their dream of going to college.

As a public historian, Senator Thompson's passion for history led her to conduct research and compile documents which resulted in the publication of a book, Black America Series: Orlando, Florida, in 2003. She is also credited with preserving one of Orlando's unique landmarks, The Wells' Built Hotel, which housed some of America's most prominent citizens, including Justice Thurgood Marshall, Ray Charles, Ella Fitzgerald, Jackie Robinson and many more. She helped secure funds to convert the hotel into a museum which is known today as The Wells' Built Museum of African American History and Culture.

In November 2006, Thompson was elected to serve as the first African American female to represent District 39 in the Florida House of Representatives. As a state representative, she worked to bring about change, including sponsoring legislation to give pregnant women protection under the Florida Civil Rights Act, and establishing a lottery Ticket for the Cure to benefit breast cancer victims. On November 18, 2008, she was unanimously selected by her legislative colleagues to serve as the Democratic Leader Pro Tempore, the second highest ranking Democrat in the Florida House of Representatives. In November 2012, Thompson was elected to the Florida Senate. In December 2012, Senator Thompson was elected Chairman of the Orange County Legislative Delegation. She is the first female and African-American to hold the position of Chair.

Senator Thompson has been recognized with numerous awards. She received the Florida Education Association's Mary McLeod Bethune Humanitarian Award and the National Education Association's prestigious Mary Hatwood Futrell Award for her outstanding human rights work toward the advancement and education of women and girls. She is also a recipient of the Executive Women Award, the Legislative Award from the American Cancer Society, and the Martin Luther King Award from the Greater Orlando Alliance of Black School Education. She is also an Executive Board Member of the National Black Caucus of State Legislators.

Senator Thompson enjoys every opportunity to give back, such as arranging to have 40 students from Jones High School in Orlando attend the inaugurations of President Barack Obama in 2009 and 2013. She is married to the Honorable Emerson R. Thompson, Jr. She has three children, Laurise, Emerson III, and Elizabeth, and is the proud grandmother of four.

I am happy to honor Senator Geraldine Thompson, during Women's History Month, for her leadership and service to the Central Florida community.

RECOGNIZING THE LEADERSHIP OF CHERYL GRIEB

Mr. Speaker, I rise today, in honor of Women's History Month, to recognize Cheryl Grieb. Cheryl's recently widowed mother moved her and her three brothers from New Jersey to Kissimmee, Florida in 1974. Cheryl's Mom did not come from money and worked very hard in real estate to support her four young children. Following in her mother's footsteps, Cheryl started her career as a realtor at the age of 18. At age 24, she purchased her Mom's real estate company and opened her second real estate company at age 30.

Cheryl's Mom raised her to be active in her community and give back to society. In her twenties, Cheryl was appointed to the Osceola County Parks and Recreation Committee where she served for seven years. While on the Committee, she was involved with the purchase of the Overstreet property which became a 400 acre regional park. In addition to her passion for the environment, Cheryl loves historic structures. She spearheaded a task force that successfully preserved the historic Osceola High School for over five years, until the devastating hurricanes of 1994 finally sealed its fate. Cheryl was also on a task force which formed the first historic district in downtown Kissimmee and began a historic home tour in the downtown area.

As a realtor, Cheryl recognized the need to help low-income individuals to secure affordable housing. Along with a handful of dedicated people, she formed Habitat for Humanity of Osceola County. Habitat has helped numerous people in Osceola County realize the dream of homeownership. Her other community activities include Co-Chairing the Kissimmee Relay for Life for the American Cancer Society. The cause is near and dear to Cheryl's heart as her partner, Patti, is a cancer survivor.

After her election as City Commissioner in 2006, Cheryl became even more involved in her community. She has served as a Board Member of Community Vision, two-time Chair of the East Central Florida Regional Planning Council, Chair and Council Member of the Tourist Development Council, Chair of the Greater Osceola Partnership or Economic Prosperity, and Director for Florida PACE. In addition, she was instrumental in passing domestic partner benefits for the employees of the City of Kissimmee. This victory won her the ''Voice for Equality'' award from Equality Florida.

In June of 2007, Cheryl's Mom had an asthma attack that caused a fatal heart attack claiming her life. In response to the tragic loss of her Mom and role model, Cheryl decided to have an event that would showcase downtown Kissimmee and raise funds for the American Heart Association, as both her parents had succumbed to heart attacks. Cheryl's efforts helped create Kissimmee Main Street and the first annual Kiss-im-mee 5K.

This past February was the sixth annual race which brought hundreds of people to downtown Kissimmee and raised thousands of dollars to help combat heart disease.

I am happy to honor Cheryl Grieb, during Women's History Month, for her dedication to her community.

RECOGNIZING THE CAREER AND CONTRIBUTIONS OF PEGEEN HANRAHAN

Mr. Speaker, I rise today, in honor of Women's History Month, to recognize Pegeen Hanrahan. Pegeen is a registered Professional Engineer and Principal of Community and Conservation Solutions, LLC. A native and lifelong resident of Gainesville, Florida, she served as its Mayor from 2004 to 2010, and as a City Commissioner from 1996 to 2002, leaving office both times as a result of term limits.

Pegeen has over twenty-five years of experience in environmental remediation, public participation, grant writing, land conservation, and local government finance. With the Trust for Public Land, she has helped develop and pass ten successful bond or sales tax initiatives for land conservation and parks in Florida. She also serves as a leader of Florida's Water and Land Legacy (FWLL), a statewide citizen's initiative to provide sustained funding for land and water conservation and ecosystem management.

With the support of the Rockefeller Brothers Fund, Pegeen has assisted communities in the adoption of a clean energy program known as feed-in-tariffs (FITs). Gainesville is the first city in the U.S. to implement a solar FIT, also known as a CLEAN (Clean Local Energy Accessible Now) Program. With over 18 megawatts of solar power installed, Gainesville is now in the top ten in installed solar per capita in the U.S. Pegeen also assisted in the adoption of CLEAN programs in Ft. Collins, Colorado and Palo Alto, California. She has spoken on the topic in over 20 communities in the U.S., Canada, Germany, and Brazil.

Pegeen served as an Engineer and Hazardous Materials Program Manager for the Alachua County Environmental Protection Department for over five years, a Senior Vice President of Terra-Com Environmental Consulting for five years, and an Executive Director of Alachua Conservation Trust for three years. She has been the Engineer of Record on numerous remediation projects to remove hazardous contaminants from soil and groundwater. She has also completed work in the fields of landfill design, stormwater management, hazardous waste management, climate change, sustainability, and energy conservation. She has completed projects for over forty different cities, counties, water management districts, state agencies, non-profits, and private clients.

Pegeen has served as President of the Florida League of Mayors and Chair of the Alachua County Library District. In addition, she serves on the boards of Florida State University's LeRoy Collins Institute, the Mayors' Innovation Project, ICLEI–USA: Local Governments for Sustainability, the Children's Movement of Florida, Innovation Gainesville, the Alliance for Renewable Energy, Ruth's List, and Alachua Conservation Trust.

She has received numerous honors, including being named a ''Woman Who Makes a Difference'' by the Gateway Girl Scout Council, a ''Woman of Distinction'' by Santa Fe College, and a ''Voice for Equality'' by Equality Florida. She is also a Florida Audubon ''Women in Conservation'' award winner and was named ''The Female Democratic Elected Official of the Year'' three times by the Alachua County Democratic Executive Committee.

A member and former alumni sponsor of the prestigious Tau Beta Pi Engineering Honor Society, Pegeen holds Bachelor's and Master's degrees in Environmental Engineering, and a Bachelor's in Sociology from the University of Florida. She is a member of Leadership Florida and Florida Blue Key, UF's Leadership Honorary.

Pegeen is married to Tony Malone, a Professional Engineer in the field of civil infrastructure. Together they are the delighted parents of Evyleen Mary (age eight), Quinn Joseph (age seven), and Tess Lucille (age three).

I am happy to honor Pegeen Hanrahan, during Women's History Month, for her many contributions to the state of Florida.

RECOGNIZING THE SERVICE OF MARY JANE ARRINGTON

Mr. Speaker, I rise today, in honor of Women's History Month, to recognize Mary Jane Arrington. Led by her mother's example, Mary Jane has devoted her life to community involvement. Beginning in childhood, Mary Jane served her community through her church, school, 4–H, and Girl Scouts. Public service is something she is very passionate about. She began her public service 44 years ago when she first moved to Osceola County, working in her children's schools and serving on numerous community organization boards and committees.

Elected in 1994, she is the first and is still the only woman to be elected to the Osceola County Board of County Commissioners. Mary Jane was elected by her peers to serve as Commission Chairman and served as a County Commissioner until 2002. During her tenure she was a true visionary working to promote regionalism and improve transportation in the Central Florida region. Mary Jane championed the restoration of Osceola County's historic courthouse and oversaw the construction of the new courthouse and administrative buildings.

After her time on the commission she continued her public service as one of the founding Supervisors of the Toho Water Authority, a regional water authority. She continued in this role until 2008 when she was elected as Osceola County Supervisor of Elections.

Setting milestones is something Mary Jane continues to do in her capacity as the Osceola County Supervisor of Elections. She has worked diligently to enhance the services provided to the voters of Osceola County. By bringing the latest technology to the Elections Office she has streamlined procedures and made the voting process easier and more accessible for voters. Her insightful leadership has received national recognition.

Mary Jane has a Bachelor's degree in Public Administration from the University of Central Florida and is a graduate of Leadership Florida. She is one of only 800 nationally certified elections professionals and, this year, will be designated a Florida Master Certified Election Professional.

Outside of her responsibilities as Supervisor of Elections she is very active in the community where she serves as Chairman of the Osceola County YMCA Board of Directors and as a Member of the Executive Board of the Central Florida YMCA. She is also a very dedicated and involved member of the First United Methodist Church of Kissimmee.

Mary Jane and her husband of 46 years, Curtis, have passed on their love of public service to their four children who also serve the Osceola County community and the Central Florida region in varying capacities. They are also extremely proud grandparents of three grandsons. Mary Jane follows her personal creed of ''living each day trying to accomplish something, not merely to exist.''

I am happy to honor Mary Jane Arrington, during Women's History Month, for her dedication to the Central Florida community.

RECOGNIZING THE LEADERSHIP AND CONTRIBUTIONS OF DONNA SINES

Mr. Speaker, I rise today, in honor of Women's History Month, to recognize Donna Sines, Executive Director and Founder of Community Vision. After a stint in banking, Donna dedicated her life to helping Osceola County, Florida. As Executive Vice President of the Kissimmee/Osceola County Chamber of Commerce, she worked to redevelop Downtown Kissimmee, transforming it from a troubled area into a point of pride for the city.

She also launched Leadership Osceola County (LOC) which is celebrating its 25th anniversary this year. LOC has educated and inspired more than 1200 graduates to contribute to the betterment of their community and make holistic decisions regarding community wellbeing. LOC has hosted programs spanning the spectrum from middle-school kids and teens to senior citizens. Donna was twice recognized by the late Florida Governor Lawton Chiles for programs and projects she oversaw. She also led the effort to restore the Historic Kissimmee train station, the first volunteer project of its kind in Osceola County. A number of community playground builds in economically challenged areas can also be credited to Donna.

In 1995, Donna left the Chamber to start a grass-roots, non-profit organization called Community Vision. Working out of her living room, Donna worked to unite her community in a shared vision. Thousands from all walks of life participated and a movement was born. In 2004, when four hurricanes ravaged Osceola County, including Community Vision's office and her home, Donna oversaw an "unmet needs committee" which raised $750,000 to help residents restore their homes and lives. Community Vision utilizes a collective impact model in addressing issues. It functions as the umbrella organization bringing the public, private and independent sectors together to develop innovative solutions to complex, systemic problems confronting the Osceola community. Donna's impact can be felt throughout Osceola County. She secures financial resources and volunteer support to take on the impossible.

Donna's touch is most felt when addressing those community issues that affect our must vulnerable and at-risk residents. She secured a $1.3 million federal grant to provide free primary healthcare to the un- and underinsured through the Mobile Medical Express initiative. Beginning with the Mobile Medical Express, the community developed a secondary care network which includes two free clinics.

Most recently, Donna has focused her efforts on the plight of the homeless. Community Vision offers intensive, career-readiness initiatives to put folks back on payrolls and families on the road to self-sufficiency. Community Vision also has an employment coach for the long-term unemployed and a full time Impact Homelessness Director.

It is her selfless spirit, love of community and "can do" attitude that drives Donna to address those tough challenges and makes her a valued community treasure.

Donna touts her greatest accomplishment as raising and educating her son Derrick, who exemplifies success as a father, husband and bread winner. She is also blessed with beautiful and smart grandchildren, Connor and Kendall, who brighten her world with their love.

I am happy to honor Donna Sines, during Women's History Month, for her many contributions to the Osceola County community.

JOCELIN ALONSO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jocelin Alonso for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jocelin Alonso is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jocelin Alonso is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jocelin Alonso for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING FULL SAIL UNIVERSITY

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. WEBSTER of Florida. Mr. Speaker, I rise today to recognize Full Sail University on the occasion of its 35th anniversary. Since its founding in 1979, Full Sail's vision has been to help creative students pursue their dreams in the entertainment industry.

When Full Sail first opened its doors 35 years ago, it aimed to couple traditional classroom work with career-specific development as well as training in real world production studios to propel students into the sound and music industry. As its students' dreams and passions grew, so did the university. Full Sail quickly evolved and now offers 44 unique degrees including animation, games, web design and film. In 2013, Full Sail earned a top ten spot on StudentAdvisors.com's list of "Top 100 Social Media Colleges."

Full Sail University boasts over 42,000 graduates, and is currently providing its 17,000 students with an innovative education to help achieve their goals. Graduates have continued on to companies such as Disney, ESPN and HBO Studios.

I am pleased to recognize Full Sail for its dedication to equipping students for fulfilling careers, and I thank the University for continuing to bolster the educations and passions of future generations.

HONORING MR. DAN KIMBALL

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mr. Dan Kimball, and to congratulate him on his retirement. Mr. Kimball is an outstanding individual who has served as the Superintendent of Everglades and Dry Tortugas National Parks.

A 27-year veteran of the National Park Service, Mr. Kimball has previously served as Chief of the NPS Water Resources Division. In this capacity he successfully led efforts to settle national park water resources, specifically in the western United States in parks such as Yellowstone and Glacier National Parks. Mr. Kimball has also served as Assistant to the National Park Service Deputy Director in Washington, DC, Incident Commander representing the U.S. Department of the Interior, and at the Florida Peninsula Command Post in response to the Deepwater Horizon/BP Oil Spill.

Throughout his career, Mr. Kimball has been recognized for his exceptional work. His vast array of awards includes the Department of the Interior's Superior Service Award, the Pacific Northwest Regional Director's Award for Professional Excellence in Natural Resources, the Southeast Region's Superintendent of the Year Award, the President Rank Award—Meritorious Executive, and the American Recreation Coalition's Legends Award.

Having known Mr. Kimball for a number of years, I know that he has consistently demonstrated the highest degree of integrity, character, and professionalism. He has been dedicated to his career and has worked tirelessly for the protection of our environment and, more specifically for Florida, the preservation of the Everglades. The state of Florida and the nation as a whole have truly been lucky to have such an exceptional individual heading our national parks. Beyond that, over the years I have had the privilege of getting to know Dan on a personal level, and am honored to now call him my friend. I wish nothing but the best for Dan, his wife Kit and their son, and again congratulate him on his retirement.

Mr. Speaker, I am honored to pay tribute to Mr. Dan Kimball for his tremendous service to Florida, and I ask my colleagues to join me in recognizing this remarkable individual.

ON THE OCCASION OF THE TWENTIETH ANNUAL TOP 10 AWARDS CEREMONY OF THE GREATER DETROIT CHAPTER OF THE NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PETERS of Michigan. Mr. Speaker, I rise today to congratulate the Greater Detroit Chapter of the National Association of Women Business Owners (NAWBO) as its members gather for the Twentieth Annual Top 10 Awards Ceremony. The Top 10 Awards provides the Greater Detroit Chapter of NAWBO

with an opportunity to recognize women business owners and executives for their outstanding endeavors to expand the influence of women in business.

Chartered in 1980, the Greater Detroit Chapter of NAWBO was founded to further the mission of its national organization in Southeast Michigan region; to expand the access of women to the top echelons of decision-making in social, economic and political endeavors around the world. To execute this mission, the members of NAWBO, both in Detroit and across the country, engaged in an exchange of knowledge and experiences that allowed them to develop and hone their entrepreneurial skills. Specifically, NAWBO sponsors programming that is designed to strengthen the capacity of its members to promote economic development, create innovative and effective change in business culture, build strategic partnerships and influence public policy discussions.

To support these goals and its mission, the Greater Detroit Chapter of NAWBO hosts a number of events like Entrepreneur-YOU, which provides women entrepreneurs with a workshop to support the development of critical skills for creating and running a business; expos that allow members and the community at-large with a chance to build their social and business networks; and the Circle of Learning, which allows members to directly interact with each other in an effort to strengthen their brand, work culture and performance.

The Top 10 Awards allows NAWBO to recognize leading women in business from Southeast Michigan, whose work is expanding the opportunities for women, to be recognized by their peers for their commitment, their vision and, most importantly, their excellence. I am pleased to congratulate this year's winners: Barabara Whittaker, Suzanne Bobbitt, Eva Scurlock, Mary Buchzeiger, Ann Reinman, Jmai Moore, Pamela Smith, Mashell Carissimi, Mary Ann Lievois, Carla Walker-Miller and Shirley R. Stancato, on the remarkable impact they are making on the Greater Detroit community.

Mr. Speaker, as we celebrate National Women's History Month and reflect upon the remarkable impact women have made on our country, I am honored to recognize the Greater Detroit Chapter of NAWBO and this year's Top 10 Awards winners for the work they are doing to expand opportunities for women in business. For the last thirty-four years, the members of NAWBO in Southeast Michigan have been at the forefront of supporting women in business and I wish them continued success in their future endeavors.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mrs. BLACK. Mr. Speaker, on rollcall No. 86 (Cummings Amendment), rollcall No. 87 (Connolly Amendment), rollcall No. 88 (Jackson Lee Amendment) and rollcall No. 89 (Motion to Recommit), which took place Friday, February 28, 2014; I am not recorded because I was unavoidably detained. Had I been present, I would have voted "no."

On rollcall No. 90 (Final Passage of H.R. 899), I would have voted "aye."

JULIE VILLEGAS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Julie Villegas for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Julie Villegas is a 12th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Julie Villegas is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Julie Villegas for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONDEMNING VIOLATION OF UKRAINIAN SOVEREIGNTY, INDEPENDENCE, AND TERRITORIAL INTEGRITY

SPEECH OF

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2014

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today in strong support of H. Res. 499, a resolution condemning the violation of Ukrainian sovereignty, independence, and territorial integrity by military forces of the Russian Federation.

This resolution is a loud, strong message from this body, the House of Representatives, the People's House, that the people of the United States stand firmly behind the people of Ukraine in their mission to maintain their independence, free from Russian aggression.

Our friends in the world must always have full assurance that we are with them, that our resolve is unshakeable, and that nothing will intimidate us.

This resolution lays out what our game plan looks like as we take concrete steps to back our friends in Ukraine. I want to focus on one key part of this plan: achieving energy independence for Ukraine and the region.

For too long Russia has used the threat of manipulating energy prices and supplies to impose economic and political pressure on Ukraine and other countries. This has got to stop.

We can provide a reliable source of energy to our partners in Europe. Congress is ready to do its part. However, the Obama administration needs to speed up the permit approval process to get liquid natural gas flowing to our friends in Europe, approve the Keystone XL pipeline, and take other pro-American, pro-growth, pro-energy actions. There is truly no better time than now.

We can hit Vladimir Putin where it hurts—in the wallet. We can strengthen Ukraine's hand in the short run and sell them the fuel they need for the long haul. We can create jobs for American workers—good, meaningful jobs. It just makes sense.

I urge support for H. Res. 499.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

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 $17,495,622,444,209.79. We've added $6,868,745,395,296.71 to our debt in 5 years. This is over $6.8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNITION OF SAM SIMON AND THE ACTUAL DANCE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Samuel A. Simon on the success of his important one man performance, The Actual Dance. By creating and performing this moving and evocative show, Sam has helped to increase awareness about the lesser-known experience of spouses who have lost loved ones to breast cancer, a cruel and devastating disease that continues to affect far too many Americans.

Mr. Simon, a resident of Fairfax County, Virginia, and a close family friend, was inspired to create his one man show when his wife, Susan, was diagnosed with breast cancer in 2000. Sam used his family's personal struggle as a source of inspiration to create a one man drama, so that he could educate and mobilize audiences across the country. He first told the story of his spiritual journey at the 2013 Capital Fringe Festival, right here in Washington, DC. Since then he has performed across the Mid-Atlantic and in New York City, where his performance has earned the praise of audiences and critics alike. He was honored with the 2013 Northern Virginia Theater Alliance Award for Best Production of an Original Play, as well as Best Overall Production. The NVTA also nominated Sam for Best Actor, and in New York, the Midtown International Theatre Festival nominated Sam for Best Playwright.

Clearly, Mr. Simon's show is an artistic success. But more than that, by sharing his family's personal experience with breast cancer, Sam has given voice to Americans all across the country who have battled this disease: mothers, sisters, spouses, even Members of Congress. In my home state of Virginia, the number of women diagnosed each year now tops 6,200. Advocates like Sam Simon, who are willing to share their experience and strength, give hope to all the families that suffer because of this terrible disease. Mr. Speaker, I urge my colleagues to recognize

the contribution of Samuel A. Simon, wish him heartfelt congratulations on his achievements, and urge him on to even greater artistic excellence.

RECOGNIZING THE MIAMI BRAIN FAIR

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. DIAZ-BALART. Mr. Speaker, I rise today to commemorate Brain Awareness Week, which runs from March 10–16 of this year.

Brain Awareness Week serves to educate students and the general public on brain science in Miami, and across the country. During this week, neuroscientists around the world educate individuals through informative activities on the wonders of the human brain. These activities contribute to a public understanding of brain function, scientific research, and also bring awareness to the brain disorders and diseases that affect the lives of the nearly 100 million Americans.

In recognition of Brain Awareness Week, I would like to specifically highlight the Miami Brain Fair. At this year's Miami Brain Fair, students from the area will be able to learn about the brain through hands-on activities and participate in either the Brain Bee or Brain Jeopardy competitions. In previous years, over 3,000 children attended the event. This year's event will include five local universities, and over 70 scientists presenting at 30 different exhibits.

Serving as a member of the Commerce, Justice, Science, and Related Agencies subcommittee of the House Committee on Appropriations, I understand that programs like the Miami Brain Fair play a major role in inspiring the next generation of scientists. It is imperative that we support important educational activities such as the Miami Brain Fair, so that we can continue to improve the lives of the nearly 100 million Americans who suffer from brain-based diseases and disorders.

Mr. Speaker, I am honored to recognize Brain Awareness Week and I ask my colleagues to join me in observing the contributions that thousands of dedicated scientists are making in the field of brain science.

MARKING THE THREE YEAR ANNIVERSARY OF THE HUMANITARIAN CRISIS IN SYRIA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. FARR. Mr. Speaker, I rise today to mark the three-year anniversary of the humanitarian crisis in Syria. This horrific conflict has left over 100,000 people dead, a population roughly the size of Boulder, Colorado. Of those 100,000 casualties of war, 10,000 were children. As I speak, 5.5 million living children are dangerously vulnerable, having "lost lives and limbs, along with virtually every aspect of their childhood," according to the United Nations. And the displacement crisis continues to explode, with some 6.5 million Syrians internally displaced within their own country and 2.4 million Syrians living as refugees in neighboring countries.

Mr. Speaker, it is easy to become desensitized by numbers of this scale. But these are not merely newspaper headlines. These statistics are made up of real people who had real hopes and real dreams, too many of which have been crushed by war and violence. The international community must draw on the full spectrum of diplomatic and development tools to bring swift, lasting stability to Syria and the surrounding countries. Three years is three years too long. The time for peace is now. We cannot wait a moment longer.

HONORING CHANG DUK HUH, OWNER OF JOHNNIE'S CHICAGO RED HOTS

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PASTOR of Arizona. Mr. Speaker, I ask my colleagues to join me in recognizing a small business owner from Arizona's Seventh Congressional District who has left his indelible mark on the Phoenix Metropolitan Area through his much-beloved "Johnnie's Chicago Red Hots" restaurant.

Chang Duk Huh, also known as "Johnnie," was born in Seoul, South Korea, on February 25, 1953. The eighth of nine children, Chang immigrated to the United States in 1976. By 1978 he and his wife, Hae, settled in the greater Phoenix area where the couple raised their two daughters. Chang and Hae purchased "Johnnie's Chicago Red Hots" in August of 1985 from its original owner, Johnnie Dieffenbach.

In business now for nearly three decades, Johnnie's restaurant is best known for its 100 percent Vienna beef, Chicago-style hot dogs-complete with mustard, onions, neon relish, tomatoes, pickles, celery salt and sport peppers-encased in a steamed poppy seed bun and served with a side of homemade French fries. The dogs have been featured in a variety of local news publications over the years, including The Arizona Republic and the Phoenix New Times "Best of" issue. What started out as a tiny three-table restaurant with a handful of bar stools became a Phoenix mainstay that has been frequented by many prominent community figures such as Department of Homeland Security Secretary Janet Napolitano, Phoenix Suns Coach Jeff Hornacek, and sports executive Jerry Colangelo.

What really defines the heart and soul of this small mom-and-pop shop, however, has been its loyal patrons through the years. Chang and his wife, Hae, take great pride in their product (Chang has eaten a hot dog for lunch every day for almost 30 years), and the couple has a strong love and appreciation for their customers. They have strived to provide quality food and great service with a smile. They have found great joy in making their customers happy.

I have been one of those happy customers, not just because of the quality food and service, but also because they have allowed me, as their Congressman, to watch them grow their restaurant into a well-respected and thriving eatery. Small businesses are the heart of America's local economies and they are critical for our Nation's strength. Immigrants have especially driven entrepreneurship and job creation throughout the country, and Chang and Hae are a perfect example of this.

After nearly three decades in business, the establishment sadly closed its doors on February 27, 2014. In recognition of their success, I ask my colleagues to join me in paying tribute to Chang Duk Huh and his wife, Hae.

A TRIBUTE TO NICHOLAS LEE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of Nicholas Choung Lee, a Los Angeles police officer who selflessly served his community.

Nicholas was born on May 8, 1973, in Seoul, Korea. When he was six years old he moved to California with his father Heung Jae Lee, mother Choung Ja Lee, younger brother Danny, and sister Jenny. They settled in Los Angeles' Koreatown, and Nicholas attended high school in Los Angeles and college at California State University Fullerton. He joined the Los Angeles Police Department on August 31, 1998.

After probationary training, Nicholas transferred first to the Van Nuys Division, and later to the Hollywood Division, where he was assigned to a patrol car. He worked as both a Field Training Officer and Vice Officer in Wilshire, before returning to patrol in the Hollywood Division in 2008. In his 16 years as a police officer, Nicholas received more than 70 commendations. He was recently among the officers featured in a birthday video for a 7-year-old-boy with leukemia, which was just one of the many ways Nicholas constantly demonstrated his selfless desire to help others.

As much as he contributed to Los Angeles as a police officer, everyone who knew him would agree that his family always came first. Nicholas married Cathy Kim in 2001, and they went on to have two daughters, Jalen and Kendall. He could frequently be seen riding a scooter alongside the two girls on their way to school. When the family would have barbecues, Nicholas was always the person serving his family and friends. His wife described him as a great provider and loving husband and father.

Tragically, and much too soon, Nicholas passed away on March 6, 2014, when a truck hit his patrol car in Beverly Hills. He is survived by his wife Cathy, and daughters Jalen and Kendall.

We depend upon the bravery and dedication of police officers every moment of every day, and we often forget the dangers and challenges they face on our behalf. I ask all members to join me in expressing our condolences to the Lee Family and the Los Angeles Police Department and pledge to remember the courage and commitment of Officer Nicholas Lee, a man who cared deeply about his family and the Los Angeles community.

HONORING BRAD CUMMING

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. RIGELL. Mr. Speaker, I rise before you today to honor Mr. Brad Cumming, a resident of Virginia Beach, Virginia, on the occasion of his retirement from the U.S. Navy's Program Executive Office for Aircraft Carriers after more than 32 years of dedicated service to the federal government.

Mr. Cumming has a long history of service to the aircraft carrier community and has emerged as one of the leaders in lifecycle engineering. His keen leadership, innovation, dedicated teamwork, and proven technical and programmatic expertise were critical to his success in ensuring that *Nimitz* Class Aircraft Carriers are ready to provide 50 years of service defending our national interests.

Mr. Cumming's current duties as the Deputy Program Manager's Representative for the Carrier Planning Activity (CPA), located at Norfolk Naval Shipyard, include oversight of the overall planning, direction and timely execution of CPA's mission to provide centralized aircraft carrier life cycle management and maintenance engineering. Prior to his joining the PEO Carriers Team, Mr. Cumming spent over 26 years with the Engineering Division at Norfolk Naval Shipyard where he progressed from a design engineer for electronics countermeasures to eventually becoming the Planning Yard Division Head.

His post retirement plans include more traveling, spending time with family, gardening and continuing to work with youth through the Young Life Ministry. Mr. Cumming currently lives with his wife Laurie in Virginia Beach.

Mr. Speaker, I ask that you join with me today to honor Mr. Cumming. His long and dedicated service to the United States of America is an inspiration to all of us. It is with great pride that I congratulate Mr. Cumming on his retirement and wish him the best of luck in the future.

HONORING THE LIFE OF COACH DON SHOWS

HON. VANCE M. McALLISTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. MCALLISTER. Mr. Speaker, I rise today to honor the life of Coach Don Shows, who passed away on Monday, March 3, 2014 at the age of 75.

I am proud to recognize the life of such an accomplished and admirable man, worthy of high recognition. Coach Shows had the pleasure of coaching at four high schools in Louisiana, being named head coach of the West Monroe Rebels in 1989. No stranger to success, Coach Shows led his team to eight state championships during his tenure and was inducted into the Louisiana Sports Hall of Fame in 2011.

Amongst his list of impressive achievements, perhaps the most notable is the life he led both on and off the field, impacting the lives of not only the players he coached, but the student body as well. Many students and players credit Coach Shows for inspiring their own achievements and success in life.

As we honor his life and legacy today, let us always remember that with dedication, hard work and sacrifice, we can achieve anything. I thank Coach Shows for displaying this valuable lesson and for the pride he has brought to the Fifth District of Louisiana. He was a tremendous leader and example to all who had the honor of knowing him and his example and leadership will remain in our hearts forever.

JILLIAN BLUE-NORTON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jillian Blue-Norton for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jillian Blue-Norton is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jillian Blue-Norton is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jillian Blue-Norton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

A RECORD OF SERVICE

HON. SCOTT H. PETERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PETERS of California. Mr. Speaker, I rise today to recognize and applaud Todd Gloria on his excellent service as San Diego's Interim Mayor.

When Todd stepped in as Interim Mayor, San Diegans needed a leader more than ever. Even during his short tenure, Todd was able to reenergize San Diego's government. He continued his work from his position on the City Council, building the manufacturing and technology sectors, creating more jobs for San Diegans. He also continued developing an innovative solution for San Diego's backlog of infrastructure projects. A true public servant, he has worked diligently at forward-thinking strategies to maintain San Diego as one of America's finest cities.

In addition to his service as Interim Mayor, Todd has served as City Council President since 2013. We share many priorities: ensuring the livelihood of the middle class, protecting our environment in ways that actually address climate change, and keeping infrastructure in San Diego up-to-date and functional. I admire Todd for his commitment to practical solutions and for his ability to get things done.

It came as no surprise in 2013 when he was recognized by the Aspen Institute as one of the nation's most promising young political leaders, a fellowship bestowed on him because of his commitment to sensible and bipartisan governance. I eagerly look forward to Todd's continuing service leading the City Council, and expect him to continue doing great things for San Diego.

Mr. Speaker, I am proud to honor Todd Gloria for his hard work for the City of San Diego. I urge my colleagues to join me in recognizing Todd for his excellent service as San Diego Interim Mayor.

PERSONAL EXPLANATION

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. TIBERI. Mr. Speaker, on rollcall No. 64 (On Motion to Suspend the Rules and Pass, as Amended H.R. 1123) I was unavoidably detained and did not cast my vote. Had I been present, I would have voted, "yea."

SUPPORT FOR H.R. 938 AS AMENDED

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today in strong support of H.R. 938, the United States-Israel Strategic Partnership Act of 2014.

At a time of regional turmoil and uncertainty, as Iran continues its relentless drive for a nuclear weapons capability, it is absolutely crucial that we stand shoulder-to-shoulder with Israel, our close friend and ally.

H.R. 938 strengthens this key alliance by designating Israel as a "major strategic partner" of the United States. The U.S.-Israel relationship is truly multifaceted and thus this bill expands our cooperation in military and homeland security areas as well as in the areas of trade, energy, water, and agriculture.

Passing this bill will give continued assurance to our ally Israel that the United States is no fair weather friend but is truly a friend for all seasons.

I urge support for H.R. 938.

REGARDING H.R. 938

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. VAN HOLLEN. Mr. Speaker, I rise as a cosponsor of H.R. 938, the U.S.-Israel Strategic Partnership Act. I want to thank Representatives ROS-LEHTINEN and DEUTCH for their work on this important and broadly bipartisan bill.

H.R. 938 will help strengthen the strategic partnership the U.S. shares with Israel in addition to helping Israel better meet the new security challenges it faces in the region. By enhancing cooperation between the U.S. and

Israel in such areas as intelligence, trade and energy, H.R. 938 continues our commitment to helping Israel maintain its qualitative military edge while creating opportunities for U.S. companies and educational institutions to benefit from the deepening academic and commercial ties that will arise as a result of the bill.

H.R. 938 also addresses homeland security priorities shared by our two countries by encouraging our cooperation against cyber threats and by advocating for the participation of Israel in the Visa Waiver Program—when it has fully met the requirements of membership. Permitting Israel to join the Visa Waiver Program should help reduce paperwork and make travel easier for citizens of both our countries. Membership in the program carries with it the obligation of full reciprocity. To that end, as the process moves forward, the State Department must work with Israel to ensure that all Americans are treated fairly in the program without any discrimination based on ethnicity, religion or race.

HONORING THE LIFE OF ROBERT HARPER

HON. VANCE M. McALLISTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. MCALLISTER. Mr. Speaker, I rise today to honor the life of Mr. Robert Harper, who passed away on Tuesday, March 4, 2014, at the age of 88 at his home in West Monroe, LA.

Mr. Harper was born on August 9, 1925, in Center, TX. He was an Army Veteran and a World War II Prisoner of War. It is with great respect that I commend the service of this brave man who joined hands with countless others to fight for our great nation. We owe a debt of gratitude to all POWs and MIAs for weathering agonizing uncertainty during such trying times. We, and countless people around the world, are the beneficiaries of their courage, vigilance and bravery.

In addition to his selfless service to our country, Mr. Harper was a faithful servant to Mt. Olive Baptist Church and his family. A devoted husband, father and grandfather, he will be dearly missed by his wife, Ellen, his children, grandchildren, friends, and community. It is my hope that today's generation of young men and women will follow the example of patriotism and dedication to freedom set by Mr. Harper.

Mr. Speaker, I ask my colleagues to join me today in honoring the life of Robert Harper. He was a leader, parent, husband, friend, and example to all of us. Countless lives have been changed for the better by his brave efforts, and he will remain in our hearts forever.

JEREMY NELSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jeremy Nelson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jeremy Nelson is an 8th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jeremy Nelson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jeremy Nelson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

SUSPENDING THE INDIVIDUAL MANDATE PENALTY LAW EQUALS FAIRNESS ACT

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2014

Mr. VAN HOLLEN. Mr. Speaker, I rise today in opposition to H.R. 4118, the 50th vote to undermine the Affordable Care Act.

First, let me say, I'm concerned that many Marylanders, including my constituents, are struggling to sign up for health insurance through the state-based Marketplace due to technical issues. With open enrollment coming to a close at the end of the month, I urge the Administration, state governments, and insurance carriers to come together to assist applicants in getting eligibility determinations and enrolling in coverage as soon as possible. I appreciated the guidance provided by the Centers for Medicare and Medicaid Services (CMS) last week that would allow consumers the possibility of qualifying retroactive health insurance, tax credits and cost-sharing assistance. It's critical that CMS clarify that those individuals who take retroactive coverage will be protected from any undue penalties for the months prior to the effective date of retroactive coverage.

The bill on the floor today is not about helping Marylanders or any other Americans, but rather about dismantling the Affordable Care Act and putting health insurance further out of reach for them. I want to be clear: the requirement that individuals take responsibility for ensuring they have adequate health insurance coverage was an idea espoused by the Heritage Foundation in the late 1980s. It was carefully crafted and includes exemptions for individuals facing hardships and those who can't afford insurance. Delaying the provision for everyone for a year, according to the Congressional Budget Office, would increase the number of uninsured by one million this year and two million in 2015, and lead to higher premiums. It's obvious that delaying the provision will undermine the protections and reforms that have taken effect and will introduce more instability into market.

Mr. Speaker, I urge the House leadership to put an end to these Affordable Care Act repeal votes. We want to work with you to identify parts of the law that can be improved and develop serious solutions. Unfortunately, today's bill is not one of them. I urge my colleagues to oppose it.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 13, 2014 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

MARCH 25

9:30 a.m.
Committee on Armed Services
To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SD–G50

10 a.m.
Committee on Foreign Relations
To hold hearings to examine Syria after Geneva, focusing on the next steps for United States policy.
SD–419

2:15 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
To receive a closed briefing on challenges to maintaining United States military technology superiority.
SVC–217

MARCH 26

10 a.m.
Committee on the Judiciary
To hold hearings to examine reauthorization of the, ''Satellite Television Extension and Localism Act''.
SD–226

Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of The American Legion.
SD–G50

2:15 p.m.
Special Committee on Aging
To hold hearings to examine preventing Medicare fraud, focusing on the best way to protect seniors and taxpayers.
SD–562

2:30 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine the the current readiness of United States forces in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SR–232A

Committee on Armed Services
Subcommittee on Strategic Forces
To hold hearings to examine strategic forces programs of the National Nuclear Security Administration and the Office of Environmental Management of the Department of Energy in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SR–222

Committee on Indian Affairs
To hold an oversight hearing to examine the President's proposed budget request for fiscal year 2015 for Tribal Programs.
SD–628

MARCH 27

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the posture of the Department of the Navy in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SD–G50

APRIL 1

9:30 a.m.
Committee on Armed Services
To hold hearings to examine U.S. European Command and U.S. Transportation Command in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SD–G50

2:15 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
To hold hearings to examine proliferation prevention programs at the Department of Energy and at the Department of Defense in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SR–222

APRIL 2

9:30 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine military construction, environmental, energy, and base closure programs in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SR–232A

10 a.m.
Committee on the Judiciary
To hold hearings to examine the Comcast-Time Warner Cable merger and the impact on consumers.
SD–226

APRIL 3

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the posture of the Department of the Army in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SD–G50

APRIL 10

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the posture of the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program.
SD–106

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1531–S1596

Measures Introduced: Fourteen bills and one resolution were introduced, as follows: S. 2111–2124, and S. Res. 382. **Page S1584**

Measures Reported:

S. 2124, to support sovereignty and democracy in Ukraine. **Page S1584**

Measures Passed:

Sandia Pueblo Settlement Technical Amendment Act: Senate passed S. 611, to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act, after agreeing to the committee amendment in the nature of a substitute. **Page S1595**

Demonstrators in Venezuela: Senate agreed to S. Res. 365, deploring the violent repression of peaceful demonstrators in Venezuela, calling for full accountability for human rights violations taking place in Venezuela, and supporting the right of the Venezuelan people to the free and peaceful exercise of representative democracy. **Page S1595**

Measures Considered:

Child Care and Development Block Grant Act—Agreement: Senate began consideration of S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto:

Pages S1531–32, S1539–69, S1569–70

Adopted:

By a unanimous vote of 98 yeas (Vote No. 72), Enzi Amendment No. 2812, to require the Secretary of Health and Human Services, in conjunction with the Secretary of Education, to conduct a review of Federal early learning and care programs and make recommendations for streamlining the various programs. **Pages S1553–55, S1556**

By 93 yeas to 6 nays (Vote No. 73), Harkin (for Franken) Amendment No. 2822, to reserve not less than 2 percent of the amount appropriated under the Child Care and Development Block Grant Act of 1990 in each fiscal year for payments to Indian tribes and tribal organizations. **Pages S1556, S1557**

Burr (for Lee) Modified Amendment No. 2821, to prohibit States from providing the Secretary with reports containing personally identifiable information. **Page S1568**

By a unanimous vote of 98 yeas (Vote No. 74), Harkin (for Landrieu/Mikulski) Amendment No. 2818, to require a statewide child care disaster plan. **Pages S1555–56, S1568–69**

Mikulski (for Landrieu) Amendment No. 2813, to allow children in foster care to receive services under the Child Care and Development Block Grant Act of 1990 while their families (including foster families) are taking necessary action to comply with immunization and other health and safety requirements. **Pages S1559–62, S1569**

Mikulski (for Landrieu) Amendment No. 2814, to require the State plan to describe how the State will coordinate the services supported to carry out the Child Care and Development Block Grant Act of 1990 with State agencies and programs serving children in foster care and the foster families of such children. **Pages S1559–62, S1569**

Harkin (for Bennet) Amendment No. 2824, to require States that elect to combine funding for early childhood education and care to describe the manner in which they use the combined funding. **Pages S1562–66, S1569**

Scott/Landrieu Amendment No. 2837, to clarify parental rights to use child care certificates. **Pages S1566–68, S1569**

Harkin (for Boxer/Burr) Amendment No. 2809, to amend the Crime Control Act of 1990 to improve the quality of background checks for Federal agencies hiring, or contracting to hire, individuals to provide child care services. **Pages S1562–66, S1569**

Pending:

Harkin Amendment No. 2811, to include rural and remote areas as underserved areas identified in the State plan. **Pages S1545–53**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m. on Thursday, March 13, 2014. **Page S1596**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency with respect to Iran that was declared in Executive Order 12957 on March 15, 1995; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–35) **Page S1581**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 98 yeas (Vote No. EX. 67), Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit. **Pages S1537, S1596**

By a unanimous vote of 98 yeas (Vote No. EX. 68), Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan. **Pages S1537, S1596**

By a unanimous vote of 97 yeas (Vote No. EX. 69), Judith Ellen Levy, of Michigan, to be United States District Judge for the Eastern District of Michigan. **Pages S1537–38, S1596**

By a unanimous vote of 98 yeas (Vote No. EX. 70), Laurie J. Michelson, of Michigan, to be United States District Judge for the Eastern District of Michigan. **Pages S1538, S1596**

By 60 yeas 37 nays (Vote No. EX. 71), Linda Vivienne Parker, of Michigan, to be United States District Judge for the Eastern District of Michigan. **Pages S1538, S1596**

Sarah Bloom Raskin, of Maryland, to be Deputy Secretary of the Treasury. **Pages S1538–39, S1596**

Heather L. MacDougall, of Florida, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2017. **Pages S1569, S1596**

France A. Cordova, of New Mexico, to be Director of the National Science Foundation for a term of six years. **Pages S1569, S1596**

James H. Shelton III, of the District of Columbia, to be Deputy Secretary of Education. **Pages S1569, S1596**

Bruce Heyman, of Illinois, to be Ambassador to Canada. **Pages S1569, S1596**

Messages from the House: **Page S1581**

Measures Referred: **Page S1581**

Measures Placed on the Calendar: **Pages S1531, S1581**

Measures Read the First Time: **Pages S1581, S1595**

Executive Communications: **Pages S1581–83**

Petitions and Memorials: **Pages S1583–84**

Additional Cosponsors: **Pages S1584–86**

Statements on Introduced Bills/Resolutions: **Pages S1586–87**

Additional Statements: **Page S1580**

Amendments Submitted: **Pages S1587–94**

Authorities for Committees to Meet: **Pages S1594–95**

Privileges of the Floor: **Page S1595**

Record Votes: Eight record votes were taken today. (Total—74) **Pages S1537–38, S1556–57, S1569**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:43 p.m., until 9:30 a.m. on Thursday, March 13, 2014. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1596.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2015 for the Department of Homeland Security, after receiving testimony from Jeh Johnson, Secretary of Homeland Security.

AFGHANISTAN

Committee on Armed Services: Committee concluded a hearing to examine the situation in Afghanistan, after receiving testimony from General Joseph F. Dunford, Jr., USMC, Commander, International Security Assistance Force, Department of Defense.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine military space programs in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program, after receiving testimony from Douglas L. Loverro, Deputy Assistant Secretary for Space Policy, John A. Zangardi, Deputy Assistant Secretary of the Navy for Command, Control, Communications, Computers, Intelligence, Information Operations, and Space, General William L. Shelton, USAF, Commander, Air Force Space Command, and Lieutenant General David L. Mann, USA, Commander, Army Space and Missile Defense Command/Army Forces Strategic Command, and Joint Functional Component Command for Integrated Missile Defense, all of the Department of Defense; and Cristina T. Chaplain, Director, Acquisition and

Sourcing Management, Government Accountability Office.

SUPERSTORM SANDY RECOVERY

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine Superstorm Sandy recovery, focusing on ensuring strong coordination among Federal, state, and local stakeholders, after receiving testimony from Shaun Donovan, Secretary of Housing and Urban Development; Mayor Matthew J. Doherty, Belmar, New Jersey; Adam Gordon, Fair Share Housing Center, Haddon Township, New Jersey; and Janice Fine, Rutgers School of Management and Labor Relations, Princeton, New Jersey.

U.S. RETIREMENT SECURITY

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy concluded a hearing to examine the state of United States retirement security, focusing on the middle class, after receiving testimony from Ted Wheeler, Oregon State Treasurer, Portland; Monique Morrissey, Economic Policy Institute, Washington, D.C.; Robert Hiltonsmith, Demos, New York, New York; and Kristi Mitchem, State Street Global Advisors, Woodside, California.

BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request and revenue proposals for fiscal year 2015, after receiving testimony from Jacob J. Lew, Secretary of the Treasury.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported an original bill entitled, "Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014".

CREATING A 21ST CENTURY GOVERNMENT

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine management, focusing on creating a 21st century government, and views on the progress and plans for addressing government-wide management challenges, after receiving testimony from Beth Cobert, Deputy Director for Management, Office of Management and Budget; Daniel M. Tangherlini, Administrator, General Services Administration; and Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office.

MINIMUM WAGE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine how a fair minimum wage will help working families succeed, after receiving testimony from Thomas E. Perez, Secretary of Labor; Douglas W. Elmendorf, Director, Congressional Budget Office; Heather Boushey, Washington Center for Equitable Growth, and Simone Campbell, NETWORK, both of Washington, D.C.; and Alicia McCrary, Northwood, Iowa.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Cheryl Ann Krause, of New Jersey, to be United States Circuit Judge for the Third Circuit, who was introduced by Senators Casey and Toomey, Richard Franklin Boulware II, to be United States District Judge for the District of Nevada, who was introduced by Senators Reid and Heller, Salvador Mendoza, Jr., to be United States District Judge for the Eastern District of Washington, who was introduced by Senator Murray, Staci Michelle Yandle, to be United States District Judge for the Southern District of Illinois, who was introduced by Senator Durbin, and Leon Rodriguez, of Maryland, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security, after the nominees testified and answered questions in their own behalf.

ELECTION ADMINISTRATION

Committee on Rules and Administration: Committee concluded a hearing to examine election administration, focusing on innovation, administrative improvements and cost savings, including S. 2017, to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote, and S. 85, to provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration, after receiving testimony from Senators Boxer and Coons; Linda H. Lamone, Maryland State Administrator of Elections, Annapolis; Tammy Patrick, Maricopa County Elections Department Federal Compliance Officer, Phoenix, Arizona; and Cameron P. Quinn, Fairfax County General Registrar, Fairfax, Virginia.

VETERANS' PROGRAMS BUDGET

Committee on Veterans' Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2015 for Veterans' Programs, after receiving testimony from Eric K. Shinseki, Secretary, Robert A. Petzel, Under Secretary for Health, Allison A. Hickey, Under Secretary for Benefits, Steve L. Muro, Under Secretary for Memorial Affairs, Stephen W. Warren, Executive in Charge for Information and Technology, and Helen Tierny, Executive in Charge for the Office of Management, and Acting Chief Financial Officer, all of the Department of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 4208–4223; 1 private bill, H.R. 4224; and 2 resolutions, H. Res. 514 and 516, were introduced. **Pages H2360–61**

Additional Cosponsors: **Pages H2361–62**

Report Filed: A report was filed today as follows:

H. Res. 515, providing for consideration of the bill (H.R. 3189) to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture; providing for consideration of the bill (H.R. 4015) to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and improve Medicare payments for physicians and other professionals, and for other purposes; and providing for proceedings during the period from March 17, 2014, through March 21, 2014 (H. Rept. 113–379). **Page H2360**

Speaker: Read a letter from the Speaker wherein he appointed Representative Ros-Lehtinen to act as Speaker pro tempore for today. **Page H2305**

Recess: The House recessed at 10:30 a.m. and reconvened at 12 noon. **Page H2308**

Chaplain: The prayer was offered by the guest chaplain, Reverend Jason Parks, Refuge Church, Huntsville, Alabama. **Page H2308**

ENFORCE the Law Act of 2014: The House passed H.R. 4138, to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, by a recorded vote of 233 ayes to 181 noes, Roll No. 124. **Pages H2319–40**

Rejected the Ruiz 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 recorded vote of 187 ayes to 228 noes, Roll No. 123. **Pages H2338–39**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–43 shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H2329**

Agreed to:

Cicilline amendment (No. 4 printed in part A of H. Rept. 113–378) that provides for transparent accounting of the costs of litigation, by requiring the Comptroller General of the United States to issue quarterly reports to the House and Senate Judiciary Committees on the costs of civil actions, including any attorney fees, brought pursuant to this Act. **Pages H2334–35**

Rejected:

Conyers amendment (No. 1 printed in part A of H. Rept. 113–378) that sought to exclude from the bill's scope any executive actions taken to combat discrimination or to protect civil rights (by a recorded vote of 188 ayes to 227 noes, Roll No. 120); **Pages H2330–31, H2335–36**

Nadler amendment (No. 2 printed in part A of H. Rept. 113–378) that sought to clarify that nothing in the act limits or otherwise affects the constitutional authority of the executive branch to exercise prosecutorial discretion (by a recorded vote of 190 ayes 225 noes, Roll No. 121); and **Pages H2331–32, H2336–37**

Jackson Lee amendment (No. 3 printed in part A of H. Rept. 113–378) that sought to protect the ability of the Executive Branch to comply with judicial decisions interpreting the Constitution or Federal laws (by a recorded vote of 185 ayes to 231 noes, Roll No. 122). **Pages H2332–34, H2337**

H. Res. 511, the rule providing for consideration of the bills (H.R. 4138) and (H.R. 3973), was agreed to by a recorded vote of 229 ayes to 192 noes, Roll No. 119, after the previous question was ordered by a yea-and-nay vote of 227 yeas to 190 nays, Roll No. 118. **Pages H2311–19**

Faithful Execution of the Law Act of 2014: The House began consideration of H.R. 3973, to amend

section 530D of title 28, United States Code. Consideration is expected to resume tomorrow, March 13th. **Pages H2340–48**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–42 shall be considered as adopted. **Page H2340**

Pending:

Ellison amendment (No. 1 printed in part B of H. Rept. 113–378) that seeks to waive reporting requirements provided in the bill if sufficient funds are not available to generate the increased volume of reports. **Pages H2347–48**

H. Res. 511, the rule providing for consideration of the bills (H.R. 4138) and (H.R. 3973), was agreed to by a recorded vote of 229 ayes to 192 noes, Roll No. 119, after the previous question was ordered by a yea-and-nay vote of 227 yeas to 190 nays, Roll No. 118. **Pages H2311–19**

Discharge Petition: Representative Schneider presented to the clerk a motion to discharge the Committee on Rules from the consideration of H. Res. 490, to provide for the consideration of the bill (H.R. 3546) to provide for the extension of certain unemployment benefits, and for other purposes (Discharge Petition No. 8).

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to Iran is to continue in effect beyond March 15, 2014—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–97). **Page H2348**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2319.

Senate Referral: S. J. Res. 32 was referred to the Committee on House Administration. **Page H2359**

Quorum Calls—Votes: One yea-and-nay vote and six recorded votes developed during the proceedings of today and appear on pages H2318, H2319, H2335–36, H2336–37, H2337, H2338–39, and H2339–40. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:13 p.m.

Committee Meetings

APPROPRIATIONS—UNITED STATES COAST GUARD FY 2015 BUDGET

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on United States Coast Guard FY 2015 Budget. Testimony was heard from Admiral Robert J. Papp, Jr., Commandant, United States Coast Guard.

APPROPRIATIONS—DEPARTMENT OF STATE FY 2015 BUDGET

Committee on Appropriations: Subcommittee on State and Foreign Operations, and Related Programs held a hearing on Department of State FY 2015 Budget. Testimony was heard from John Kerry, Secretary, Department of State.

APPROPRIATIONS—INSTALLATIONS, ENVIRONMENT, ENERGY AND BRAC BUDGET AND OVERSIGHT FY 2015 BUDGET

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs and Related Agencies held a hearing on Installations, Environment, Energy and BRAC Budget and Oversight FY 2015 Budget. Testimony was heard from John Conger, Acting Deputy Under Secretary, Defense for Installations and Environment; Dennis V. McGinn, Assistant Secretary, Navy, Energy Installations and Environment; Katherine Hammack, Assistant Secretary, Army, Installations, Energy and Environment; and Kathleen I. Ferguson, Acting Principal Deputy Assistant Secretary, performing duties as Assistant Secretary, Air Force for Installations, Environment, and Logistics.

APPROPRIATIONS—DEPARTMENT OF TRANSPORTATION FY 2015 BUDGET

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development held a hearing on Department of Transportation FY 2015 Budget. Testimony was heard from Anthony Foxx, Secretary, Department of Transportation.

FISCAL YEAR 2015 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DEPARTMENT OF THE NAVY

Committee on Armed Services: Full Committee held a hearing on Fiscal Year 2015 National Defense Authorization Budget Request from the Department of the Navy. Testimony was heard from General James F. Amos, USMC; Admiral Jonathan W. Greenert, USN, Chief of Naval Operations; and Ray Mabus, Secretary of the Navy.

INDEPENDENT ASSESSMENTS OF THE FISCAL YEAR 2015 BUDGET REQUEST FOR SEAPOWER AND PROJECTION FORCES

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing on Independent Assessments of the Fiscal Year 2015 Budget Request for Seapower and Projection Forces. Testimony was heard from public witnesses.

INFORMATION TECHNOLOGY AND CYBER OPERATIONS: MODERNIZATION AND POLICY ISSUES IN A CHANGING NATIONAL SECURITY ENVIRONMENT

Committee on Armed Services: Subcommittee on Intelligence, Emerging Threats and Capabilities held a hearing entitled ''Information Technology and Cyber Operations: Modernization and Policy Issues in a Changing National Security Environment''. Testimony was heard from General Keith Alexander, Commander, United States Cyber Command; and Teresa Takai, Chief Information Officer, Department of Defense.

RAISING THE BAR: THE ROLE OF CHARTER SCHOOLS IN K–12 EDUCATION

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Raising the Bar: The Role of Charter Schools in K–12 Education''. Testimony was heard from David Linzey, Executive Director, Clayton Valley Charter High School; Alyssa Whitehead-Bust, Chief of Innovation and Reform, Denver Public Schools; and public witnesses.

EXAMINING THE MISMANAGEMENT OF THE STUDENT LOAN REHABILITATION PROCESS

Committee on Education and the Workforce: Subcommittee on Higher Education and Workforce Training held a hearing entitled ''Examining the Mismanagement of the Student Loan Rehabilitation Process''. Testimony was heard from public witnesses.

CHEMICALS IN COMMERCE ACT

Committee On Energy and Commerce: Subcommittee on Environment and the Economy held a hearing entitled ''Chemicals in Commerce Act''. Testimony was heard from public witnesses.

REAUTHORIZATION OF THE SATELLITE TELEVISION EXTENSION AND LOCALISM ACT

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled ''Reauthorization of the Satellite Television Extension and Localism Act''. Testimony was heard from public witnesses.

FEDERAL RESERVE OVERSIGHT: EXAMINING THE CENTRAL BANK'S ROLE IN CREDIT ALLOCATION

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled ''Federal Reserve Oversight: Examining the Central Bank's Role in Credit Allocation''. Testimony was heard from public witnesses.

ARIZONA BORDER SURVEILLANCE TECHNOLOGY PLAN AND ITS IMPACT ON BORDER SECURITY

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled ''The Arizona Border Surveillance Technology Plan and its Impact on Border Security''. Testimony was heard from Mark Borkowski, Assistant Commissioner, Office of Technology Innovation and Acquisition, Customs and Border Protection, Department of Homeland Security; and Rebecca Gambler, Director, Homeland Security and Justice Issues, Government Accountability Office.

EXPLORING ALTERNATIVE SOLUTIONS ON THE INTERNET SALES TAX ISSUE

Committee on the Judiciary: Full Committee held a hearing entitled ''Exploring Alternative Solutions on the Internet Sales Tax Issue''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on the following legislation: H.R. 4174, the ''Alaska Bypass Modernization Act of 2014''; H.R. 3635, the ''Safe and Secure Federal Websites Act of 2013''; H.R. 4193, the ''Smart Savings Act''; H.R. 4192, to amend the 1910 Heights of Buildings Act; H.R. 4185, the ''District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2014''; H.R. 4197, the ''All Circuit Review Extension Act''; H.R. 4194, the ''Government Reports Elimination Act''; H.R. 4195, the ''Federal Register Modernization Act''; H.R. 1036, to designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the ''National Park Ranger Margaret Anderson Post Office''; H.R. 1228, to designate the facility of the United States Postal Service located at 300 Packerland Drive in Green Bay, Wisconsin, as the ''Corporal Justin D. Ross Post Office Building''; H.R. 1376, to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the ''Judge Shirley A. Tolentino Post Office Building''; H.R. 1391, to designate the facility of the United States Postal Service located at 25 South Oak Street in London, Ohio, as the ''Lance Corporal Joshua B. McDaniels and Veterans Memorial Post Office Building''; H.R. 1451, to designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the ''Staff Sergeant Nicholas J. Reid Post Office Building''; H.R. 1458, to designate the facility of the United States Postal Service located at 1 Walter Hammond Place

in Waldwick, New Jersey, as the ''Staff Sergeant Joseph D'Augustine Post Office Building''; H.R. 1813, to redesignate the facility of the United States Postal Service located at 162 Northeast Avenue in Tallmadge, Ohio, as the ''Lance Corporal Daniel Nathan Deyarmin Post Office Building''; H.R. 2062, to designate the facility of the United States Postal Service located at 275 Front Street in Marietta, Ohio, as the ''Lance Corporal Joshua C. Taylor Memorial Post Office Building''; H.R. 2391, to designate the facility of the United States Postal Service located at 5323 Highway N in Cottleville, Missouri as the ''Lance Corporal Phillip Vinnedge Post Office''; H.R. 3060, to designate the facility of the United States Postal Service located at 232 Southwest Johnson Avenue in Burleson, Texas, as the ''Sergeant William Moody Post Office Building''; H.R. 3472, to designate the facility of the United States Postal Service located at 13127 Broadway Street in Alden, New York, as the ''Sergeant Brett E. Gornewicz Memorial Post Office''; H.R. 3609, to designate the facility of the United States Postal Service located at 3260 Broad Street in Port Henry, New York, as the ''Dain Taylor Venne Post Office Building''; H.R. 3765, to designate the facility of the United States Postal Service located at 198 Baker Street in Corning, New York, as the ''Specialist Ryan P. Jayne Post Office Building''; H.R. 4189, to designate the facilities of the United States Postal Service located at 4000 Leap Road, Hilliard, Ohio as the as the ''Master Sergeant Shawn T. Hannon and Master Sergeant Jeffery J. Rieck and Veterans Memorial Post Office''. The following bills were ordered reported, as amended: H.R. 3635 and H.R. 1228. The following bills were ordered reported, without amendment: H.R. 4193; H.R. 4197; H.R. 4195; H.R. 4174; H.R. 4192; H.R. 4185; H.R. 4194; H.R. 1391; H.R. 1451; H.R. 1458; H.R. 1813; H.R. 2062; H.R. 2391; H.R. 3060; H.R. 3472; H.R. 3609; H.R. 3765; H.R. 4189; H.R. 1036; and H.R. 1376.

WATER RIGHTS PROTECTION ACT; AND THE SGR REPEAL AND MEDICARE PROVIDER PAYMENT MODERNIZATION ACT OF 2014

Committee on Rules: Full Committee held a hearing on H.R. 3189, the ''Water Rights Protection Act''; and H.R. 4015, the ''SGR Repeal and Medicare Provider Payment Modernization Act of 2014''. The Committee granted, by record vote of 8–3, a structured rule for H.R. 3189. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in part A of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part A of the report. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides a closed rule for H.R. 4015. The rule provides one hour of debate equally divided among and controlled by the chairs and ranking minority members of the Committee on Energy and Commerce and the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in part B of the Rules Committee report shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. In section 3, the rule provides that on any legislative day during the period from March 17, 2014, through March 21, 2014: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. In section 4, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3. Testimony was heard from Chairman Hastings (WA) and Representatives Tipton, Napolitano, Polis, Burgess, and Gene Green (TX).

SCIENCE OF CAPTURE AND STORAGE: UNDERSTANDING EPA'S CARBON RULES

Committee on Science, Space, and Technology: Subcommittee on Environment; and Subcommittee on Energy held a joint subcommittee hearing entitled ''Science of Capture and Storage: Understanding EPA's Carbon Rules''. Testimony was heard from public witnesses.

RISE OF 3D PRINTING: OPPORTUNITIES FOR ENTREPRENEUR

Committee on Small Business: Full Committee held a hearing entitled ''The Rise of 3D Printing: Opportunities for Entrepreneur''. Testimony was heard from public witnesses.

IMPLEMENTATION OF MAP–21 AND FISCAL YEAR 2015 BUDGET REQUEST FOR SURFACE TRANSPORTATION

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing entitled ''Oversight of the U.S. Department of Transportation's Implementation of MAP–21 and Fiscal Year 2015 Budget Request for Surface Transportation''. Testimony was heard from Peter M. Rogoff, Acting Under Secretary for Policy, Office of the Secretary, Department of Transportation; Greg Nadeau, Acting Administrator, Federal Highway Administration; Therese McMillan, Acting Administrator, Federal Transit Administration; Anne S. Ferro, Administrator, Federal Motor Carrier Safety Administration; and David Friedman, Acting Administrator, National Highway Traffic Safety Administration.

PRESIDENT'S FISCAL YEAR 2015 BUDGET PROPOSAL—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Ways and Means: Full Committee held a hearing on the President's Fiscal Year 2015 Budget Proposal with Department of Health and Human Services Secretary Kathleen Sebelius. Testimony was heard from Kathleen Sebelius, Secretary, Department of Health and Human Services.

Joint Meetings

LEGISLATIVE PRESENTATIONS

Committee on Veterans' Affairs: Senate committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Air Force Sergeants Association, American Ex-Prisoners of War, Fleet Reserve Association, Gold Star Wives, Iraq and Afghanistan Veterans of America, Non Commissioned Officers Association, Paralyzed Veterans of America, and Wounded Warrior Project, after receiving testimony from John R. McCauslin, Air Force Sergeants Association, San Antonio, Texas; Charles Susino, Jr., American Ex-Prisoners of War, Metuchen, New Jersey; Virgil P. Courneya, Fleet Reserve Association, Carson City, Nevada; Jamie H. Tomek, Gold Star Wives of America, Inc., Bowling Green, Missouri; Paul Rieckhoff, Iraq and Afghanistan Veterans of America, New York, New York; H. Gene Overstreet, Non Commissioned Officers Association, Seguin, Texas; Bill Lawson, Paralyzed Veterans of America, Woodward, Oklahoma; and Anthony K. Odierno, Wounded Warrior Project, Greenwich, Connecticut.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 13, 2014

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, to hold hearings to examine an overview of proposed budget estimates for fiscal year 2015 for the Department of Transportation, 10 a.m., SD–138.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2015 for the Department of State and Foreign Operations, 10:30 a.m., SH–216.

Committee on Armed Services: to hold hearings to examine United States Northern Command and United States Southern Command in review of the Defense Authorization Request for fiscal year 2015 and the Future Years Defense Program, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nominations of Stanley Fischer, of New York, Jerome H. Powell, of Maryland, and Lael Brainard, of the District of Columbia, all to be a Member of the Board of Governors of the Federal Reserve System, Gustavo Velasquez Aguilar, of the District of Columbia, to be Assistant Secretary of Housing and Urban Development, and J. Mark McWatters, of Texas, to be a Member of the National Credit Union Administration, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine the United States aviation industry and jobs, focusing on keeping American manufacturing competitive, 11 a.m., SR–253.

Committee on Finance: to hold hearings to examine innovative ideas to strengthen and expand the middle class, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine Keystone XL and the National Interest Determination, 11:15 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the Food and Drug Administration's initiatives and priorities, focusing on protecting the public health, 9:30 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nomination of L. Reginald Brothers, Jr., of Massachusetts, to be Under Secretary of Homeland Security for Science and Technology, 9:55 a.m., SD–342.

Full Committee, to hold hearings to examine the President's proposed budget request for fiscal year 2015 for the Department of Homeland Security, 10 a.m., SD–342.

Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia, to hold hearings to examine the President's proposed budget

request for fiscal year 2015 for the Federal Emergency Management Agency, 2:30 p.m., SD–342.

Committee on Indian Affairs: to hold an oversight hearing to examine tribal transportation, focusing on pathways to infrastructure and economic development in Indian country, 10 a.m., SD–628.

Committee on the Judiciary: business meeting to consider the nominations of Gregg Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit, Tanya S. Chutkan, to be United States District Judge for the District of Columbia, M. Hannah Lauck, to be United States District Judge for the Eastern District of Virginia, Leo T. Sorokin, to be United States District Judge for the District of Massachusetts, and John Charles Cruden, of Virginia, to be an Assistant Attorney General, Department of Justice, 9:30 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

House

Committee on Agriculture, Full Committee, markup to consider Budget Views and Estimates Letter of the Committee on Agriculture for the agencies and programs under jurisdiction of the Committee for FY 2015; H.R. 935, the ''Reducing Regulatory Burdens Act of 2013''; and H. Con. Res. 86, Celebrating the 100th anniversary of the enactment of the Smith-Lever Act, which established the nationwide Cooperative Extension Service, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Defense, hearing on Department of Defense FY 2015 Budget, 10 a.m., 2359 Rayburn.

Subcommittee on Homeland Security, hearing on U.S. Immigration and Customs Enforcement FY 2015 Budget, 10 a.m., 2362–A Rayburn.

Subcommittee on Labor, Health and Human Services, and Education and related Agencies, hearing on Department of Health and Human Services FY 2015 Budget, 10 a.m., 2358–C Rayburn.

Subcommittee on Transportation, Housing and Urban Development, hearing on Department of Housing and Urban Development FY 2015 Budget, 2 p.m., 2358–A Rayburn.

Committee on Armed Services, Full Committee, hearing entitled ''Recent Developments in Afghanistan'', 10 a.m., 2118 Rayburn.

Subcommittee on Intelligence, Emerging Threats and Capabilities, hearing on The Fiscal Year 2015 National Defense Authorization Budget Request from the U.S. Special Operations Command and the Posture of U.S. Special Operations Forces, 2 p.m., 2212 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing on H.R. 3633, the ''Protecting Health Care Providers from Increased Administrative Burdens Act'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Keeping the Promise: Allowing Seniors to Keep Their Medicare Advantage Plans If They Like Them'', 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Improving Sports Safety: A Multifaceted Approach'', 10:15 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, markup on the following legislation: H.R. 3623, the ''Improving Access to Capital for Emerging Growth Companies Act''; H.R. 4164, the ''Small Company Disclosure Simplification Act''; H.R. 4167, the ''Restoring Proven Financing for American Employers Act''; H.R. 2672, the ''CFPB Rural Designation Petition and Correction Act''; H.R. 3584, the ''Capital Access for Small Community Financial Institutions Act of 2013''; and Committee Views and Estimates on the President's FY 2015 Budget Submission, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Advancing U.S. Interests Abroad: The FY 2015 Foreign Affairs Budget'', 1:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, hearing entitled ''The President's FY 2015 Budget Request for the Department of Homeland Security'', 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Courts, Intellectual Property and the Internet, hearing on Section 512 of Title 17, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, markup on the following legislation: H.R. 1192, to redesignate Mammoth Peak in Yosemite National Park as ''Mount Jessie Benton Frémont''; H.R. 1501, the ''Prison Ship Martyrs' Monument Preservation Act; H.R. 3222, the ''Flushing Remonstrance Study Act; H.R. 3366, to provide for the release of the property interests retained by the United States in certain land conveyed in 1954 by the United States, acting through the Director of the Bureau of Land Management, to the State of Oregon for the establishment of the Hermiston Agriculture Research and Extension Center of Oregon State University in Hermiston, Oregon; and H.R. 4032, the ''North Texas Invasive Species Barrier Act of 2014'', 10:30 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on National Security, hearing entitled ''Status of U.S. Foreign Assistance to Afghanistan in Anticipation of the U.S. Troop Withdrawal'', 1:30 p.m., 2154 Rayburn.

Subcommittee on Federal Workforce, U.S. Postal Service, and the Census, hearing entitled ''At a Crossroads: the Postal Service's $100 Billion in Unfunded Liabilities'', 1:30 p.m., 2247 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Research and Technology, markup on H.R. 4186, the ''Frontiers in Innovation, Research, Science, and Technology Act of 2014'', 9 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Economic Growth, Tax and Capital Access, hearing entitled ''Made in the U.S.A.: Small Business and a New Domestic Manufacturing Renaissance'', 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, markup on the following legislation: Fiscal Year 2015 Budget Views and Estimates of the Committee on

Transportation and Infrastructure; H.R. 3678, to redesignate the lock and dam located in Modoc, Illinois, commonly known as the Kaskaskia Lock and Dam, as the ''Jerry F. Costello Lock and Dam'', and for other purposes; H.R. 3786, to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; H.R. 3998, the ''Albuquerque, New Mexico, Federal Land Conveyance Act of 2014''; H. Con. Res. 88, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H. Con. Res. 92, authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition; and General Services Administration Capital Investment and Leasing Program resolutions, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Full Committee, hearing entitled ''U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2015'', 10 a.m., 334 Cannon.

House Permanent Select Committee on Intelligence, Full Committee, hearing entitled ''Ongoing Intelligence Activities; and meeting on Committee views and estimates on the President's Budget for FY 2015; and member access requests, 10 a.m., 304–HVC. Portions of the hearing may close.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the Economic Report of the President 2014, 2:30 p.m., 1100, Longworth Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 13

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 1086, Child Care and Development Block Grant Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 13

House Chamber

Program for Thursday: Complete consideration of H.R. 3973—Faithful Execution of the Law Act of 2014. Consideration of H.R. 3189—Water Rights Protection Act (Subject to a Rule).

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