United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, THURSDAY, MAY 8, 2014 No. 69

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 8, 2014.

I hereby appoint the Honorable KERRY L. BENTIVOLIO 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.

RESEARCH TAX CREDIT

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

Mr. BLUMENAUER. Mr. Speaker, I supported the research tax credit legislation in the Ways and Means Committee, as I have done repeatedly in the past. I intend to do so on the floor as a first step in getting some certainty into a program that has been plagued with uncertainty for as long as I have been in Congress.

The tax credit has been extended 15 times without concern about whether or not it is ''paid for.'' Anyone who has been in Congress for awhile, in essence, has already voted to make it permanent and not pay for it.

Regardless of the budget rules, this is one area of investment that I think probably does pay for itself. It pays for itself in economic activity, scientific breakthroughs, and product development. It advances the interests of not just American companies, but of commerce and our overall economy.

As a country, we are consistently underinvesting in research. There is no substitute for the Federal Government playing the vital role that it has in the past with the development of the semiconductor, the Internet, and the basic role that it has played in dealing with health and medical research.

I don't like how this legislation has been handled. This is an issue that should have been characterized by bipartisanship, by working together to make the research tax credit more effective. We could consider making it refundable to help smaller emerging businesses. We could take a hard look at constructive criticisms that have raised questions about how we could make it work better. That should be our job.

Luckily, this is the start, not the end, of the process. There will be more work that will be done with our friends in the Senate under the leadership of Senator WYDEN and Senator HATCH on the Senate Finance Committee, who have already started down this path.

What is very likely to emerge in the short term will not be a permanent but rather a 1- or 2-year extension. It is progress to get it reenacted and to signal broad support for its permanence and refinement.

All of the controversy surrounding tax reform underscores the fundamental challenge.

The inability of the Republican leadership to embrace the work product of Chairman CAMP is illustrative. He worked diligently and produced a somewhat simplified code with a lowered tax rate and without adding to the deficit, which is essentially what Republican leadership Presidential ticket claimed they wanted.

Yet my Republican friends are unable to accept the necessary reductions in other tax benefits that come with the package. But there is bipartisan reluctance in this regard.

It illustrates that we are, I think, never going to get out of this box until we have another source of revenue. The most promising would be a carbon tax, which would be broadly distributed throughout the economy. It should be revenue-neutral, using the revenue raised to modify the impacts on lower-income citizens and businesses, and using the rest of the proceeds to keep it revenue-neutral could help us simplify the Tax Code. It might be the only way to reform the Tax Code.

Simplification costs money, which an aging and growing country needs to replace. The carbon tax will do that and will have the added benefit of providing greater simplification for energy-sensitive provisions and, by the way, will help us save the planet.

The report released this week by the administration on climate underscores the impact that climate change and global warming is having now. A carbon tax is the best way to exercise our leadership to change that process. I have long supported a revenue-neutral carbon tax, and will continue to do so, as the key to long-term tax reform and environmental protection.

In the meantime, I will continue to support individual tax provisions that are important to my community, that help our economy and protect and enhance the infrastructure. I only hope that we are able to make the transition so that we can do this in a more thoughtful and constructive fashion.

Printed on recycled paper.

PUTTING FISH BEFORE PEOPLE

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

Mr. MCCLINTOCK. Mr. Speaker, California is suffering one of the worse droughts in its history. More than a half-million acres of the most fertile farmland in the Nation have been devastated. Some Central Valley farmers have been notified that they will receive zero water allocations from the Federal system. The owners of long-held water rights are being cut off.

In some communities ''water police'' go from door to door to enforce water restrictions. Homeowners are forbidden to water their lawns, except under the most rigid constraints. Sacramento offers an app so they can turn in their neighbors to the water authorities.

And yet, knowing full well that we are facing a devastating drought and that our dwindling water supply will be desperately needed by our people this summer, over the past several weeks the Bureau of Reclamation has released 70,000 acre-feet of water from dams on the American and Stanislaus Rivers to meet environmental demands that place fish above people.

This is enough water to meet the annual needs of a city of half a million people, all sacrificed in order to flush salmon smolts to the ocean, where they tend to swim anyway, and keep the river at the right temperature for the comfort of the fish.

The releases of this water are so enormous they are called ''pulse flows.'' Citizens are warned to exercise extreme caution on rivers undergoing pulse flows, so swift is the water current they produce as the water rushes toward the ocean.

Four months ago, Folsom Lake on the American River was almost empty. Yet on April 21, the Bureau of Reclamation more than tripled the water releases from Folsom and Nimbus Dams from 500 cubic feet per second to more than 1,500 cubic feet per second for 3 days. That is about 7,000 acre-feet of water.

On April 14, a 16-day pulse flow drained nearly 63,000 acre-feet of water from New Melones and Goodwin Dams on the Stanislaus. The irony is that if we hadn't built these dams, these rivers would be nearly dry in this drought and there wouldn't be any fish.

We cannot demand that our people discriminate and save and stretch and ration every drop of water in their parched homes while at the same time this government treats our remaining water supply so recklessly, so irresponsibly, and so wastefully.

This conduct utterly destroys the credibility of government demands for stringent conservation and sacrifice by our people, and it thoroughly undermines its moral authority to make these demands.

Inflexible laws administered by ideologically driven officials have taken this wastage of water to ridiculous extremes, and it cries out for fundamental reform. The House twice has passed such a reform bill, most recently as H.R. 3964, but the Senate refuses to act on it or to pass its own alternative.

Nevertheless, the administration has the authority to stop these releases through provisions in the Endangered Species Act but has failed to do so.

Mr. Speaker, we use the word ''outrage'' too often on this floor, but in this case it is an understatement. If a homeowner is caught with a 1-gallon puddle on his lawn on the wrong day, he can be fined. But the government thinks nothing of flushing 23 billion of gallons of desperately needed water for the comfort and convenience of the fish.

How much longer will the people tolerate this kind of mismanagement from their government? How much longer will we allow these policies to threaten the health, safety, and prosperity of the human population throughout these drought-afflicted lands?

California's chronic water shortages won't be addressed without additional storage. There are plenty of suitable sites, but current laws have delayed them indefinitely and made them cost-prohibitive.

Until those laws are changed and new dam construction can begin, our State and Federal Government have a responsibility to manage our dwindling water supply as carefully as we ask our citizens to do.

The wildly frivolous and extravagant water releases from our dams last month make a mockery of the extraordinary sacrifices that our citizens are making to stretch supplies in this crisis.

Perhaps, at least, these releases will serve to educate the public on just how unreasonable these environmental laws are—and the policymakers responsible for them.

HONORING NORMAN LUMPKIN

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

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to pay tribute to the life and legacy of veteran newscaster Norman Lumpkin, who passed away on Tuesday, May 6. While we mourn the passing of this pioneer, I am comforted in knowing that his legacy will live on through the barriers he broke for Black journalists in the State of Alabama.

I join with his family, friends, and former colleagues in remembering Norman Lumpkin for his numerous contributions to the industry.

Norman launched his longstanding media career by working for radio stations in Montgomery, Alabama, and Indianapolis, Indiana. However, Norman would rise to prominence when he was hired in 1969 by WSFA in Montgomery, Alabama. He was the station's first Black reporter and also the first Black reporter hired in the Montgomery media market.

Historian Richard Bailey defined Norman's prolific career in 3 words: ''forceful, thorough, and believable.'' Bailey further noted that Norman personified Black broadcasting. He coined the phrase, ''If you don't want to hear it on this station, don't let it happen.'' The phrase represented not only his thirst for truth but his commitment to accurate reporting.

Norman was guided by these principles when he was assigned to cover the reelection bid of then-segregationist Governor George Wallace in 1970. During the race, Norman admitted that fellow reporters would give him misinformation to embarrass him in efforts to discredit his journalistic integrity.

But this passionate advocate for truth was not deterred. In fact, Governor Wallace personally made sure that Norman was kept abreast of new developments and campaign events. Through his extraordinary coverage of Governor Wallace, Norman not only earned credibility but a lasting respect from those in the industry.

His perseverance proved that he was poised to become one of the best investigative journalists in the State of Alabama.

Norman Lumpkin also made history off-camera. He was the first Black president of the Alabama AP Broadcasters Association and was inducted into the National Academy of Television and Arts' prestigious Silver Circle in 2007.

He eventually left WSFA in 1999 and became news director at Montgomery's ABC affiliate before serving as public relations director for the Alabama Highway Department, where he eventually retired.

Today, I honor Norman Lumpkin for serving as an impeccable role model and source of inspiration for generations of Black journalists who now follow in his footsteps. Those that had the pleasure of watching him were indeed inspired by his mere presence. He was to many a perfect illustration of what was possible in his field. As he courageously broke barriers, he gave African Americans a voice in a State that was still struggling for racial equality.

□ 1015

On behalf of a grateful Nation and State, we salute this American hero and Alabama treasure. Saying thanks to Norman Lumpkin somehow seems woefully inadequate, but on behalf of the countless journalists and media professionals that you have inspired, we honor your legacy and your place in Alabama history.

I ask my colleagues to join me in mourning the passing of a great veteran journalist, Norman Lumpkin.

NATIONAL NURSES WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Illinois (Mr. RODNEY DAVIS) for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, many of you may not be aware, but this week is National Nurses Week.

I am honored to be able to stand on the floor of this great institution to talk about the nursing profession, what nurses mean to our health care industry and what nurses mean to each and every one of us when a family member is being treated at a time when we need the most compassion, we need the best care, and a nurse is the one who steps into that room and offers that compassion and offers that care on a daily basis.

I have a special place in my heart for nurses because my wife, Shannon, is a nurse, somebody who not only has served patients in their home, on the hospital floor, at the beginning of life and at the end of life, she has also helped teach the next generation of nurses.

We, in Washington, hear constantly about a nursing shortage in this country; and we, in Washington, need to remember that it is up to us to enact policies and programs that are going to encourage more young people to go into the nursing profession.

I want to honor all nurses this week during National Nurses Week because I want to recognize the hard work that they do and the impact they have, not only to the nursing profession, but to America as a whole.

Whether it is the support nurses provide at major hospitals throughout my congressional district in central and southwestern Illinois or in smaller, critical access hospitals that provide some of the most localized care in places like Staunton, Illinois; Clinton, Illinois; Litchfield; Hillsboro; and even my hometown of Taylorville, they are vital to the success of not only the health care industry they serve, but to the health of the patients that they are trained to care for.

As baby boomers continue to retire, ensuring that we have enough educated nurses should be one of the priorities of this institution that I mentioned earlier. We should continue to support funding for nurse education programs at all of our universities, colleges, and hospitals, so that patients can continue to receive the quality care that they are used to in our health care delivery system.

So happy National Nurses Week, and thank you to my wife Shannon and to the nearly 3 million other registered nurses for all that you do for the health and wellness of our country.

A special thanks to my wife, Shannon. I love you.

FIND THE KIDNAPPED GIRLS AND STOP THE KILLING IN NIGERIA

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

Ms. JACKSON LEE. Mr. Speaker, among other challenges in this world and in this Congress, Nigeria faces a killing machine. In the last 48 hours, again, Boko Haram struck and killed 300 people. This killing has been going on for a minimum of 5 to 10 years.

Yesterday, five Members—five women of the United States Congress held this sign to indicate that we, as mothers, grandmothers, aunts, and those who care about children, all of our colleagues stand united to find the kidnapped girls and to stop the killing in Nigeria.

We stand united to find the vile and evil Abubakar Shekau, the head of the Boko Haram killing contingent. We saw him most recently grabbing attention by standing in front of a tank, holding a gun, and citing the most ludicrous and insulting prospect that one could hear. He held up $12 and indicated that he would sell the kidnapped girls.

Mr. Speaker, that is not all that he is doing. He has been killing and pillaging. He has caused parents to have to, in essence, go after him with sticks and stones.

Yesterday, we spoke not only with the leadership at the Nigerian Embassy, a relationship that the United States prides in terms of the contribution Nigeria has made, but it is no doubt that, in this instance, we want Nigeria to do more and more and more.

We asked, by speaking to the leadership in Nigeria by phone, that President Goodluck Jonathan stand up and indicate Nigeria's commitment to finding these girls and, in essence, bringing this horror terrorist to justice.

At the World Economic Forum, his opening remarks did just that. He spoke about the help that was coming from the United States, the leadership of President Obama and Secretary Kerry, and the other nations that are coming together to be able to find these girls.

Outside of Syria and Afghanistan, in terms of mass killings over the recent years, this stands, clearly, in the eye of the storm.

We ask to have created a victims' fund. We want to be able to ensure that these parents who are, literally, broken and the children that may be found—or the wounded ones—have the opportunity to be made whole.

We believe that it is important to create an elite police or military force, one that is focused to utilize the resources of intelligence and the law enforcement resources that are being sent to Nigeria by the United States. That deployed elite military and/or police force—special ops, if you would—would have the sole purpose of getting those kidnapped girls.

The reason why this is so very important is because Nigeria has porous borders. There is speculation that these girls may be in Cameroon, may be in Chad, may be in Niger, Benin, all places that will make it even more difficult to find these innocent children who simply came to school to be able to take an exam, so that they could do better in life.

How dare we allow this brutal killer to last much longer without being brought to justice?

So that elite force would bring this vile and evil person, who has no intent to do anything more than to continue to ramp up his publicity and the world's attention to his violence, bring him now to justice, move quickly utilizing the resources and focusing.

It is also important that all of the world's institutions declare Boko Haram—the ridiculous group that says: we don't want any western education, and all girls should be married—declared a terrorist organization.

It must be done swiftly, so that all the world's focus will be on this dastardly, devastating, vile leader of this organization and the organization.

We can collaborate with the African Union and the U.N. peacekeepers. Then we want to provide armed protection for all of the schools as they finish out or continue their educational training.

Mr. Speaker, let me say to you these are like the boys and girls that are in the schools of America right now. These are primary education children. These are secondary.

I ask my colleagues to join in the outrage of this ridiculous and horrible situation. I ask that we are finding our girls and capturing this terrorist leader.

PUTTING AMERICA BACK TO WORK

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

Mr. DEFAZIO. Mr. Speaker, later today, the Republicans, in violation of their own rules, are going to push through a permanent extension of research and development tax credits, at a cost of $16 billion a year. That is another $16 billion a year of deficit to be added to the national debt—over the next 10 years, $160 billion.

Now, that is not to say that research and development tax credits don't have tremendous merit. They can do a great deal to encourage American innovation and research, new design, development. They can boost our economy. They can help our international competitiveness.

Sure, they, among many other programs and many other investments, are and can be good for the economy; but they are going to violate, waive their own rules, and say: we are not going to pay for it, we are just going to magically fund it, and don't worry about the new debt and deficit.

Now, the Senate has passed a different version. They have 62 provisions in their bill, which include energy efficiency, saving consumers money, new R&D for solar and wind, alternate fuels, among many, many other things that they put in there, that they think also have merit to help consumers, help boost the American economy.

The Republicans over here say: no, those other 61 are off the table, unless you kill or cut some other program. We can't afford them.

Then there is another issue that also comes to the floor. We had, this week, testimony from the Congressional Budget Office. The highway trust fund goes flat this summer. That means the Federal Government, beginning this summer, will make no new commitments to the States for repairing the 140,000 bridges on the national system that need repair or replacement, repairing or replacing the 40 percent of the national highway system that is in very sad repair, the $60 billion backlog in our transit.

Nope, we can't afford a penny of that. In fact, the Ryan budget says we are going to abandon—abandon—Federal investment in the national transportation system, and we are going to devolve it to the States. The States will fund, pay for, and somehow coordinate a national transportation system because we simply can't afford it.

Well, oddly enough, the shortfall in the trust fund is $16 billion a year. That is the exact cost of the R&D tax credits.

Why can't they wave their magic wand and say, well, hey, a million direct jobs and a couple million more indirect jobs in transportation, not only in construction, but in design, engineering, in manufacturing and research, we don't want to lose those?

We are not talking about maybe keeping or getting a few jobs. We are talking about losing well over a million direct jobs and a couple more million indirect jobs in the area of transportation, but their magic wand doesn't work for transportation.

Now, there could be a lot of cynical reasons for why they are just pushing this one R&D proposal. It probably doesn't have anything to do with campaign contributions or powerful interests that are out there. I am sure it doesn't.

One has got to wonder: Why is transportation—national transportation—old hat and unaffordable, but R&D, somehow wave the magic wand, and we can afford it?

Now, I was conflicted at coming here this morning because, at the same time, one of the greatest advocates that this body has ever had for national transportation, James L. Oberstar, died suddenly the other night.

I thought Jim would—rather than having me go up to his memorial service today, he would rather have me come to the floor and advocate for something he believed in and knew was essential for the future of this country, which is adequate investment in our system, a coordinated national system of transportation and infrastructure, an energy-efficient, 21st century system, and a repair to our 20th century system.

That is what we need. No more of these political shenanigans on the Republican side. Let's get serious about real investments and putting America bact to work.

□ 1030

NATIONAL CHARTER SCHOOLS WEEK

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

Mr. WOODALL. Mr. Speaker, so often folks will use this time in the morning to draw attention to failures or to divisions, but I want to use this time to draw attention to successes.

This is National Charter Schools Week, among other things, Mr. Speaker, and I happen to have two charter schools in my district. I represent only two counties, Mr. Speaker, Gwinnett County and Forsyth County, in the great State of Georgia. Both have outstanding public school systems.

And so often when we start talking about charter schools, Mr. Speaker, we talk about an either/or, as if somehow charter schools and public schools are in competition with one another, but that is not the story that I tell from the great State of Georgia. In fact, Gwinnett County, one of my two counties, won the Broad Prize in 2010 for the absolute finest urban education school district in the Nation. Interestingly, they are now reeligible to win that prize again this year after a 3-year waiting period. They are in the final two. Just amazing stories of young people and their successes. And they come through, among other things, two charter schools in my district.

We have the Gwinnett School of Mathematics, Science, and Technology, GSMST, Mr. Speaker. They don't have a football team. They have a robotics team, and an outstanding robotics team at that. If you want a future in the STEM fields, you can find no better education in the United States of America than the Gwinnett School of Mathematics, Science, and Technology, and it is free if you just happen to live in Gwinnett County. A wonderful story of success through the charter school program. Absolutely any student in the county is eligible. In fact, it takes a lottery to get in, Mr. Speaker, because so many young people, so many families want their children to be able to avail themselves of this charter school program.

The Washington Post called it the 17th most challenging high school in the land. U.S. News & World Report called it the third best high school in the land. I, of course, believe it is the number one best high school in the land, but an amazing testimony of what you can do when you free an institution, when you free the teachers, when you free the students to be the very best they can be.

Now, right next door, Mr. Speaker, to GSMST, the Gwinnett School of Mathematics, Science, and Technology, we have the Maxwell High School of Technology. Now, the Maxwell School aims to take folks, these young people who are trying to find their way in life, and prepare them for a job tomorrow—program after program, Mr. Speaker, whether it is Web design, whether it is welding, architecture, technology field after technology field, not thought of theoretically, Mr. Speaker, but thought of from how can you graduate from high school and begin to provide for yourself and your family. That is not available in the normal public schools, but it is available at the Maxwell High School of Technology. And again, any student in Gwinnett County is welcome to come and be there.

Mr. Speaker, we still live in a land where there is more that unites us than divides us. We still live in a land that brings people together rather than tears people apart, and the charter school debate should be that debate. It should be the debate not that pits public schools against private schools; it should be the debate that brings us together around making sure that every young person in this land, every family in this land who has a dream of what they want to do with their life, that we have the public schools in this land that can help them fulfill that dream.

Mr. Speaker, we are doing that successfully in the Seventh District of Georgia, and I look forward to joining my colleagues in this Chamber to make sure we can do that successfully in every single congressional district in this land.

CELEBRATING THE ACHIEVEMENTS OF JOHN HOUBOLT

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

Mr. FOSTER. Mr. Speaker, I rise today to honor John Houbolt, a native of Joliet, Illinois. He was one of the great unsung heroes of the Apollo program.

Politicians are fond of citing President Kennedy's famous speech made in this room at a joint session of Congress more than 50 years ago to ''commit this Nation, before this decade is out, to landing a man on the Moon and returning him safely to the Earth.'' Politicians like to imagine that anything is possible if the right politician and speechwriter can muster just the right words to stir a country to action, but engineers know differently. If you do not have a workable engineering concept and a set of design parameters that respect both available resource limitations and engineering reality, then no amount of fine words from politicians is going to make any difference. Dr. John Houbolt provided that crucial engineering concept that made the 10-year success of the Apollo program possible.

John Houbolt came from humble beginnings, working 16 hours a day on his family's dairy farm near Joliet, Illinois, where he developed an early interest in aviation, building model airports in his free time. He graduated from Joliet Township High School and Joliet Junior College. He obtained a bachelor's and master's degree from the University of Illinois in civil engineering. He then went on to obtain a

Ph.D. and serve as an engineer at NASA's Langley Research Center. His contributions to the U.S. space race in the 1960s were vital to NASA's successful Moon landing.

He is best known for his advocacy of lunar orbit rendezvous, the crucial mission design decision that proved essential to carry the Apollo crew safely to the Moon and back in 1969. Dr. Houbolt, along with several of his colleagues at Langley, became convinced that this relatively obscure technique was the only feasible way to land on the Moon by the end of the decade.

Initially, NASA rejected Dr. Houbolt's plan for being too complicated and risky, but like the world's greatest innovators, Dr. Houbolt didn't let initial failure stop him. Despite opposition from NASA and from leading rocket scientists at the time, Dr. Houbolt tenaciously advocated for lunar orbit rendezvous.

To convince the decisionmakers at NASA to consider his plan, Dr. Houbolt took the bold step of writing a letter directly to the associate administrator of NASA—at the time a clear breach of protocol. ''Do we want to go to the Moon or not?'' asked Dr. Houbolt. Because of his tenacity, NASA gave his idea another chance and eventually approved it.

Now, John Houbolt won that argument, despite having had all the political winds blowing against him, because he had fundamental engineering reality on his side. It was simply not possible, with the engines and boosters that could plausibly be developed in the 1960s, to launch a payload that would allow a manned rocket to land in its entirety on the Moon, including all of the fuel necessary to return to the Earth. But, as John Houbolt pointed out, if you left the fuel for the return trip in lunar orbit and rendezvoused with the command module after making the lunar landing, then a single Saturn booster, already under design at the Marshall Space Flight Center, could do the job.

NASA Administrator George Low later said of this pivotal moment:

> It is my strongly held opinion that without the lunar rendezvous mode, Apollo would not have succeeded; and without John Houbolt's letter, we might not have chosen the lunar orbit rendezvous mode.

The lunar rendezvous mode has been described by space historians as ''Langley's most important contribution to the Apollo program'' and is widely credited for allowing the United States to accomplish the goal President John F. Kennedy set out in 1961, to land a man on the Moon by the end of the decade.

Dr. Houbolt received numerous awards for his work, including NASA's Medal for Exceptional Scientific Achievement. He was elected to the National Academy of Engineering and was the first recipient of Joliet Junior College's Distinguished Alumni Award.

Additionally, the Joliet Historical Museum is home to a permanent exhibit dedicated to Dr. Houbolt and to his family, titled, ''The Soaring Achievements of John C. Houbolt.'' They have now declared July 20, 2014, the 45th anniversary of the Moon landing, as Houbolt Family Day at the museum. The museum will be open free to the public each July 20 to encourage families to learn about Joliet's local contribution to one of humankind's greatest scientific achievements.

Dr. Houbolt retired after a distinguished career in 1985. He and his family remained noted philanthropists and supporters of the community of Joliet, touching countless individuals with their generosity.

Dr. Houbolt passed away on April 15, 2014, at the age of 95. His life is an example of the impact that a determined, intelligent, and passionate individual can have. I rise today to remember Dr. Houbolt for his outstanding contributions to American science and engineering.

In a society where we seem to celebrate mainly the accomplishments of our heroes in sports and entertainment, as well as those who ride our rockets off into space, it is important also to celebrate the heroes of science and engineering who make the modern world possible.

CHICAGO'S GUN VIOLENCE

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

Ms. KELLY of Illinois. Mr. Speaker, April was a particularly violent month in the city of Chicago. Thirty-two people were shot and killed in the city, 19 of them under the age of 25.

You have heard me talk before about the epidemic of gun violence, about how urban violence in cities like Chicago is robbing us of a generation. But nothing illustrates how our gun violence permeates everyday life in Chicago more than the stories of the deaths of those 19 young people.

They, like scores of teens and young adults across the city, were stalked by gun violence. It followed them home from school, creeping up on their porches or tapping on their car windows; and, in an instant, an everyday activity became an unspeakable tragedy.

Jordan Harris, 24, was shot during a house party.

Michael Flournoy, 17, was shot in front of a neighborhood church.

Adrian Soto, 17, shot on a sidewalk.

Gakirah Barnes, 17, shot in the street.

Andres Cervantes, 22, shot while sitting in a car.

Joshua Martinez, 20, shot on a front porch.

Keno Glass, 16, shot in a drive-by shooting while on spring break.

Trevolus Pickett, 20, shot in a gangway.

Nicholas Ramirez, 19, chased and shot while he was driving.

Anthony Bankhead, 18, and Jordan Means, 16, shot in an apartment during an argument.

Timmy Bermudez, 19, shot while driving in an ambush on Easter Sunday.

Quinton Jackson, 22, shot in a building hallway.

Darius Kelly, 22, shot in a drive-by.

Demario Collins, 19, shot while sitting in a car.

Martavarian Emery, 21, shot from outside while standing in a kitchen.

Jaquez Williams, 17, shot on a sidewalk.

Cindy Bahena, 21, shot while riding in the backseat of a car.

And then there is Endia Martin, a 14-year-old girl who was shot and killed last week by another 14-year-old girl in a dispute over a boy.

Endia, a high school freshman and an honor student, and the 14-year-old suspect, an honor student, friends since elementary school, had been feuding on Facebook. After school last week, the teen suspect confronted Endia with a gun. That gun, a .38 caliber revolver, went from a local gun shop popular with straw purchasers to a man who resold the gun illegally and falsely reported it as stolen. From there, it made its way to a 25-year-old man who gave the gun to his niece, the 14-year-old suspect.

The girl, standing in a crowd of onlookers and instigators, drew the gun from her waistband and pulled the trigger. The gun actually malfunctioned. She handed it to someone in the crowd who fixed it and handed it back to her before she fired again, hitting Endia in the back and another teen in the arm.

This shooting painfully underscores the need for commonsense gun reforms, like cracking down on straw purchasers and better tracking gun sales to curtail illegal trafficking. There were many opportunities along the journey of that .38 caliber revolver to save Endia's life.

The shooting also spotlights the need for better social supports, greater accountability within our families and communities, and increased responsibility for the welfare of our children.

Losing a bright light like Endia is a tragedy, but so is the baby-faced accused killer sitting in juvenile lockup right now, the product of a community of accomplices who encouraged one child to kill another. As a society, we failed both girls. We have failed to provide Endia with a safe community she deserved, and we failed to teach her killer to value her own life, much less anyone else's.

Preventing senseless killings like this requires a combination of legislative initiatives and community action. We in Congress must do our part to stop the bloodshed by passing commonsense gun legislation. We must also do more to support programs on the ground that provide our young people with alternatives to violence. It is a moral imperative we can no longer ignore.

Before I go, I would like to pay tribute to Leonore Draper, a beloved and dedicated gun violence prevention advocate in Chicago who herself was

killed last week in a possible drive-by shooting. Leonore was headed home from an antiviolence charity fundraiser she helped organize when she was shot and killed. What a horrible irony.

Leonore devoted her life to ending the violence on Chicago's streets. Her killing rattled the city and her fellow antiviolence advocates who are determined to continue to work to stop the shootings that claimed her and young Endia. Both Leonore and Endia were buried on Monday. Please do not let their deaths be in vain.

To my colleagues, it is past time that we took action.

COMMEMORATING GROUNDBREAKING FOR APSAALOOKE WARRIORS APARTMENT COMPLEX

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

Mr. DAINES. Mr. Speaker, today the Crow tribe will break ground on the Apsaalooke Warriors Apartment Complex, a 15-room complex that will serve the homeless veterans of the Crow Reservation.

The Crow Reservation is home to more than 400 veterans, and far too many are without a home to call their own. Unfortunately, this struggle goes largely unseen. As Crow Vice Chairman Dana Wilson has said:

> Homelessness is invisible because the Crow always take care of each other. It is not uncommon to see 10 to 20 people living in a home.

I am grateful to see the Crow Tribe's commitment to addressing this problem and giving our warriors a home of their own.

I also want to thank Vice Secretary Shawn Backbone, Vice Chairman Dana Wilson, Secretary AJ Not Afraid, and the director of Crow Veterans Affairs, Paul Little Light, for their efforts to make this project a reality and to serve Crow veterans. Your work is deeply appreciated.

□ 1045

STUDENT LOAN REFINANCING

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

Mr. TIERNEY. Mr. Speaker, I rise in support of legislation that I filed in the House this week and Senator ELIZABETH WARREN filed in the Senate. It would enable tens of millions of students, parents, and families to responsibly refinance their student loans.

More and more, constituents are calling, they are emailing, and even approaching me on the street to share their stories of how they are buried in student loan debt. This debt is not only causing them to put on hold life decisions, such as moving out of their parents' house or buying a car or purchasing a home and getting married, but it is also leading some to question whether or not they should even enroll in college or to consider dropping out because of the pure shock factor of these looming college loans.

A young woman from Boxford, Massachusetts, wrote recently. She said to me:

> I pay more than the minimum balance every month. I sacrifice daily for my loans. I live at home and have a 50-minute commute to work every day because I cannot afford to live on my own or even with roommates. I cannot have the dreams that I have dreamed all my life. I am 23, and I am already telling myself that I can't own a house, that I will probably never have children because I can't afford to bring them into the world and take care of them when I can't even afford to live myself. That is what I live with every day, the anger, the depression, and the disbelief that I am forever stuck.

Parents are calling and writing me about the anxiety and concern they have about the debt their sons and daughters have accumulated. Some parents have even delayed their retirement or made early withdrawals from their 401(k) just to help their children's student debt problem.

A mother from Middleton, Massachusetts, wrote to me and said:

> I have two children with multiple student loans. It is difficult enough to graduate, find a job in the field they desire and to pay loans, rent, and bills, et cetera. Please do all that you can to make sure rates are not increased. My children may never afford to buy a house and live the American Dream because of college student loan debt.

Mr. Speaker, these are just two examples in my district. There are millions of others just like them throughout this country.

Outstanding student loans now total more than $1.2 trillion, surpassing total credit card debt. An estimated 71 percent of college seniors had debt in 2012, with an average outstanding debt of $29,400 for those who borrowed to get a bachelor's degree.

Last year, Congress sought to address the issue of student loan rates, but I and several others believed that final bill didn't go far enough. One of the deficiencies was that it only applied to new student debt. It did nothing for the nearly 40 million Americans with existing student debts.

Our bill simply rights this wrong and simply gives students the opportunity to refinance their loan debt at the same low rate being offered to new borrowers in the student loan program. Homeowners and businesses are often able to refinance their debts. Shouldn't student borrowers be able to do the same? We certainly think so.

Our legislation is also deficit-neutral and paid for by implementing the so-called Buffett rule, which holds millionaires and billionaires accountable to pay their fair share in taxes.

Student loan debt is a crisis all throughout our country. It is making a generation of Americans feel like they are ''forever stuck,'' in the words of my constituent.

But if the moral imperative isn't enough to act, we should be mindful of the benefits to the economy as a whole for allowing students to refinance their loans. The nonpartisan Congressional Research Service produced an analysis of our bill indicating that certain borrowers could save thousands of dollars. This is a savings that no doubt would be invested back into the economy.

Last year, the Center for American Progress estimated that the refinancing of just Federal student loans would have pumped $21 billion into the economy.

Mr. Speaker, our bill will benefit millions of students and their families, and it will boost our economy. It deserves the immediate action of this House.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

> H.R. 3627. An act to require the Attorney Gerneral to report on State law penalties for certain child abusers, and for other purposes.

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 48 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

Lieutenant Commander Stephen Coates, Chaplain, United States Navy, Office of the Chaplain of the Marine Corps, Greenville, Illinois, offered the following prayer:

Sovereign Lord, the sound of this corporate prayer is as nothing compared to the clarion call of Your divine voice—rolling thunders of justice, resounding echoes of mercy, redemptive whispers of grace, calm assurances of comfort, promising songs of hope.

Like Your clear voice, may all words spoken in this Chamber today accurately reflect the fidelity of honest conversations between Members, the brutal wonder of free exchange amid volitional minds, the compassion of sincere interactions with constituents known by name and place, the hallowedness of solitary, bended-knee utterances known only to You, and the sacred thoughtfulness incumbent upon persons of privilege vested with the responsibility to weigh the consequences of matters temporal in light of the gravity of matters eternal.

May the same purity of passion that stirred these willing servants to seek

positions of public protection and provision empower them this day to honor You in serving all.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. CARTWRIGHT led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING THE LIFE OF MARTIN COBB

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

Mr. CANTOR. Mr. Speaker, today, I rise to honor the life of Martin Cobb, an 8-year-old boy from Richmond, Virginia, who was taken from us way too soon. He was killed in a heinous act while trying to protect his 12-year-old sister from a violent attacker.

From the very beginning, Martin was a fighter against all odds, surviving open heart surgery at 3 months old, when the doctors did not believe he was going to make it.

Martin was a student at Elizabeth Redd Elementary School and he enjoyed the kind of things that most kids grow fond of: playing with toy cars and riding his bike around the neighborhood.

Martin didn't have a father at home, and so his mother referred to him as the ''man of the house.'' As a loving son and brother, relatives say he had the ''heart of a lion.''

We will always remember him as a true family man, someone who loved his sister so much that he gave his life to protect her. In the face of grave danger, his only thought, his only instinct, was to help his sister.

At 8 years old, he may have been small in stature—some say he looked no older than 4 or 5—but in his last moments, Martin showed he was a bigger man than most men ever dream to be.

We honor Martin by remembering his incredible bravery. But let us also commit to honoring him by redoubling our efforts to foster safer neighborhoods and communities that produce more Martins and less assailants. Our children should be able to grow up enjoying childhood, not fearing for their lives.

In Martin's front yard there now reads a sign, ''A Real Hero Lived, Fought, and Died Here.''

Martin may no longer be with us, but I hope and pray his strength, his courage, and his spirit endure in each and every one of us.

STUDENT ACHIEVEMENT IN BUFFALO

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

Mr. HIGGINS. Mr. Speaker, I rise to congratulate three highly impressive students from City Honors High School in Buffalo, New York. Seamus Degan, Rex Herzberg, and Hakeem Salem made western New York proud by being selected to participate in the Congressional Science Student Forum, which was hosted yesterday on Capitol Hill.

In recent months, these students have worked hand-in-hand with local researchers at esteemed medical institutions in western New York, including Roswell Park Cancer Institute, to research cutting-edge medical issues, form hypotheses, and conduct hands-on experiments.

Mr. Speaker, when students start learning and experimenting with science, technology, engineering, and math as young adults, they are creating a lifelong commitment to learning and dedication to making a difference in the future. It is why it is so critical that Congress provide adequate funding to STEM education programs in our schools nationwide.

I commend these students for their achievement and look forward to hearing more from these promising innovators in the years to come.

SELECT COMMITTEE ON BENGHAZI

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, for nearly 2 years, House committees have been investigating the terrorist attack in Benghazi that killed four brave Americans. These committees have done good work. However, many questions remain unanswered as the White House continues to stonewall our efforts by withholding information.

National Review editors recently summed it up best:

> The White House misled the American public about a critical matter of national interest, and it continues to practice deceit as the facts of the case are sorted out.

That, to answer Hillary Clinton's callous question:

> What difference does it make?

The administration's obstruction and dishonesty are unacceptable and warrant a new level of investigation. Creating a select committee to investigate this tragedy is long overdue, and with a former Federal prosecutor such as TREY GOWDY at the helm, it gives me great hope that Americans and the families of the victims will hear the truth and see accountability. They want, need, and deserve no less.

EXTEND UNEMPLOYMENT INSURANCE

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

Mr. CARTWRIGHT. Mr. Speaker, I rise because today in the House we will bring up a vote on approximately $310 billion of permanent tax credit extenders, including the very popular research and experimentation credit, a bipartisan-supported tax extender, but this is something that is being brought up without a pay-for at a time when the United States of America now has 2.6 million citizens who have lost their long-term unemployment benefits.

In my State of Pennsylvania alone, we have 125,000 families who lost that lifeline because, Mr. Speaker, you refuse to bring this up for a vote because it doesn't have a pay-for.

Fair is fair, Mr. Speaker. We support many of these extenders, but we can't leave these American families out in the cold like this.

RECOGNIZING NATIONAL FOSTER CARE MONTH

(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, as we continue to celebrate National Foster Care Month, I would like to recognize the dedicated foster families, social workers, and service providers for their work to support the nearly 400,000 youth who are part of our country's foster care system.

Our Kids of Miami-Dade/Monroe, Foster Care Review, and CHARLEE of Dade County are just a few of the many organizations that work each and every day in our south Florida community to find a stable home with a devoted and loving family for our youth.

While May has been designated as National Foster Care Month, the work to ensure that every child has a safe and permanent family does not stop when the calendar turns. In fact, before the end of this year, Mr. Speaker, at least 23,000 of these vulnerable members of our society will age out of the foster care system. Research has shown that these young individuals are at a heightened risk of poverty, homelessness, incarceration, and early parenthood.

I encourage my congressional colleagues and every person across our Nation to work together so that we can

change these tragic facts and figures for the betterment of our youth and the improvement of our society.

FREE THE NIGERIAN GIRLS

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

Ms. JACKSON LEE. Mr. Speaker, I think we all understand and believe that our children are our most precious resource.

Over the last couple of weeks, hearts and minds of many around the world have been captured by a heinous thug by the name of Abubakar Shekau, the leader of the Boko Haram, who has been a vile, disgraceful, violent, and uncaring terrorist thug.

Yet we do not know where these girls are.

As women of the United States Congress, yesterday, myself, BARBARA LEE, MARCIA FUDGE, KAREN BASS, and JANICE HAHN went to the Nigerian Embassy to stand and reject the $12 that Shekau wants to sell these girls for.

We ask that we have a concerted effort on this. We should also establish a victims' fund.

In the meeting, as we spoke to those from Nigeria, we asked President Jonathan to stand up to say they will find these girls and they will bring this terrorist to justice. We ask that today because no one knows where these girls might be.

I close by calling two names: Aisha Ezekial and Nguba Buba. I will be calling these girls' names throughout this week to remind us they must be found now.

LERNER IN CONTEMPT OF CONGRESS

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

Mr. WILSON of South Carolina. Mr. Speaker, the American people have known since April 23, 2012, over 2 years ago, by a letter of 63 Members of Congress to the IRS Commissioner, that the IRS has targeted political organizations which question the President.

Congress has the responsibility to the American people to determine the facts and prevent future threats to American families. Sadly, the administration has refused to cooperate with House Republicans to facilitate oversight investigation. Instead of helping to restore the American people's faith in impartial government, key IRS officials remain silent.

Last night, the House voted to hold former IRS employee Lois Lerner in contempt because she refused to tell the truth before Congress. Congress also asked Attorney General Eric Holder to appoint a special counsel to further investigate this scandal.

The administration should take this opportunity to restore accountability, put politics aside, and help Congress provide citizens and the groups who are unfairly targeted with the answers they deserve.

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

□ 1215

RESPONDING TO THE KIDNAPPINGS IN NIGERIA

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the whole world is watching Nigeria, and the whole world is outraged at the recent kidnappings of over 200 girls from a Nigerian school.

Make no mistake, this is human trafficking. They say they are selling them into marriage. They are selling them into sex slavery, rape, and human bondage.

As cochair of the Congressional Caucus on Human Trafficking, I hope the world will respond to this horrendous human tragedy with the same sense of urgency and compassion and the same level of assistance that was offered in the search for the missing Malaysian aircraft.

The U.S. Africa Command, Departments of Justice and State, and the FBI are offering assistance to the Nigerian Government; and we, as a Congress, should support sanctions against Boko Haram.

Decisive and swift action is needed to bring these young girls home and to prevent future mass kidnappings.

THE CFPB RURAL DESIGNATION PETITION AND CORRECTION ACT

(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, I rise today to voice my support for H.R. 2672, the CFPB Rural Designation Petition and Correction Act.

One of the most troubling aspects of the Dodd-Frank Act was its creation of the Consumer Financial Protection Bureau, which is a new bureaucracy with broad powers that is unaccountable to Congress or the American people.

When I talk to financial institutions in Kansas, one of their main concerns with this agency is that the CFPB will fail to correctly classify rural banks and, possibly, leave them open to overzealous regulation as a result.

I am a proud cosponsor and supporter of this bill, which will allow these financial institutions a way to appeal the CFPB's decisionmaking process and ensure that rural lenders and their communities are not unintentional victims of poor decisionmaking by the CFPB.

TEACHER APPRECIATION WEEK

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

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Stew Adams, who has been recognized by the Illinois Education Association as its 2014 Retired Teacher of the Year.

I am proud to say that Stew is a constituent of mine and has spent years teaching special education in the Rock Island/Milan School District.

In addition to his teaching duties, Stew was a tutor and a mentor to many young students in the Rock Island School District. He also contributed to the Rock Island Safe Schools program and has been an adviser to the Illinois State Board of Higher Education and Special Education and founder of the Western Illinois Retired Educators.

In addition to thanking Stew for his service to our community, I also want to take this opportunity to thank the teachers that I have had and have taught so many of our youngsters across our country during Teacher Appreciation Week. Their hard work and dedication to our children is both awe-inspiring and invaluable.

Our communities simply could not function without our educators, and I want to thank them.

COMMEMORATING MAY AS LET FREEDOM RACE MONTH

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

Mr. HUDSON. Mr. Speaker, I rise today to commemorate May as Let Freedom Race month at Charlotte Motor Speedway, and thank the folks who have worked hard to honor our brave men and women in uniform with this outstanding celebration.

Speedway Motorsports and Charlotte Motor Speedway are both in my hometown of Concord, North Carolina. While I am incredibly grateful for the impact both have on our local economy, I am also appreciative of their continued support for our Nation's military, veterans, and their families.

This Memorial Day weekend marks the 55th Let Freedom Race celebration, and more than 100,000 fans will gather at the speedway to celebrate and honor our military heroes.

This tradition will, once again, showcase America's military strength, while displaying our pride and appreciation for those we have lost, our veterans, those who continue to serve, and our military families.

We are so fortunate to have heroes who stand committed to serving in our Armed Forces.

Mr. Speaker, I commend the work done by the racing community to honor our veterans, and I join them and other North Carolinians to salute our warfighters who paid the ultimate price to protect our freedom.

NATIONAL TEACHERS WEEK

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

Mr. PERLMUTTER. Mr. Speaker, today, I stand in support of our National Teachers Week.

As the husband of a teacher, the brother of a teacher, and the lucky student of great teachers in the Jefferson County Public School system and the University of Colorado, I hold this profession in very hard regard.

Our Nation's teachers work tirelessly to provide education, resources, and a bright future for all of American students.

Colorado is blessed with a dedicated community of teachers in both K–12 and higher education. Teachers provide an invaluable service to our country, while earning salaries that do not reflect the importance of their jobs.

Every day, I hear about teachers striving to improve their schools and outcomes for their students. America's students now face one of the most competitive economies in our history.

Strong teachers are the key to the successful education of our children, and those same children are key to a prosperous, healthy, and successful future for our country and for the planet.

Thank you to all the teachers in my life, the Seventh Congressional District, and the State of Colorado.

TEACHER APPRECIATION WEEK

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

Mr. MESSER. Mr. Speaker, teachers are remarkable people. These dedicated professionals work hard to ensure that our children have the skills necessary to succeed and achieve the American Dream.

They get up early and stay up late, often sacrificing their own time and money, so our children have a fair shot at future success.

They don't do it for fame; though glory, they should receive. They don't do it for fortune; though riches, they do deserve. They do it because they love their jobs and care about their students. It would be difficult to overestimate the importance of our Nation's teachers to our country's strength and prosperity.

One of those teachers is my sister-in-law, Mandy Messer, who teaches elementary school at North Decatur Elementary.

A day should not pass that we don't thank teachers for their service on behalf of our children and our country.

Today, during Teacher Appreciation Week, I say thank to you my former teachers who played such an important role in my own life, and I express my gratitude to all the teachers throughout my congressional district who are doing such wonderful work.

SEEKING MAXIMUM PARTISANSHIP

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

Mrs. DAVIS of California. Mr. Speaker, last night, Republicans and Democrats on our House Armed Services Committee came together to pass a defense bill that all of us—I mean all of us—all of us on the committee could support. That is something remarkable, considering what is on the House floor this week.

Instead of debating the minimum wage, we are getting maximum partisanship. Instead of creating a select committee on job creation, we are voting to create a select committee on Benghazi, shamefully playing politics with a terrible tragedy.

The only person whose job the majority seems to care about is the former Secretary of State's. The national climate assessment released this week laid bare the consequences of climate change, but sadly, instead of reducing our carbon footprint, we get a climate of dysfunction and hot air.

Enough is enough. House leadership should follow the example of the House Armed Services Committee. Put the partisanship aside and get to work on the things that really matter to the American people.

WARREN COUNTY CAREER CENTER

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

Mr. CHABOT. Mr. Speaker, career and technical education is critical to our economy.

I have a great program in my district, the Warren County Career Center, in Lebanon, Ohio. I have had the opportunity to tour the program a number of times. They do a great job.

Two success stories—Karie Lacy and Nick Cornett—both completed programs at the Warren County Career Center. Karie now owns her own salon and employs others; and Nick is working at a local robotics company, while working towards a degree in electrical engineering.

There are others like Karie and Nick across America who deserve access to programs that will prepare them for the workforce and lay the foundation for a successful career.

As we work together to strengthen our economy, we should support institutions like the Warren County Career Center. Programs like this, we should support all across America.

THE KIDNAPPINGS IN NIGERIA

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

Mr. VEASEY. Mr. Speaker, I rise today to speak about the tragic and shocking turn of events in Nigeria, where as many as 300 young girls have been abducted by a terrorist organization known as Boko Haram.

As a father, I can't imagine the anguish that these parents must be feeling as they wonder about what happened to their young girls.

I stand in solidarity with the people of Nigeria in this difficult time and condemn the violence against innocent people committed by Boko Haram and urge that all possible actions be taken and that President Jonathan finally do something about the terrorists and the thugs that seem to be ruling the country.

Too often, women and young girls are tragically persecuted, victimized, or denied education opportunities and a voice, particularly in these countries, based only on their gender. The violence and discrimination has no place in our world today.

Today, I will be joining my fellow colleagues and urging them to sign on to House Resolution 573, to condemn this heinous abduction, and supporting all efforts to find these girls and bring them home.

HONORING THE 250TH ANNIVERSARY OF EAST BERLIN, PENNSYLVANIA

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

Mr. PERRY. Mr. Speaker, I rise today to honor East Berlin, Pennsylvania, on its 250th anniversary. The borough was founded on May 8, 1764, by John Frankenberger, a Prussian, who purchased 200 acres of land from Thomas and Richard Penn.

John laid out a town with 85 lots, one main street, four cross streets, and five alleys. He named the town ''Berlin'' after his native town in Prussia. East was added to the name in 1827, when the town post office was established.

Today, East Berlin is a thriving community of over 1,400 residents in Adams County. I am proud to congratulate East Berlin on this momentous day and wish the borough another successful 250 years.

SOLVENCY OF THE HIGHWAY TRUST FUND

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

Ms. KUSTER. Mr. Speaker, I rise today to express my continued concerns about the highway trust fund, which is projected to reach a critically low level in July, right in the middle of the busy summer construction season.

This funding is essential to projects in New Hampshire, and we simply cannot let the highway trust fund run out of money. It would cost us jobs, jeopardize public safety, and hurt our economy.

That is why I am introducing a bill to ensure that the highway trust fund

remains solvent for the remainder of this fiscal year. This will provide certainty to our States and businesses and allow Congress time to pass a full 6-year reauthorization of surface transportation programs.

My bill, the DRIVE Now Act, will do this, while increasing efficiencies in the government and reducing the deficit. Congress must invest in infrastructure and pass a long-term reauthorization of transportation programs.

To ensure that the highway trust fund doesn't run dry this summer, I urge the House to pass my commonsense legislation.

□ 1230

LIFE IS NOT ABOUT DISTANCE

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

Mr. LANKFORD. Mr. Speaker, 1 year ago, our justice system gave us a new definition for life. Convicted murderer Kermit Gosnell, the abortionist who for decades worked in Philadelphia, who personally killed hundreds of children in the womb, who personally kept body parts in bags and bottles that were scattered all around his clinic, he was not tried for that. Those things were all permitted.

One year ago this week that court clarified their definition of ''life.'' It wasn't about conception. It wasn't about age. It wasn't about ability to survive. It was about distance. ''Life'' was defined by distance for them.

Kermit Gosnell had the audacity to induce the labor of pregnant women and then take the child outside the womb, move them about 3 feet away, whether on his hands or set them on a table, and cut their spinal cord, sitting on the table, where they would die either on his hands or on the table. He moved them 3 feet. What tortured logic is that to say it is not a child in the womb, but it is a child if you move them 3 feet?

This is the United States of America. Life is not about distance. Life is about children. Let's choose life.

LONG ISLAND'S TOP TEACHER

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

Mr. ISRAEL. Mr. Speaker, I rise today during Teacher Appreciation Week to honor a top teacher in the Third Congressional District of New York, John Motchkavitz, or ''Motch'' as he is called by his students.

John is the head of the business technology department at Great Neck South High School. He was named as a top five finalist on Live! with Kelly and Michael's top teachers search contest, and he will appear on the morning show next week when the winner will be announced.

In the 12 years that he has taught in Great Neck, he has helped lead the school's robotics team to the national competition. He coaches lacrosse; he builds sets for school plays; and four times a year, Mr. Speaker, he brings students to New York City to distribute food and supplies to the homeless. He also lives the lessons he teaches inside the classroom in his life outside the school. As a volunteer with the Great Neck Alert Fire Company, he was one of the first to respond to the September 11 terrorist attacks.

I am so proud of the contributions that John has made to Great Neck, to my congressional district, to Long Island, and to the Nation. I congratulate him. He is an example for teachers everywhere.

THE BOSS LIFT PROGRAM

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize a unique program organized through the National Committee for Employer Support of the Guard and Reserve, or ESGR, called ''Boss Lift,'' which is designed to help businesses gain a better understanding of the responsibilities of our National Guard and Army Reserve.

In my home State, the Pennsylvania National Guard is doing a tremendous job with the Boss Lift program by providing local employers with a new perspective on the sacrifices and the challenges these soldiers and airmen face and a firsthand look at the work being performed by these citizen soldiers.

This past weekend, I had the opportunity to visit Fort Indiantown Gap and the Pennsylvania National Guard and met with the incredible citizen soldiers who help make this program possible, all while remaining ready to defend our country.

Mr. Speaker, I want to thank ESGR, the Army Reserve, and the Pennsylvania National Guard for their outreach efforts through the Boss Lift program and helping to remind us all of the vital role our Reserve and Guard components play in our national security and local communities.

UNEMPLOYMENT

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

Ms. HANABUSA. Mr. Speaker, the failure of the majority to bring the extension of unemployment insurance benefits up for a vote by December 28 of last year has left many without a lifeline. Let's review these figures. On December 28, 1.3 million were immediately cut with no benefits; 1.9 million will be added by the end of the first 6 months of 2014.

Let's look at it another way. It means 72,000 every week. It also means one person every eight seconds in this country, the greatest country in this world. 200,000 of them are veterans. The loss of this benefit also means that our economy lost $5 billion in the first 3 months of 2014.

Mr. Speaker, two-thirds of America's people support the extension of unemployment benefits. The Democrats have signed a discharge petition. Please bring the extension to the floor. Remember, they are unemployed through no fault of their own. That is why they are entitled to these benefits.

HONORING WORLD WAR II VETERAN AND FORMER POW, SERGEANT GEORGE THURSBY

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

Mr. ROTHFUS. Mr. Speaker, I rise to honor Sergeant George Thursby.

Sergeant Thursby, who I met last week, is a resident of New Florence, Pennsylvania. He was a B–24 gunner in the Army Air Forces during World War II.

Sergeant Thursby was forced to land and was taken prisoner of war after his aircraft was hit while bombing Munich. He attempted to escape but was arrested and returned to the POW camp. Conditions were abysmal, and Sergeant Thursby was skinny as a rail. He attempted to escape again and reached American lines in France.

When Sergeant Thursby returned home, he had a long and productive career working at U.S. Steel's Homestead Works and retired in 1983.

Last week, almost 70 years after his successful escape, Sergeant Thursby finally received his long overdue and well-deserved recognition in a ceremony at the Pentagon. He was awarded the Prisoner of War Medal.

Sergeant Thursby's bravery, strength, and spirit serves as an inspiration to all Americans. It is fitting that we honor him on Victory in Europe Day. Let us all take time to thank World War II veterans like Sergeant Thursby today for their service and sacrifice.

FOSTER YOUTH MONTH

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

Mr. LANGEVIN. Mr. Speaker, I rise today in honor of Foster Youth Month.

Every child deserves a healthy, safe, and stable home, yet too many continue to go without these basic needs that so many of us take for granted. This May, we recognize more than 400,000 American children in foster care who are waiting for their forever family.

The theme of this year's Foster Month is ''Building Blocks Toward Permanent Families,'' an issue that is near to my heart. My parents took in several foster children when I was

growing up, and I was able to see firsthand the difference that this made. And some of them are still in touch with my family today.

To all those people across the country who are taking in a foster child today, I say thank you. I know you are making a positive difference in that child's life, and I encourage others to consider doing the same.

Foster children belong to all of us, and we have a moral obligation to treat them with the same love and care that we would our own children. And I encourage all of my colleagues to join me in recognizing May as Foster Youth Month.

BOURBON WHISKEY

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

Mr. BARR. Mr. Speaker, I rise today to mark the 50th anniversary of the passage of S. Con. Res. 19, which officially recognized bourbon as a distinctive product of the United States of America.

Specifically, the resolution provided that bourbon whiskey is a distinctive product of the U.S. and is unlike other types of alcoholic beverages, whether foreign or domestic; that bourbon whiskey has achieved recognition and acceptance throughout the world as a distinctive product of the United States; and the resolution further prohibited the importation of whiskey designated as ''bourbon'' to protect bourbon as a product distilled and aged in the United States alone.

Many great nations have a national spirit. Bourbon certainly belongs in the same class. As the report that accompanied the resolution notes, the name ''bourbon'' refers to the particular part of the world this distinctive distilled spirit first arrived from, Bourbon County, Kentucky. The name is now universally accepted as meaning American whiskey, and over 90 percent of all bourbon is distilled in my home State, the Commonwealth of Kentucky.

Today, Kentucky's bourbon industry is enjoying an explosive growth due to demand both here and abroad. I think this renaissance is the result not only of bourbon's timeless production process and depth of flavor, but is also thanks to its status as a uniquely American spirit.

This week we celebrate the 50th anniversary of Congress putting that concept into law, and we thank all of the hardworking men and women in my home State who make this uniquely American spirit such a great product.

UNEMPLOYMENT INSURANCE

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

Mr. PALLONE. Mr. Speaker, I ask the Republican leadership to bring up the bill that would extend critical unemployment insurance. So far, the gentleman from Ohio, Speaker BOEHNER, is telling struggling Americans that they are out of luck and out of money.

This bill was passed in the Senate on a bipartisan basis, 65–34, to move forward to help people who are unemployed, and yet the Republican leadership here still refuses to bring it up. It is also completely paid for. Still, the Republicans insist that there is no longer an emergency and that unemployment numbers are dropping, but the reality is just the opposite.

Long-term unemployment, defined as being out of work for 27 weeks or more, has not been this high since World War II. And we know that anyone receiving unemployment benefits, when they get their check, the money goes right back into the economy. In fact, unemployment insurance generates $1.52 in economic activity for every $1 spent.

So why does the Republican leadership simply not bring this up? Instead, they focus on issues like Benghazi or setting up a select committee on Benghazi. They should be focusing on job creation—creating jobs—and helping the unemployed.

PROVIDING FOR CONSIDERATION OF H. RES. 567, ESTABLISHING SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 575 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 575

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 567) providing for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules.

The SPEAKER pro tempore (Mr. MESSER). The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), my friend, the ranking member of the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I also ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on House Resolution 575, which provides for a closed rule for consideration of H. Res. 567.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, it has been nearly 20 months since terrorists attacked the American diplomatic mission in Benghazi, Libya, killing four Americans, including then-U.S. Ambassador to Libya J. Christopher Stevens.

Since that time, the House Armed Services Committee, the Foreign Affairs Committee, the Permanent Select Committee on Intelligence, and the Committee on Oversight and Government Reform have all conducted investigations related to the events surrounding the attack and the administration's response. And I want to commend each of these committees and their chairmen and their members for work that has been done that is exemplary, that has aimed exactly on the questions that needed to be asked, and for those who have dedicated time and effort to make sure that these important issues are not only discussed but understood and resolved so that each of these committees, as they work with their particular agencies in the Federal Government, come to a clear and a clean understanding about what happened, what our responses might and should have been, and what they would be in the future.

We are here today because this administration has chosen not to fully participate, to block our efforts to know the truth, and to provide the necessary people in a forthright manner who could be a part of answering these questions. This blockage has included a timed delivery that has not been timely but the time interval for requesting information, for the redacting of information that has not been properly done, and, perhaps most importantly, for the remarks that have been made by the administration, including the President of the United States, the former Secretary of State, the Secretary of State, and other highly public officials who serve at the pleasure of the American people who have tried to thwart, who have tried to misdirect, and who have tried to—what I believe is—badger Republicans into believing that what they did was aboveboard and correct when, in fact, an evaluation and a proper lessons learned lesson being available not only for them, for the United States Congress, but also accountability to the American Government.

□ 1245

We are here specifically today because in the last few weeks an outside group, Judicial Watch, through the Freedom of Information Act, obtained information and received that information through the judicial system of the United States whereby they received emails that were not redacted, that were not doctored or altered, and that came to them and did not match up with the information that had been provided to official committees of the

United States House of Representatives for official business.

At a time when an administration decides that they are going to take advantage of the structure of the United States House of Representatives under official business, then that means that it is time for the United States House of Representatives to then learn that they are being duped, that they are being taken advantage of, and that our open system was being used, I believe, in a political way.

That is why we are here today, Mr. Speaker. We are here today not for political reasons but because the official business of the United States House of Representatives, article I, is to make sure that we understand and have oversight over those that are in article II and work with people who are in article III.

We work together in a careful balance to make sure that what we do is in the best interest of the people—the American people, who need to have faith and confidence in the work that is done on their behalf—but also be accountable to the American people when great things happen and when mistakes happen also.

To sweep something under the rug, to try and move people in another direction and try and fool them, to not be forthright about the actions that were taken or understood, I believe is a dereliction of duty. Most importantly, I think that what the investigation up to now has revealed is a lack of desire by this administration to fess up to what I believe might be failures or weaknesses in a system that we need to work on together.

Four Americans' lives were not only at stake, but the reputation of the United States of America was on the line. Terrible things happened. Worse things could have happened, also. And for the United States Congress to have oversight to work on these issues is, I believe, an important national security objective.

We are here today because President Barack Obama and his administration are not forthright or interested in working with official Members of the United States House of Representatives to clear the issue, and to understand what happened so that we may move forward with great confidence; that as our men and women who are in the State Department are engaged in the sensitive work, the work that is done on behalf of this great Nation, that we can understand that relationship with the United States military, with intelligence, with the money that we spend and the mission that the President of the United States decides that these men and women will be engaged in.

We are here today to gain answers, to gain knowledge, and to gain corrective action. And that is why I believe last night in the Rules Committee, the Rules Committee moved forward on an original jurisdiction hearing whereby the Rules Committee would make and take the responsibility, Mr. Speaker, to make sure that we understood that we would be taking the time of the House of Representatives, that we would be taking, in essence, jurisdiction and putting that to a select committee, a select committee which would have the authority and the responsibility to ensure that the things which I have spoken of this morning were achieved.

This is not political. This is public policy at its most important level. It is national security that is being discussed not only today but discussed in private among Members of Congress with this administration to ensure that the events that occurred on that day were well understood and reflective to the Members of Congress who provide money, resources, and oversight relating to those events.

Unfortunately, it became apparent to me and others, including the Speaker of the House of Representatives, the Honorable JOHN BOEHNER, that these committees are struggling with an unwanted partner: the administration. And this administration, by refusing to completely comply with congressional subpoenas, by delaying the delivery of important documents, by heavily redacting critical information—not sensitive or information that might be considered national security—and by retroactively classifying previously unclassified files, the Obama administration has thrown roadblocks at every turn of the road.

The most recent example of this was the deliberate subversion of the investigation which occurred on April 17, less than a month ago. This is why the Speaker of the House of Representatives, JOHN BOEHNER, who has been very deliberative and most involved but careful to let each committee operate to the level of its jurisdiction, to make sure that each committee had not just the resources but the ability to make sure that they were on a process for the delivery of the things which I have talked about, up to and including the truth, Mr. Speaker, the truth behind the events, the truth behind how we would describe this event so that lessons would be learned, and evince how we would effectively and capably understand the new and current threats against the United States and what occurred on that day and on a moving-forward basis. If you refuse to participate with the United States Congress, if you subvert the process and take advantage of our structure, the Honorable JOHN BOEHNER will then respond with that which is given to him and to the United States House of Representatives, and that is to honorably pivot based upon something that happened less than a month ago, April 17.

This administration chose to deliberately mislead the United States Congress, and we responded therein. On that day, the administration delivered 276 documents consisting of 779 pages. They gave these to the Committee on Oversight and Government Reform, many of which continued to be heavily redacted. The same day, the State Department complied under a Freedom of Information Act requested by Judicial Watch. I believe that the timing of these two productions is not a coincidence as to whether or not Congress would have received these documents absent Judicial Watch's FOIA request. The two sets of documents are incredibly similar, and, shockingly, some of the documents received by the committee are more redacted than those received by Judicial Watch.

Well, I get that. That is because under FOIA, the Freedom of Information Act, there is a criminal statute attached to that which those lawyers preparing these documents knew they could be criminally held liable.

Mr. Speaker, the bottom line of this is this administration has not respected the United States Congress, did not respect the committees that were asking for this information, and there, too, made sure that they made their job even more difficult. These roadblocks, I believe, serve as two important points for us to remember: that the Speaker of the House of Representatives did not choose to be where we are today but, rather, it was this administration through its deliberate attempt to place us exactly where we are.

So, first, the committee will have questions that it has to ask, and they are going to this administration to make sure that we have complete documentation. Every Member of this select committee will have the opportunity—and should have on a bipartisan basis—to see the documents. The select committee will consolidate itself into a centralized location in order to make sure that they work together. We are going to streamline congressional efforts when we find out the things which we could have and should have known but know now to avoid in the future.

And lastly, we are going to come with an answer to the American people that we believe is what they are due, and that is: what happened; how could we have avoided it; and what do we look for in the future.

Our representative government is founded on the assumption of a transparent government. Our President, Barack Obama, stated when he was elected that this would be the most open and transparent government. Mr. Speaker, we are here today to take the President at his word. The question is: Will the President live up to his word and expect this administration to join with the House of Representatives in this new era, this new way of trying to go about getting an answer for the American public?

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

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

Mr. Speaker, the 2012 attack on Benghazi was a tragedy that took the

lives of brave American public servants representing and serving our country. And Congress has an obligation here—both to the families of the victims and to the country—to try to prevent this from ever happening again. But that is not at all what we are doing here today.

The Senate has produced two bipartisan reports on the issue, and the State Department's Accountability Review Board has produced a constructive, unbiased report. There is a vast body of evidence already collected, and none of it demonstrates any sort of coverup or conspiracy.

The majority here has had 13 congressional hearings over four committees, 50 briefings, produced five reports and 25,000 pages of documentation, wasted countless millions of dollars, and has gotten absolutely nowhere. One more committee weighted in favor of the majority is not going to do any better. We have bottomed out on Benghazi.

Nonetheless, the majority has repeatedly demonstrated that rather than engaging in a serious, objective examination of the circumstances, they want to use the tragedy as an excuse to generate partisan talking points, and then has descended into the crass and the unbelievable.

Several press reports this week, including one from Politico, indicate that the National Republican Congressional Committee sent out a fundraising email entitled ''You Can Become a Benghazi Watchdog Right Now,'' and that leads to a donation page where you have to pay to be a Benghazi watchdog. And even after their fundraising effort was exposed, Republicans are continuing to use this effort to raise money off of this tragedy. This morning's Politico says: ''Republicans stick with Benghazi cash grab.''

Mr. Speaker, I would like to submit into the RECORD these two articles from Politico, May 8 and May 9. The first one, ''NRCC''—which stands for the National Republican Congressional Committee—''fundraising off Benghazi,'' and the second one this morning, ''Republicans stick with Benghazi cash grab.''

[From POLITICO, May 7, 2014]

NRCC FUNDRAISING OFF OF BENGHAZI

(By Jake Sherman)

The House Republican campaign arm is rebuffing the chairman of the Benghazi select committee and is raising money off the GOP's investigation into the 2012 attack.

A post on the National Republican Congressional Committee website dated May 6 is titled ''You Can Become a Benghazi Watchdog Right Now.''

''House Republicans will make sure that no one will get away from [Trey] Gowdy and the Select Committee,'' the blog post says. ''This is going to be a national effort for a national investigation.''

Once a visitor to the site enters their name, email and ZIP code, it asks for a donation to ''stop Democrats from controlling all of Washington.''

But Rep. Trey Gowdy (R–S.C.), whom Speaker John Boehner (R–Ohio) tapped to chair the panel, said Wednesday morning on MSNBC's ''Morning Joe'' he would ask Republicans to forgo fundraising off the attacks.

''Yes, and I will cite myself as an example,'' Gowdy said. ''I have never sought to raise a single penny on the backs of four murdered Americans.''

For right now, the NRCC doesn't appear to be backing down.

''The Obama administration has not been honest with the American people with regards to the security failures in Benghazi, which left four Americans dead,'' said NRCC spokeswoman Andrea Bozek. ''Our goal is to hold Democrats in Congress accountable who vote against creating the select committee on Benghazi and who continue to try to sweep this controversy under the rug.''

[From POLITICO, May 7, 2014]

REPUBLICANS STICK WITH BENGHAZI CASH GRAB

(By Byron Tau and Katie Glueck)

Republicans have no intention of listening to Trey Gowdy.

A number of Republican candidates and conservative groups have openly used the Sept. 11, 2012, attacks in Benghazi, Libya, as a cash grab. And that's likely to continue despite a strongly worded rebuke from the new chairman of the Republican select committee assigned to investigate the response to the attacks.

Gowdy, a South Carolina Republican, commented on MSNBC Wednesday that he and fellow Republicans should not fundraise off ''the backs of four murdered Americans''—creating a new standard by which the party can be judged and opening the GOP up to charges of past, present and future hypocrisy.

That's put the party in an awkward spot. Republicans on Capitol Hill are eager to lend the looming committee investigation into the murder of four Americans an air of sobriety, dignity and seriousness. But political strategists are eager to mobilize the GOP base and amp up grassroots fundraising by capitalizing on the base's outrage over how the Obama administration handled the attacks.

The 2012 consulate attack and accusations of a White House cover-up are catnip for grassroots donors and activists. And Benghazi—and the select committee assigned to investigate it—is a key part of the GOP fundraising and mobilization strategy. This week, the National Republican Congressional Committee rolled out a new fundraising campaign called ''Benghazi Watchdogs''—an effort by the aiming to raise money off Gowdy's new position. Publicly available domain registration data shows that the site was registered Tuesday.

Other fundraising solicitations about Benghazi include:

A fundraising page from the NRCC with a photo of Obama and former Secretary of State Hillary Clinton, accompanied by big bold text proclaiming: ''Benghazi was a coverup. Demand answers.''—and asking for donations of up to $500.

A May 2 blog post from the National Republican Senatorial Committee titled ''Dude. You're Being Lied To About Benghazi.'' The post was in response to former White House spokesman Tommy Vietor's appearance on Fox News last week where he used the line ''Dude, that was like two years ago.'' It concludes: ''Americans deserve the truth about Benghazi and it's clear Democrats will not give it to them. Donate today and elect a Republican Senate majority.''

A May email blast from the conservative nonprofit Special Ops OPSEC Education Fund that asks for an ''immediate contribution'' of $25, $50, $100 or more to ''hold Obama and Hillary's feet to the fire until justice is done.''

A January email from Sen. Ted Cruz (R-Texas) in the aftermath of the State of the Union noting that Obama ''failed to mention Benghazi, the IRS, or the NSA'' and asking for donations.

A John Bolton PAC email from April accused Obama, Clinton and former Defense Secretary Leon Panetta of refusing to take responsibility for ''leaving Americans to die at the hands of terrorists.''

An email from Senate candidate Joe Miller saying that there is ''strong evidence that senior administration officials crafted a false narrative for purely political purposes.''

An email this week from Rep. Scott Rigell's (R-Va.) campaign asking for ''$5, $10, $20, or $50 to help keep him in Congress and hold the Administration accountable'' that also asks ''Why didn't the military respond to the events in Benghazi Were there even military assets in the region available? If not, why not? Who made the decision not to send support? House Republicans are committed to finding out the truth about Benghazi.''

An email from House candidate Andy Tobin accusing Obama of ''covering up vital information about what happened that night'' and asking for donations.

Conservative pundits and former politicians like Mike Huckabee, Allen West and others have sent emails to their lists, according to the liberal watchdog group Media Matters.

Brad Dayspring, a spokesman for the NRSC, said that there hasn't been a coordinated effort from the committee to fundraise off of the issue, even though his committee wrote a blog post with a fundraising solicitation about the hearings.

''Part of politics is fundraising. I think fundraising is a separate activity than calling attention to important issues,'' he said in an interview. ''Benghazi is going to be a topic of discussion because it deserves answers, and I think it's important for both candidates and elected officials to discuss it.''

GOP strategist Rick Wilson said that while fundraising off of such a sensitive topic needs to be done within the ''bounds of propriety,'' candidates on both sides of aisle aren't hesitant to try to turn the ''story du jour'' into donation pitches, especially when seeking to round up small-dollar contributions.

''It's a tragedy, a serious national security question that has to be resolved, and the administration owes answers,'' Wilson said of Benghazi. ''On the other hand, you're going to see people on both sides use it to build mailing lists, build name ID, fundraising lists, etc. There's a base level of inevitability.''

Democrats pointed to both the committee itself and the fact that it was being used as a fundraising ploy as evidence that the entire investigation was a political farce.

Chris Lehane, a veteran Democratic strategist, said that Republicans fundraising off of Benghazi could easily overplay their hand.

''At the end of the day you're dealing with an issue that was a tragedy,'' he said. ''From a political perspective, that's raising money from a situation where people representing our government were killed. It's a politically perilous, treacherous thing to do.''

In a general election, he said, a Democrat could easily dismiss such a Republican as ''playing politics with people's lives.''

White House Deputy Press Secretary Josh Earnest on Wednesday jabbed the NRCC for its fundraising efforts.

''I think that the fact that the National Republican Congressional Committee is raising money off the creation of this committee

is a pretty good indication of the political motivation that's at work here,'' he said aboard Air Force One.

And Republicans aren't the only ones to use national tragedies for fundraising or list-building.

The nonprofit Organizing for Action has come under fire several times for using gun-related events to build their email list—sending emails on the anniversary of the Newtown shooting and the day of the Navy Yard shooting.

Republican officials defended their tactics as giving voters answers to pressing questions.

''The Obama administration has not been honest with the American people with regards to Benghazi, and if Nancy Pelosi becomes speaker the American people will never know the truth. Our goal is to hold Democrats in Congress accountable who vote against creating the select committee on Benghazi and who continue to try to sweep this controversy under the rug,'' said NRCC spokeswoman Andrea Bozek.

Ms. SLAUGHTER. Additionally, reports today from a prominent journalist say that Mr. BOEHNER himself says that he will not try to stop the fundraising.

The majority is demonstrating without a shadow of a doubt that like the many, many votes we have taken trying to kill health care, this is a political move. That is the most crass and awful thing to do to the families of these four people who died. We keep over and over rubbing salt into that awful wound by bringing this up over and over. And how do you think they feel now knowing what this game is about in the House of Representatives?

I am appalled the majority would use these deaths for political gain and political money when what the families of the victims and Americans want to do is to ensure it never happens again. But we are doing nothing in the world to ensure that.

Not only is the majority disregarding the bipartisan findings, but their own process is so wrought with error, partisanship, and deception that leaders in their own party are calling foul.

The Oversight Committee has produced several witnesses of dubious quality, but the most recent one is a brigadier general, to testify about the minority, and the minority was only give his name and had no way—we didn't have any address or anything else—to even verify his credentials.

□ 1300

We are indebted to Congressman BUCK MCKEON, Armed Services Committee chairman, who discredited this witness by calling Brigadier General Robert Lovell an unreliable witness and criticized Lovell's assertion that the State Department was not quick to deploy troops to respond to the 2012 terrorist attack in Libya. Lovell testified Thursday before Issa's oversight panel.

Congressman MCKEON stated:

Brigadier General Lovell did not serve in a capacity that gave him reliable insight into operational options available to commanders during the attack, nor did he offer specific courses of action not taken.

MCKEON added:

The Armed Services Committee has interviewed more than a dozen witnesses in the operational chain of command that night, yielding thousands of pages of transcripts, emails, and other documents. We have no evidence that State Department officials delayed the decision to deploy what few resources DOD had available to respond.

How tragic is that? How tacky is that? How beneath the dignity of the House of Representatives is that?

I have an amendment to this resolution based on a simple premise that, if this thing is going to be put together and funded, that it really does some kind of work bipartisanly, which would be really strange in this House, but the idea of having another committee to try to get different results from all of other committees and all of the other hearings with the results they have had really is a foolish waste of time.

Our amendment makes membership on the committee equally divided between Republicans and Democrats. We know already that is not going to happen.

It guarantees the minority signoff on subpoenas and depositions—no such luck.

It guarantees equal distribution of money, staffing, and other resources of the committee.

It requires the committee to establish written rules—that would be a good one—specifically including rules concerning how documents and other information may be obtained, used, or released.

It guarantees equal access to evidence and materials of the committee and perhaps can identify witnesses who are going to be coming before the committee.

It provides for transparency of the committee's expenditures and budgeting.

It ensures that a quorum for taking testimony or receiving evidence includes at least one minority member.

Finally, it ensures that the majority has a say in decisions about extended questioning and staff questioning of witnesses.

Mr. Speaker, it is shameful what is happening here today. People, not just persons right now, but I believe that future historians looking at the setup of this committee will be appalled, as all of the rest of us are on our side, that to make use politically and financially of the tragedy of the loss of four brave Americans is beneath contempt.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, the Rules Committee is the committee that meets upstairs. We decide what legislation will come to the floor. In this case, the House Rules Committee has original jurisdiction over this bill, but the Rules Committee is made up of specialists, of experts across this Congress, not only on the Republican and Democrat side, but people who represent people back home who hear from and want to know about the effects that Congress does and about the daily impact.

One of those Members comes with vast experience and comes to us as former chairman of the Foreign Affairs Committee. She is a person who is well respected and thoughtful.

More importantly, she was on duty as the chairwoman at the time Benghazi occurred, and we are delighted she is on the Rules Committee. She has brought incredible integrity and insight into this matter.

At this time, I yield 4 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank Chairman SESSIONS for his inspiring leadership on the Rules Committee on every issue, but most especially as he spearheaded the creation of this select committee on Benghazi to examine what happened, what led to this attack, and what has happened since. Thank you for your leadership, Chairman SESSIONS.

Mr. Speaker, I stand here to fully support this measure, but it really is unfortunate, it is sad, it is tragic that it has come to this. We shouldn't have to be here today debating the rule and, later, the underlying resolution on having to form a select committee to be able to get to the truth about what happened on that tragic day and night of September 11, 2012; but, unfortunately, our patience has been sorely tried, so here we are.

The administration has, for nearly 2 years now, been stonewalling and obfuscating, anything it can do, to avoid letting the truth out about that tragic terrorist attack in our consulate in Benghazi, Libya.

As chairman of the Foreign Affairs Committee at the time of the attack, as Chairman SESSIONS has pointed out, I know, perhaps as well as any of our colleagues, just how much the administration has been trying to protect this false narrative and President Obama, the narrative that Libya was a political success. Repeated requests for more protection were ignored.

When the Accountability Review Board report was released, I planned on convening a hearing to examine the assessment and the recommendations; but in true stalling fashion, the State Department did not release the report to us until about 8:30 p.m., just a few hours before our hearing was set to begin.

Then, of course, there was a new song and dance every time we tried to secure a date for Secretary Clinton to come before our House Foreign Affairs Committee to testify.

We would even have taken any administration official, for that matter. It took 3 months for the administration to provide us with witnesses, and it did not provide Secretary Clinton to our committee until the following year.

This is not the moves, Mr. Speaker, of an administration that had planned on being the most transparent in history. In fact, this administration has been anything but transparent, as we

have seen with the emails, having been the latest revelation in the never-ending attempt to avoid telling the American public the full truth about what happened, what was the lead up to the terrorist attack, what happened during the many hours of that firefight, and what happened to all of those documents afterwards

That is why, Mr. Speaker, we need this select committee, to get the truth out there for the American public, so that we can have an open and honest debate about what happened on that fateful day and to ensure that we can do everything in our power to prevent another terrorist attack like this from happening in the future.

Let's remember these names, Mr. Speaker: Ambassador Chris Stevens, Information Officer Sean Smith, and former Navy SEALs Tyrone Woods and Glen Doherty. These are names that the American people need to remember each and every day.

Mr. Speaker, some folks have mentioned the fundraising aspect of this Benghazi investigation, and that is rather sad and pathetic to bring that up, but it is interesting because I was reading a newspaper article.

The SPEAKER pro tempore (Mr. MEADOWS). The time of the gentlewoman has expired.

Mr. SESSIONS. I yield 2 minutes to the gentlewoman.

Ms. ROS-LEHTINEN. It is interesting that this says that the Democrats are fundraising off GOP fundraising off Benghazi. It is a very interesting article, and I hope that all of our colleagues will look at it.

It is an article, and it says:

> Contribute now, Democrats 2014.

I am not pointing fingers and calling names; but if we are going to get blamed for something, I think that there is enough blame to go around. To sensationalize this and to fundraise off it, this is something some groups are trying to do, but I believe that the pot is calling the kettle black.

Mr. Chairman, thank you for your respected leadership on this issue. The American people deserve to know the truth. We must not keep promoting a false narrative. Libya was not a political success. Libya continues, to this day, to be a tinderbox waiting to explode.

Terrorist groups are all over the place. Let's not ignore the facts on the ground. Let's get to the truth about what happened to Benghazi, and having this select committee is a way to get to the truth—pure and simple—no politics.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), the ranking member of the Oversight and Government Reform Committee on Government Operations.

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend, the former chairman of the Rules Committee, LOUISE SLAUGHTER from New York.

I rise in strong opposition to the rule and the underlying resolution, H. Res. 567. The majority's obsession with keeping Benghazi conspiracy theories front and center through the midterm elections, despite the fact that Republicans have held 10 Congressional hearings already, nine classified Member briefings, and 16 Intelligence Committee oversight events on the Benghazi attack, despite those 35 congressional proceedings here in the House alone on Benghazi, the most astonishing information to emerge has been the striking level of disinterest exhibited by certain Members of the majority with respect to posing substantive questions that actually might inform efforts to enhance the security of American personnel abroad.

In fact, the independent Accountability Review Board of Admiral Mullen and Ambassador Pickering, two of the most respected civil servants in our lifetimes, as well as the report of the Republican majority-controlled House Armed Services Committee, have thoroughly vetted and debunked the outrageous and irresponsible Benghazi conspiracy theories that may make for good Republican fundraising, but disgracefully slander the service and dedication of public servants in the military and diplomatic corps.

In a USA Today op-ed published yesterday, my friend, Mr. GOWDY, from South Carolina asked:

> Was our military response during the pendency of the siege sufficient?

To save us all the time and resources that the Speaker now apparently plans to spend on his proposed partisan show panel, respectfully, I would recommend that my colleagues pose that very question to the esteemed Republican chairman of the House Armed Services Committee who stated last week:

> The Armed Services Committee has interviewed more than a dozen witnesses in the operational chain of command, yielding thousands of pages of transcripts, emails, and other documents. We have no evidence that the Department of State officials delayed the decision to deploy those resources available to the DOD to respond.

With their one-sided partisan select committee, we will not further an investigation or get at the truth the gentlewoman from Florida (Ms. ROS-LEHTINEN) talked about.

We will reveal nothing new; rather, we will do our great Nation a grave disservice in continuing to perpetuate myths and conspiracies that cloud a simple, painful truth: the attack on Benghazi was a tragedy perpetrated by jihadist terrorists—not by foreign diplomats, not by U.S. diplomats.

There was no coverup. There was no soft-pedaling of this act of terror, not by the President, not by the Secretary of State, not by the Secretary of Defense, nor our Intelligence Committee; and to suggest otherwise is a great slander.

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

Ms. SLAUGHTER. I yield an additional 1 minute to the gentleman.

Mr. CONNOLLY. Instead, Republicans on the Oversight Committee remain obsessed with recycling tired and worn talking points in a cynical attempt to fire up the GOP base before the midterm elections this November.

Unfortunately, the regression into crass demagoguery has real world consequences, Mr. Speaker. Our country's diplomatic corps cannot operate effectively if we lock them in fortresses and prevent them from engaging in foreign nations because there might be a risk.

The reality is that striking the right balance between necessary security and effective diplomacy is an inherently complex and daunting challenge for our foreign service every day, everywhere.

As Ambassador Pickering and Admiral Mullen accurately stated in their review report:

> No diplomatic presence is without risk, and the total elimination of risk is a nonstarter for U.S. diplomacy.

In closing, I would ask my colleagues on the other side of the aisle: Why do they not trust the judgment of this Chamber's foremost military expert, the chairman of the Armed Services Committee, who pronounced himself ''satisfied that where the troops were, how quickly the thing all happened, and how quickly it dissipated, we probably couldn't have done more than we did''?

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

Ms. SLAUGHTER. I yield an additional 1 minute to the gentleman.

□ 1315

> Mr. CONNOLLY. We probably couldn't have done more than we did.

Those are the words of our colleague from California, the chairman of the Committee on Armed Services.

I urge all Members to oppose this cynical, exploitative, partisan ploy that is not worthy of this House.

Mr. SESSIONS. I yield 5 minutes to the gentleman from Lewisville, Texas (Mr. BURGESS), a member of the Rules Committee.

Mr BURGESS. Mr. Speaker, I thank you for the recognition. I thank the chairman of the committee, the distinguished Texan, for yielding me the time. I certainly thank him for his confidence in me in allowing me to be on the Rules Committee this past year and a half.

Mr. Speaker, it is now nearly 2 years, an administration that ran on the concept of transparency but now only functions in opacity. We heard from the administration on September 12 of 2012:

> We will not waiver in our commitment to see that justice is done for this terrible act. And make no mistake, justice will be done.

It seems strange now, almost 2 years later, to think on those words. That seemed like a sincere promise. The American people believed that promise that was made just days after the attack. If then we could have known that 19 months later the President's press secretary would stand before the White House press corps and laugh about the

event and call it a conspiracy theory. I don't think we would have believed it if someone had told us what the future held, but sadly, that is the state of affairs today.

Here we have a tragic event against our Ambassador, against American citizens, and the darned thing has nearly become a cold case because of the refusal of the White House to prioritize anything related to the investigation except for their own bizarre political spin about what happened.

Mr. Speaker, we have been forced to look into the anguished faces of the victims' families and tell them that we have not been able to find answers for them about the attack, the attack that killed their sons. We have an entire Caucus that has threatened to boycott an investigation that they have simply dismissed as political excess. It is not political excess to those families, Mr. Speaker.

In turn, we as a Congress must do everything in our power to do what the President said, what the President stated back in 2012: to ensure that justice is done for this terrible act. The only way to deliver that justice is to establish the select committee.

This is another step in what has become a very long process. I urge my colleagues to support the rule and support the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentlewoman, the ranking member on the Rules Committee, and my friend, the distinguished gentleman from Texas, for the hard work that the Rules Committee engages in.

I think the first comment that I would like to make is what we have been making, Ms. SLAUGHTER, throughout this process, is our deep and abiding sympathy for the Americans who lost their lives in the name and in the duty to this country. I don't think there is a divide on that issue.

I would take a different perspective from a cold case. This is a hot and ongoing case that has been investigated and has evidenced individuals whom I would believe that, in any other instance, my friends on the side of the aisle would hold to the integrity of their representation.

One hundred years of military experience testified on the question of Benghazi, I believe, in the Committee on Armed Services. We have heard over and over from those in the State Department. We have had conclusions on the question of coverup, and we have seen nothing pointed to the administration to do so.

I think the issue today is a question of fairness. That is what Democrats have always stood for. I have watched my leaders through the endless investigations, starting from Waco and the impeachment process, and I can almost say—maybe I should even say that I come from a district where the Honorable Barbara Jordan served. She was on the Watergate Committee and the impeachment process as a member of the Judiciary Committee. I remember her posture on that committee and holding up the Constitution. As a Texan, as a Democrat, we admired that. That is the premise upon which I believe we should be looking at this process.

As I read this resolution, I am troubled, Mr. Speaker, because if we are going to do fairness and if we are going to reach a level of ethical respect, then there is a concern. We need an amendment, because this follows the rules of the House, which means that the chairman is solely given and ceded the authority—that means he or she could—of subpoena power. That does not rise to the level of fairness.

Now, someone refuted our leadership's request for a bipartisan, even-numbered committee and cited that the only committee that is even-numbered is the Committee on Ethics, and they are right, Mr. Speaker. We want this to be an ethical, fair, responsibly, constitutionally grounded committee investigation report, because the committee is unending. It will end only 30 days after the completion of its work; therefore, it can go on and on and on. The question is will the American people see fairness.

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

Ms. SLAUGHTER. I yield the gentlewoman another minute.

Ms. JACKSON LEE. Mr. Speaker, what we want them to see, if we truly honor those dead Americans that died in the line of battle and duty, then we need the kind of face to the American people that balances the subpoena power so that we all—meaning Republicans and Democrats who are on that committee, if that committee is finalized—can responsibly question witnesses, and that the issue will not be the committee in its process, but it will be the fairness, it will be the Constitution, it will be the dignity and honor we give to those who have fallen.

I ask my friends on the other side of the aisle, we can waive the point of order, amend this on the floor of the House to give a balance to this committee, to add the balance that our leadership has asked for, the fairness that our leadership is asking for, give the subpoena powers in a balanced manner, pay tribute to those who have honored this Nation by being willing to stand in the line, in the eye of fire.

I conclude simply by indicating we are the people of this Nation. Respond to our concerns. And I ask my colleagues to reject this rule and the underlying bill.

Mr. SESSIONS. Mr. Speaker, I yield myself 15 seconds.

Members of Congress who attend hearings and heard the testimony yesterday should not mislead the American people by their statements on the floor as the gentlewoman from Texas did.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Committee on Rules.

Mr. POLIS. Mr. Speaker, my good friend from Texas (Ms. JACKSON LEE) just talked about how we have proposed that this be a balanced committee like the Ethics Committee. That was done with regard to another special committee, in fact, the bill that was sponsored by current Speaker, then-minority leader, JOHN BOEHNER in the 110th Congress.

They set up a special committee with regard to voting irregularities. They had an equal balance between Democrats and Republicans to remove any taint of partisanship from the proceedings. That would be a welcomed change, but again, that was not even allowed to be discussed under this rule.

Another language of concern in the underlying bill which we tried to address in the Rules Committee but unfortunately were voted down is that this bill allows for such funds that are needed to be appropriated for this purpose. We were not even presented with any cost estimates for this committee.

On the committee, it was noted that Kenneth Starr's investigation of then-President Clinton cost in excess of $80 million. We simply don't know if this is a $1 million, a $10 million, a $50 million, or a $200 million endeavor; nor were we allowed to even allow for a vote our very simple bipartisan proposal to pay for this bill, which would have been to allow a vote on H.R. 15.

H.R. 15, which is a bill that has bipartisan support, has already passed the Senate by more than two-thirds, would pass as a pay-for if brought to the floor of the House, actually generates over $200 billion. Even if this select committee were to spend hundreds of millions of dollars, if we were able to include immigration reform as a way of paying for it, it would still reduce the deficit by $199 billion or more.

We weren't even allowed an up-or-down vote on that topic. In the spirit of bipartisanship, I offered to support the establishment of the select committee if we could establish immigration reform as the way of paying for this. Unfortunately, despite support from both sides of the aisle in committee, we were, nevertheless, voted down.

I want to be clear that the issue of immigration reform will not go away. We will continue to offer it as a way of paying for various bills. I hope that a discussion is allowed about how to pay for this committee, and that is why I oppose the rule.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. ENGEL), the distinguished ranking member of the Committee on Foreign Affairs.

Mr. ENGEL. Mr. Speaker, I thank my friend from New York for yielding me this time.

I rise in strong opposition to both the rule and the bill. It is really a political charade and a pointless attempt to find a scandal that simply doesn't exist.

What happened in Benghazi in September 2012 was a tragedy. The loss of those four Americans broke our hearts, and it reminded us that diplomacy can be dangerous work and that we need to do all we can to protect those who represent our country around the world.

What have we seen from certain members of the majority since that day? Partisan games. And this select committee would be nothing more than the next chapter in this political farce, just in time for the midterm elections and with 2016 peeking over the horizon.

What is it exactly that my colleagues are after? After the attack in Benghazi, we all wanted answers: What happened that night that led to the death of Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty? Where did we fall short in protecting our people, and who was responsible? What could we do to make sure something like this wouldn't happen again?

Well, an Accountability Review Board led by Ambassador Thomas Pickering and Admiral Michael Mullen, two men with seriousness of purpose and no partisan agenda, helped answer those questions. They found serious management and leadership failures at the State Department. Bipartisan reports from the Senate Homeland and Intelligence Committees supported those findings.

Former Secretary of State Hillary Rodham Clinton sat before committees in both Houses and took full responsibility. She and her successor, John Kerry, have said over and over again that the State Department is implementing all of the recommendations of the Review Board.

That didn't satisfy some of my friends on the other side. They started moving the goalpost, and so began this long, costly exercise. They tried to tie Secretary Clinton directly to the security failures that led to this tragedy, but that didn't turn up anything. Then they floated the idea that our military was told to stand down in the moment of greatest need in Benghazi. Even the Republican chairman of the Committee on Armed Services said that claim had no merit.

Since there is no wrongdoing to be found with respect to the actual attack, now we are focused on the talking points and the so-called coverup. I ask again: What is it my colleagues are after? What is allegedly being covered up?

At the time the attacks took place, American Embassies from Southeast Asia to the Middle East, to North Africa, to England were surrounded by protestors angered over an anti-Islamic video. In Egypt, our Embassy was stormed.

So as the fires in Benghazi were still burning and the air was thick with smoke, the CIA's assessment was that the attack was the result of a spontaneous protest. They were wrong. In the days that followed, they corrected that mistake, confirming that the attack was a deliberate and organized terrorist attack carried out by extremists.

In the days after the attack, these protests in the region were still raging. Some of them were violent. In Yemen, additional marines were deployed to protect our personnel. The latest conspiracy theory centers on an email sent at the time. In context, it is clear that Ben Rhodes, the Deputy National Security Adviser, was concerned about protecting Americans amid a volatile climate around our diplomatic facilities all over the world.

Those who want to create a scandal where none exists call this a smoking gun. That is not much to go on. Nevertheless, after more than a year of turning up nothing new, my colleagues want to create a new committee with sweeping powers, a broad mandate, and no fixed timeline for producing any sort of report.

When I heard of the terrible idea to create this special committee, I could not help but think of Iraq where, not four, but 4,000 Americans died. My Republican colleagues conducted virtually no investigations into that tragedy based on a lie. They set up no committees to uncover the truth behind the phony intelligence, the torture, the secret prisons, or the spin about how Iraqis would greet us with flowers. Nothing.

So I have to ask a final time: What is it my colleagues on the other side are after? I think the answer is pretty clear. They are after a political win. They want to tear down leaders in the Democratic Party and raise money for their campaign committees, and they are willing to politicize the deaths of four Americans to do it.

□ 1330

Our constituents aren't interested in this. They want us to do our jobs, not waste millions of taxpayer dollars on a fabricated scandal.

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

Ms. SLAUGHTER. I yield an additional 30 seconds to the gentleman from New York.

Mr. ENGEL. Let's do what they sent us here to do. Let's protect our diplomats and development experts. Let's work to create jobs and shore up our crumbling infrastructure. Let's fix our immigration system and promote energy security. Let's vote ''no'' on this resolution and get back to governing.

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

The SPEAKER pro tempore. Without objection, the gentleman from Colorado will control the time.

There was no objection.

Mr. POLIS. I would like to inquire if the gentleman has any remaining speakers on his side.

Mr. SESSIONS. In fact, I do not.

Mr. POLIS. Then I am prepared to close.

Mr. Speaker, I would like to inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Colorado has 8 minutes remaining.

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

As we have seen time and time again, sadly the Republicans are taking an unspeakable tragedy—the death of four brave American citizens—and turning it into a partisan talking to the point of selling membership to become Benghazi investigators on a partisan Web site rather than engaging in a bipartisan process to get to the root of the matter.

The families of those who died deserve more than that. They deserve that Democrats and Republicans work together rather than use their pain for political or financial gain for either party.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to make in order our amendment to ensure that the select committee has a chance to succeed where four previous House investigations have not to ensure that we have a full, accurate, and objective accounting for the American people of the events in Benghazi. By ensuring equal representation, equal resources, and equal say over the use of subpoenas and depositions, we can fulfill our obligations to our Nation and to our institution to ensure that we get to the bottom of this matter for the American people.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, we and my colleagues on the Rules Committee have tried to make this process work. We tried to propose a bipartisan way of paying for these efforts, we tried to propose a balanced way for this committee to go about its business. But at every turn we were shot down. That is why I ask my colleagues on both sides of the aisle who care about honoring those who lost their lives, who care about getting to the bottom of the events, join me in opposing this rule and defeating the previous question so that we may begin a process that has the confidence of the American people rather than just speaks to one partisan base or the other.

The American people deserve this institution acting at its best with regard to this matter, Democrats and Republicans acting in concert, both enjoying the power of subpoena, the ability to schedule witnesses, equal resources on the committee, so we can have a full, objective, and hopefully unanimous account of the events.

That should be the goal of the legislation. Under this rule, we are not even

allowed to discuss our proposals to ensure equal representation on this committee. We are not allowed to discuss our proposal to pay for the proceedings under this bill with a bipartisan bill that passed the Senate with more than two-thirds.

This is a closed process that, frankly, Mr. Speaker, risks losing the faith of the American people in the outcome of this process. I fear, Mr. Speaker, that whatever the outcome of this process, if it moves forward, will fall on deaf ears of the American people because they will know that there was not an institutional commitment to being objective, there was not an effort to reach out in a bipartisan manner to find the truth, there was not a bipartisan effort to even pay for the costs of this investigation or this bill or contain or estimate those costs in any way.

Mr. Speaker, I strongly urge my colleagues to defeat the previous question so we can get this process right. I urge my colleagues to vote ''no'' on the previous question, ''no'' on the rule, and ''no'' on the underlying resolution.

I yield back the balance of my time.

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

There is an old saying that the closer to the target you get, the more flak comes up. While that is probably a naval or an Air Force term whereby pilots who are on their duty know when they are getting close to the real target. Mr. Speaker, we are getting closer to the real target.

The facts of the case are really pretty simple. There is no gag order involved here. We spoke last night and yesterday in a very open, probably several-hour meeting on original jurisdiction at the Rules Committee. I was very open with the members of the committee. I told them, which has not been expressed today, that the last day of the 113th Congress this investigation, if it is still going on, would have to be reauthorized by the next Congress. It is not like there is a never-ending date. As a matter of fact, we say in the original jurisdiction that 30 days after the completion of their report this select committee would go away.

Secondly, we spoke very openly about not having new money available, but rather the money that was originally given to the House of Representatives for the purposes of running the House. The Speaker of the House would have to make sure that this committee operates within what we had originally asked for. There are not unlimited amounts of money. And to suggest as has been done on the floor, up to $200 million to run this investigation, that simply would not be truthful.

Mr. Speaker, the closer to the target we have gotten, we have found that the Obama administration is trying to do everything they can to keep the United States House of Representatives and the committees from doing their job to try and misdirect us, to try and trick us, to try and fool us, to try and redact information that did not fall under a national security title but rather was to politically save them from what might be an embarrassment.

What are some of those embarrassments? Well, some of the embarrassments would be: Why didn't the State Department understand on September 11 of any year why you probably do not conduct official operations, especially in a dangerous area? That might be one question.

Another question might be: Who is it that said no? We have heard that there are serious flaws in the State Department. We already knew that. The former Secretary of State has numerous investigations that have revealed inadequacy all the way to the top of the State Department when Hillary Clinton was Secretary of State.

But what we are about here is to get to the bottom of it, to effectively get this done, to report to the American people, and they, Mr. Speaker, will see exactly why this was done, because the oversight responsibilities of the House of Representatives were done at the highest levels of this House. And by the way, we will read the bills before we pass them, we will understand the facts of the case and be able to explain them, and, more importantly, the Speaker of the House of Representatives will be in support of the American people knowing the truth.

Mr. Speaker, thank you for allowing the Rules Committee to bring forth its rule today to talk about this important, not just intelligence operation and national security and State Department and military operations, but to be able to say that the confidence that the American people have in the brave men and women who represent America—that we will never leave them on the battlefield alone in hours of firefights without a backup position of knowing that the next sound you hear will be the United States Navy or the United States Air Force coming to aid the men and women who are in harm's way. That is the bottom line to this: an apology, not just stating a mismanagement, based upon the facts of the case.

Mr. Speaker, I urge my colleagues to vote ''yes'' on the resolution and ''yes'' on the underlying legislation. I believe what we are doing today is an honorable day for the American people, and I am proud to be here as an American, as a Member of Congress, saying we will get to the bottom of this, it will be done quickly, and it will be done efficiently, and the American people can then make their decisions and us move on, knowing that we will support the men and women who wear the uniform.

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

AN AMENDMENT TO H. RES. 575 OFFERED BY MS. SLAUGHTER OF NEW YORK

Strike ''except'' and all that follows and insert the following:

''except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; and (2) the amendment specified in section 2 of this resolution if offered by Representative SLAUGHTER of New York or a designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 30 minutes 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.''

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

SEC. 2. The amendment referred to in the first section is as follow:

Page 1, lines 9 and 10, strike ''after consultation with'' and insert ''on the recommendation of''.

Page 4, strike lines 15 and 16 and redesignate accordingly.

Page 4, line 22, after ''Select Committee'', insert '', including one of the members who was appointed to the Select Committee after consultation with the minority leader under section 2(a),''

Page 5, line 3, strike ''chair of the''.

Page 5, line 7, before the period, insert '', only upon an affirmative vote of the majority of its members or with the concurrence of the ranking minority member''.

Page 5, lines 8 and 9, strike ''upon consultation with'' and insert ''with the concurrence of''.

Page 5, line 16, before the period, insert '', and shall be taken only upon concurrence of the ranking minority member''.

Page 5, line 18, strike ''after consultation with'' and insert ''with the concurrence of''.

Page 6, after line 3, add the following new subsections:

(d) All Members of the Select Committee shall have equitable and timely access to all evidence and other material received by the Select Committee.

(e) The Select Committee shall adopt written procedures governing how documents and other information may be obtained, used, or released by the committee or any members or staff of the committee.

Page 7, after line 11, add the following new subsections:

(d) The chair and ranking minority member of the Select Committee shall receive equal allotments of resources for the expenses and staff necessary to carry out this resolution.

(e) A complete report of the expenditures of the Select Committee shall be made available to the public on a monthly basis.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the

opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would inform the House that, pursuant to House Resolution 574, the Speaker has certified to the United States Attorney for the District of Columbia the refusal of Lois G. Lerner to provide testimony before the Committee on Oversight and Government Reform.

PROVIDING FOR CONSIDERATION OF H.R. 10, SUCCESS AND OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS ACT; RELATING TO CONSIDERATION OF H.R. 4438, AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2014; AND FOR OTHER PURPOSES

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 576 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 576

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. 10) to amend the charter school program under the Elementary and Secondary Education Act of 1965. 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 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. On any legislative day during the period from May 12, 2014, through May 16, 2014—

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

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

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. It shall be in order at any time on the legislative day of May 8, 2014, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the bill (H.R. 4366) to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement.

SEC. 5. The Committee on Appropriations may, at any time before 5 p.m. on Thursday, May 15, 2014, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2015.

SEC. 6. During consideration of the bill (H.R. 4438) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit, pursuant to House Resolution 569, the further amendment printed in part B of the report of the Committee on Rules accompanying this resolution shall be considered as adopted.

SEC. 7. House Resolution 569 is amended by striking ''90 minutes'' and inserting ''one hour''.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

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

□ 1345

GENERAL LEAVE

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

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

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 576 provides for a structured rule providing for the consideration of H.R. 10, the Success and Opportunity through Quality Charter Schools Act.

My colleagues on the House Education and the Workforce Committee and I have been working to reauthorize the Elementary and Secondary Education Act; and to that end, the House passed H.R. 5, the Student Success Act, last July.

Our efforts in reauthorization have centered on four principles: reducing the Federal footprint in education, empowering parents, supporting effective teachers, and restoring local control. H.R. 10, the Success and Opportunity through Quality Charter Schools Act, takes a small bipartisan step in the reauthorization process and ensures that local communities have the flexibility needed to meet the needs of their students.

While H.R. 5 is languishing in the Senate, the House remains committed to continuing its work and has broken out the charter school programs as an area of agreement between House Republicans and Democrats.

Despite good intentions, there is widespread agreement that the current

law is no longer effectively serving students. My hope is that, after the House passes H.R. 10 this week, our Senate colleagues will follow our lead and will provide the same opportunity to their Members to work together in a bipartisan, bicameral fashion and pass this legislation.

Mr. Speaker, a few weeks ago, I had the opportunity to visit a remarkable public school in Kernersville, North Carolina. In addition to preparing students academically for college, the North Carolina Leadership Academy, a charter school, is publicly committed to giving students ''the opportunity to develop true leadership qualities and become creative thinkers and problem-solvers while retaining a sense of responsibility for their families, their community, and their country.''

It was a privilege to spend time with the remarkable students and faculty of this public charter school. I was truly impressed by their commitment to scholarship, by the leadership skills of the students and by the remarkable academic progress that was on display.

All NCLA students in grades 7–12 participate in Civil Air Patrol, a program established by Congress in 1946 that uses military-style uniforms, customs, courtesies, ceremonies, and drill in order to improve students' leadership skills, fitness, and character.

This program is working. NCLA places a strong emphasis on family involvement, and the level of commitment demonstrated by parents, families, and the Piedmont community at large was impressive.

H.R. 10 will empower States and local communities to replicate the success of high-quality charter schools like NCLA and encourage choice, innovation, and excellence in education. I urge my colleagues to support this rule and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. I thank the gentlelady from North Carolina for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, we had the opportunity to have a clean rule around a bill that I had the opportunity to work on, along with the gentlelady from North Carolina and with our ranking member and chair, with regards to taking what we can agree on in education, which is reauthorizing the Federal Charter School Program.

We had similar language in both the Republican ESEA reauthorization, as well as in the Democratic substitute. Most Republicans voted for the version that they had, and almost every Democrat, except for two, voted for the Democratic version.

We were able to then work out the very small differences between the two pieces of language with regard to charter schools, present it before the entire House under a reasonable rule that allows for a broad variety of amendments—12 amendments—from both sides of the aisle, many of which improve the bill and some of which I oppose, but which are, by no means, fatal to the bill. The process fundamentally works.

Unfortunately, in this rule, we have now had to alter the way that we are dealing with another unrelated, unpaid-for effort, namely, a bill that could add $155.5 billion to our deficit because of the extension of the R&D tax credit.

Essentially, under the initial effort, the Republicans failed to waive their statutory PAYGO rules. What that means is that they failed to say: we don't have to pay for this bill. They failed to say: this bill will add to the deficit. In a few moments, my colleague, Mr. VAN HOLLEN, will explain what that means.

What the American people need to know is that this rule prevents Congress from doing fake math, and it essentially acknowledges that the Republican proposal to extend the R&D tax credit would be a deficit buster and increase our deficit by $155.5 billion.

It takes away any pretension that somehow this bill would be paid for by some other mechanism; so while the amendments allowed in the content of the bill with regard to charter schools, which I will talk about in a moment, are largely noncontroversial and enjoy support from both sides of the aisle, the budgetary pretense that is removed from this bill, which reveals that the Republican proposal on the R&D tax credit increases our deficit by $150 billion, is a controversial element that now occurs in this same rule.

I now want to talk about the Success and Opportunity through Quality Charter Schools Act. This important bipartisan bill improves and modernizes the Federal Charter Schools Program.

We essentially established a 2.0 version 14 years later, in having learned a lot about what works and doesn't work in the field with regard to public charter schools. We promote equity in opportunity for our students across our country.

I am very pleased and honored that many of the important aspects of the bipartisan bill that I have had the honor to lead, the All-STAR Act, have been included in this underlying bill, as well as almost all of the priorities for the Democrats and Republicans.

When Congress first authorized the Charter Schools Program in 1994, charter schools were very early in their existence. They were an emerging effort to encourage innovation in our public schools.

Public charter schools with the ability to make site-based decisions—and that is essentially what charter schools are, they are public schools with site-based management—now serve more than 2 million students in 42 States and in the District of Columbia.

Sadly, there are over 600,000 students who remain on public charter school waiting lists, unable to attend the schools of their choice.

The promise of public charter schools is that they are free to be innovative when it comes to instruction, scheduling, time-on-task, policies, mission, and hours. Because they have site-based management, rather than being run by a larger entity like a district or a State, they have the flexibility to do what it takes to meet the needs of parents in their communities.

Public charter schools don't charge tuition, nor do they have any entrance requirements, nor are they allowed to discriminate against students on any basis. This bill goes a step further in ensuring transparency and accountability for charter schools to allay the concerns of some on my side of the aisle that they are not fully compliant with many of these areas.

The Charter Schools Program is a crucial lifeline for growing and replicating successful models. Charter school programs are critical to ensuring that every child in this country, regardless of ZIP code or economic background, has access to a free, quality education, which is more important than ever in order for one to succeed in the 21st century.

I am proud to say that H.R. 10, which will be considered under this rule, passed the Committee on Education and the Workforce with a very strong, bipartisan vote of 36–3. This is an example of a bill that has gotten better every step of the way.

A similar bill in the 112th Congress passed overwhelmingly with over 350 votes. Better language with regard to charter schools was included in both the Republican version of the ESEA reauthorization, as well as in the Democratic substitute.

Now, we have a stand-alone bill before us which takes the very best of both, the bill that was in the Republican version and in the Democratic version. It builds on it, and it creates a Federal charter school program that, truly, Democrats and Republicans can be proud of as a legacy for the next decade.

Having founded two innovative public charter schools before I was elected to Congress, I understand firsthand how the freedom to innovate and having the flexibility to pursue a unique mission can truly help serve all kids.

Without the Federal charter school program, many charter schools across our country wouldn't even be able to get off the ground. We owe it to kids who are being underserved or who are unserved today to be able to upgrade this program and ensure it can meet the challenges of the 21st century.

I reserve the balance of my time.

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

I want to take the opportunity to thank my colleague from Colorado for the work that he has done on charter schools, for understanding the very important nature of charter schools and for bringing his expertise to this issue.

I also want to thank him for acknowledging the bipartisan effort that has gone into bringing this legislation to the floor and for the very good way

that we have gone through regular order to bring this bill to the floor. I appreciate that little history that he has given us.

I now would like to yield 2 minutes to the gentleman from Washington (Mr. REICHERT), my classmate and colleague.

Mr. REICHERT. I thank the gentlelady for yielding.

Mr. Speaker, I support charter schools—I want to be clear about that—and I support this bill. However, I also believe that families should be able to choose schools within the public system that best meet their needs.

When it comes to students' education, we definitely know that one size does not fit all. The same is true for charter schools. Different systems work better for different communities.

We agree that it is wrong when the administration forces its vision for education reform on the States through grant programs, like Race to the Top, but that means it is equally wrong when Congress uses grant programs to do exactly the same thing.

This bill seeks to force States to remove existing caps on charter schools by giving priority to grant applications from States that do not have caps.

By doing this, Congress is punishing 20 States and Washington, D.C., whose charter laws have caps, including my home State of Washington.

There may be legitimate reasons these States have caps, but this bill doesn't recognize that. Charter schools for the sake of having charter schools definitely is not the answer. It won't help students.

That is why I am extremely disappointed that my bipartisan amendment was not made in order. It would have simply removed the provision that punishes certain State-designed charter systems, allowing States to compete equally for grants.

As the voice of the people, Congress should do better than the unelected bureaucrats down the street at the Education Department. Let's start saying ''no'' to top-down education reform and ''yes'' to states' rights.

Mr. POLIS. Mr. Speaker, I am proud to yield 4 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the distinguished ranking member of the Committee on the Budget.

□ 1400

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague.

I want to start by congratulating the bipartisan effort on the charter school bills. I thank Mr. POLIS for his leadership on that. And I wish that was all there was to say about this rule. Unfortunately, it is not.

You might think this rule was only about charter schools. The title is, Success and Opportunity Through Quality Charter Schools Act. But then if you turn a couple pages in, you will find in paragraph 13 a reference to H.R. 4438. That is not the charter school bill. That is what we call the research and development tax credit bill.

So why is it here in this rule on charter schools, and why does it reference part B of the rule in front of us now, which says that the budgetary effects of this act shall not be entered on either the PAYGO scorecard—and it goes on to say some other things?

Well, the PAYGO scorecard has nothing to do with charter schools. It does have something to do with the R&D tax credit. And I want to explain to people what has happened here because it is important that the public know.

Last night, we were scheduled to have the debate on a bill to extend the R&D tax credit law. We were all ready to go, and all of a sudden the debate stopped and the plug was pulled.

And so I have got to say something for a second about this research and tax development credit.

I think the idea of extending the R&D tax credit bill is broadly supported. That is not the issue on the tax credit bill. The issue is a permanent extension that is not paid for.

There are a number of other bills coming out of the Ways and Means Committee. When you add them all up, they add $310 billion to our deficit. Unpaid for. Put it on our credit card.

It is kind of interesting, Mr. Speaker, because it was only about 3 or 4 weeks ago that here on the floor of this House we had a debate on the Republican budget and they told us the number one priority was to reduce that deficit. Yet now we have a bunch of bills that say let's put it on the credit card.

And, Mr. Speaker, you know that at the end of the day, we all have to pay when we put it on our credit card.

We pointed out that if you don't pay for it by closing some other special interest tax breaks, like tax breaks for big oil companies, someone else is going to have to pay.

Now what we didn't realize is that the Republican plan as of last night was to pay for the R&D tax credit extension by cutting Medicare, Mr. Speaker. Because their failure to come up with offsets in the bill meant that current law would continue in effect.

In the past, we have turned off the trigger that says it is paid for by a sequester to a number of programs, the biggest being Medicare. But our Republican colleagues didn't turn it off.

So when they decided not to pay for the R&D tax credit in the bill and decided not to turn off the sequester, what they were aiming for was to have Medicare pay for that tax extender and to ask the people who depend on that program to foot the bill for the R&D tax credit.

Well, Mr. Speaker, we blew the whistle on that issue last night. We saw our colleagues go scampering back to the Rules Committee to change it.

We will talk a little later today, but the bottom line is the same. When you put stuff on the credit card, someone pays the piper at the end of the day.

We have proposed paying for it, in part, by closing some of the wasteful special interest tax loopholes in the Code. We think the R&D tax credit is a pro-growth policy, but subsidies to big oil companies; no.

And so, because our Republican colleagues don't want to pay for it in the bill, they are going to increase the deficit. In fact, the rule yesterday waived the rules of the House. Because the R&D tax credit bill was inconsistent with the Republicans' own budget.

The budget that was passed 3 or 4 weeks ago, it is inconsistent with it. Even under the Enron accounting in that budget, it throws it out of balance. Our Republican colleagues need to know that. You are putting it on the credit card. At the end of the day, that means if you are not going to ask Medicare to pay for it, which apparently had been the original plan, you are going to be cutting our kids' education, you are going to be cutting research at places like the National Institutes of Health that try to find cures and treatments for diseases. You are going to be letting the infrastructure of this country come to a halt. In fact, the budget calls for allowing the transportation trust fund to go insolvent.

That is what happens when you refuse to take fiscal responsibility and pay for things.

It was interesting to discover that the plan last night was to allow the Medicare cut to go into effect to pay for it. We are glad we are not doing that anymore.

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

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

Mr. VAN HOLLEN. We are glad that after we called attention to that issue, our Republican colleagues realized that it was not a good idea to have an across-the-board cut in Medicare to pay for business tax incentives. We are glad they woke up to that fact.

But the underlying report here is going to remain the same. Putting $310 billion on the credit card, someone has got to pay. We should take the responsibility in this House to figure out how we are going to do it.

We put forward proposals as to how to do it. Unfortunately, despite having passed a budget a couple of weeks ago, they are now waiving their rules on their own budget for these purposes.

I look forward to the conversation later today.

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

Yesterday, our Democratic colleagues in the Rules Committee properly notice that had the R&D bill would have inadvertently triggered automatic cuts to other programs to offset the bill. We appreciate the spirit of comity that existed and that brought that to our attention.

H. Res. 576 ensures that the bill operates the way it was intended to operate. It was an inadvertent error. Excluding this bill from the PAYGO scorecard will ensure that other programs are not affected, which is consistent with the treatment of other tax bills.

I would like to point out to our colleagues on the other side of the aisle that the PAYGO amendment made by H. Res. 576 is substantially identical to section 401 of Senator WYDEN's extenders bill, S. 2260, the EXPIRE Act. However, they have failed to point that out.

Statutory PAYGO was created by the Democrats when they controlled Congress. Statutory PAYGO maintains a running tally of the cumulative deficit impact for bills signed into law. If the threshold is exceeded, a sequester is triggered to offset the excess.

When Republicans took control of the House, we adopted a new rule known as CUTGO, which requires that any new direct spending be offset by cuts to other direct spending programs.

We should reduce spending and reform our entitlement programs, Mr. Speaker. House Republicans have shown we are willing to do so, and we earnestly desire a partner in the Senate and the White House to do just that. But we should also grow our economy. This bill will help us do just that, and we hope we will find partners on the other side of the aisle.

Again, I want to say that the PAYGO amendment made by H. Res. 576 is substantially identical to section 401 of Senator WYDEN's extenders bill, S. 2260, the EXPIRE Act. My guess is my colleagues will be supporting that.

I now would like to turn our attention back to the subject at hand, charter schools, and I yield 2 minutes to my distinguished colleague from North Carolina (Mr. HOLDING).

Mr. HOLDING. I thank the distinguished gentlelady from my home State for yielding me time.

Mr. Speaker, I rise to join my colleagues in supporting this rule to bring H.R. 10, the Success and Opportunity Through Quality Charter Schools Act, to the floor.

Education is a key that can open the door to opportunity, which is important to families across America, and especially those in my district in North Carolina.

Mr. Speaker, we know that a one-size-fits-all approach to education simply never works for students, as students vary greatly in how they learn. Because of this, I believe we should offer students and their parents every possible opportunity to select a school that best fits their individual needs, their goals, and their aspirations. And, Mr. Speaker, neither a student's ZIP Code nor circumstances should determine the educational opportunities available to them.

In my district, North Carolina's 13th District, we have six charter schools that are serving the local communities, in addition to our quality public schools in North Carolina. While developing and expanding the use of charter schools is certainly not the only answer to the education crisis facing our Nation, it is without a doubt a step in the right direction. The rule before us today to bring H.R. 10 up for debate and a vote does just that by offering more choice to parents and students through the expanded use of charter schools.

The Success and Opportunity Through Charter Schools Act will facilitate the establishment of quality charter schools and support innovation and excellence in education. It also makes necessary improvements to charter school programs to encourage States, and those efforts already underway, to expand the use of charter schools.

I want to thank Chairman KLINE and the committee for their hard work, and I urge support for the rule and H.R. 10.

Mr. POLIS. Mr. Speaker, I am proud to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Speaker, I am very pleased to come and join in an aspect of our bipartisan work that is working for children, and I thank the Education Committee and Mr. POLIS for their leadership in focusing on the idea that our children need the best education.

I also know the hearts of the Education Committee members and Mr. POLIS in recognizing that public schools are a valuable asset, having been educated throughout my primary and secondary education in public schools. We want to have the opportunity to match excellence with excellence and to ensure that the oversight allows for excellence.

So H.R. 10, the Success and Opportunity Through Quality Charter Schools Act, brings all of this together: respecting teachers, holding children to a higher standard, and giving them the necessary tools.

I am glad that I had an amendment that will be in the manager's amendment that deals with requiring the Secretary to report issues regarding the age, race, and gender at charter schools, and also, the attrition and college acceptance. It has that same requirement for the teachers, as far as teacher attrition. That is important. That is already in the manager's amendment.

I also think more transparency and information to the parents on the Web sites concerning orientation materials, enrollment curriculum, student discipline, and behavior codes adds to this legislation. In that, we can ensure that there will be policies to prevent any bullying or even to have bullying intervention so that our children can have a better quality of life.

This is a holistic approach to educating our children. I believe the underlying bill speaks volumes that our children are our most precious resource. I hope that, as we continue, we will be able to work on other items, such as unemployment insurance and comprehensive immigration reform, because these are ways that we show America that we are working for them.

The SPEAKER pro tempore (Mr. MARCHANT). The time of the gentlewoman has expired.

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

Ms. JACKSON LEE. When we put forward legislation that focuses on the education of our children and the choices that our children can make, balanced alongside of ensuring the lifting of the boats of public education, we are in the right direction.

I am delighted to support this legislation.

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

As my colleague from North Carolina points out, support for school choice is growing. A 2013 public opinion survey found that 73 percent of Americans supported school choice, whereas 67 percent of Americans supported school choice in 2010.

Forty-two States and the District of Columbia have passed legislation to support the funding of public charter schools. They are becoming more popular. In the 2012–2013 academic year, more than 500 new charter schools opened across the country, which means there are now 6,200 charter schools in America and 2 million charter school students.

If recent growth continues, they will double in number by 2025 and will educate 4.6 million children. That amounts to 10 percent of all public school students.

□ 1415

Another sign of their popularity is that charter schools have over 1 million students on their wait lists.

H.R. 10 modernizes and streamlines the current Charter Schools Program authorized under the Elementary and Secondary Education Act to ensure that States can support the replication and expansion of high-quality charter schools.

These schools empower parents to play a more active role in their child's education, open doors for teachers to pioneer fresh teaching methods, encourage State and local innovation, and help students escape underperforming schools.

H.R. 10 is a commonsense approach to updating the Charter Schools Program by streamlining multiple charter school programs, improving quality, and promoting the growth of the charter school sector at the State level.

This bill benefits children, their parents, and—ultimately—our economy. By increasing the number of high-quality charter schools, more children will acquire the skills they need to succeed in a competitive global economy.

We owe it to our children to provide them with the best education possible, and that is what this bill was designed to do.

For these reasons, I urge my colleagues to support this rule and the underlying bill.

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

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

How exciting that in a week here of partisan division with regard to Benghazi, with regard to Lois Lerner, with regard to a deficit-busting $155 billion tax expenditure, how exciting that Democrats and Republicans can come together around something that is so important for the next generation of American children—that is, making sure that our limited investment in public charter schools has the maximum positive impact on student achievement across our country.

A 2013 study conducted by Stanford University's Center for Research on Educational Outcomes found that public charter schools often outperform their peers in traditional public schools, and many have demonstrated substantial progress in closing the achievement gap.

The study's findings were particularly impressive for low-income students. The study found that low-income students gained 14 additional days of learning in reading and 22 in math—compared to traditional school peers—and English language learners gained 36 days of learning in reading and in math.

What is clear, however, is just how public charter schools with site-based management have the ability to innovate and succeed. They also have the ability to fail and do poorly.

Not all charter schools are serving students well. Not all charter schools meet their goal of serving at-risk students. That is why this bill improves transparency and accountability for the public charter school sector as a whole, as well as for authorizers—that is, the entity, usually a school district, sometimes a State or special entity—that grants the charter, which is another word for contract, to the provider of educational services at the site-based level.

Mr. Speaker, all public schools, regardless of their governance structure, whether they are public magnet schools, whether they are neighborhood schools, whether they are public charter schools, whether they are schools of choice operated by a school district, every public school should live up to our promise of providing a quality education; and every child should have access to a quality education that allows them to succeed in the workforce, in college, and in life.

In this era of constrained public resources, we need to maximize the impact of every dollar spent by making sure that what we invest in works, and that is exactly what this bill does.

It allows for investment in proven models to expand and replicate success, to serve more kids, many of whom were already on waiting lists and forced to attend a school that is worse than the one that they seek to attend. This bill will help alleviate those waiting lists.

It is important to focus our resources and double down on public charter schools that get great results and ensure that we don't squander our limited resources on public charter schools that fail to meet the needs of their students.

We want to make sure that charter school operators with a strong evidence of student achievement and strong management capacity are able to replicate and expand. That is why, under this bill, we create incentives for schools to achieve and replicate excellence by awarding grants directly to some of the highest performing public charter schools in our country that are helping to allow more and more kids from at-risk backgrounds to achieve the American Dream.

This particular program, which was an important part of the bipartisan All-STAR Act, helps to seed the growth of high-performing public charter schools in States that might otherwise not meet the criteria.

The gentleman from Washington State mentioned that his State and some others have a cap. Well, very importantly, even where a district or State policy environment is not ideal and, therefore, they might not be a priority for receiving grants that they administer, nevertheless, charter schools serving kids in those areas can receive grants because of the networks of charter schools that are high performing in States that might not have policies that are as open to charters as they should be.

Mr. Speaker, what Democrats and Republicans coming together shows the country, shows the public charter school movement, shows the school districts, is that a multistakeholder approach can work for our country.

I want to thank the many individuals who provided input on this important bill, ranging from school districts to States to teachers' unions, to charter school board members, to families who are in charter schools, and families who languish on waiting lists, wanting their child to attend a better school.

The result of this multiyear process is a bill that reflects the very best policies to upgrade the existing charter school authorization program, improve transparency and accountability for public charter schools, ensure that our limited Federal resources are invested in schools that work and ensure that more kids, regardless of their geography and economic background, can attend a school that prepares them to succeed in life.

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

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

Unfortunately, over the last 4 decades, the Federal Government's role in elementary and secondary education has increased dramatically. The Department of Education currently runs more than 80 K–12 education programs, many of which overlap.

As a school board member, I saw how the vast reporting requirements for these Federal programs tie the hands of State and local school leaders and prevent them from making the best education available to their students.

Since 1965, Federal education funding has tripled, yet student achievement remains flat. More money is clearly not going to solve the challenges we face in education.

Unfortunately, the Obama administration has refused to work with Congress to address these challenges and has, instead, taken unprecedented action to further expand its authority over America's schools.

Through the President's waiver scheme and pet programs such as Race to the Top, the Secretary of Education has granted himself complete discretion to use taxpayer dollars to coerce States into enacting the President's preferred education reforms.

Adding insult to injury, President Obama continues to push for more Federal education spending, requesting a staggering $82.3 billion in mandatory and discretionary funds for the Department of Education in his fiscal year 2015 budget.

Our children deserve better, Mr. Speaker. It is past time to acknowledge more taxpayer dollars and more Federal intrusion cannot address the challenges facing schools.

H.R. 10 recognizes that local communities know their needs better than any bureaucrat in Washington and supports the sharing of best practices among charter schools and traditional public schools. Our students do better when educators work together to put in place the best strategies to help students learn.

Additionally, H.R. 10 specifically encourages charter schools to reach out to at-risk students in their communities, as well as those who have disabilities or are English learners.

Again, the local officials know best how to serve their communities, and the Federal Government should not tie their hands as they work to make the best decisions for their students.

I urge my colleagues, therefore, Mr. Speaker, to support this rule and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentlelady has any remaining speakers.

Ms. FOXX. We do not have further speakers, Mr. Speaker, but I do intend to share some additional information on this bill and the rule.

Mr. POLIS. Mr. Speaker, I am prepared to close. I yield myself the balance of my time.

Mr. Speaker, I want to talk a little bit about some of my experiences in the charter school movement before joining this body. I had the opportunity to found a public charter school, New America School, now which has five campuses in Colorado and New Mexico. I also had the opportunity to cofound Academy of Urban Learning in Denver, Colorado.

New America School seeks to meet the needs of English language learning students who are a little bit older—15,

16, 18, 19—and far too often didn't have a place in the traditional public school system.

Many of these students work jobs—might work a day job, might work a night job. That means, if they work a day job, the only school that would be a viable option for them would be an evening school. That is why New America school has flexible scheduling, allowing students to attend day or night, depending on their real-world life circumstances.

In addition, many of the young women attending the school have young children of their own, and that is a real-life need that, absent some kind of daycare reimbursement or daycare, many of them would not be able to attend.

So New America School offered daycare reimbursement—in some cases, daycare—so that these young women could continue to attend school and get a high school diploma.

First and foremost, the focus of New America School is to ensure that students can learn to be fluent and literate in the English language, which is so important to be able to succeed in today's economy.

As a result of this innovative approach and the focus on meeting student needs, thousands of students have enrolled in the various campuses of the New America School. I was proud to not only found them, but to have served as superintendent for 2 years.

I can honestly say that, absent this Federal program, the title V grant, we would probably not have been able to get New America School off the ground. Like so many charter schools across the country, until the doors open—and in that first year or two, when you are just beginning to add students, it is absolutely critical to be able to have this investment to open the doors.

Over the medium and long term, the schools need to stand or fall on their own. They need to succeed on their own and meet a market niche. We need to make sure that they are sound from a budgetary perspective, and this bill includes language that ups the bar on authorizers to do just that.

This bill passed the Education and the Work Force Committee with a 36–3 vote. I honestly can't remember another bill that had such strong bipartisan support recently on that committee. It is similar to and actually represents an improvement from H.R. 2218, which passed last Congress, 365–54.

This bill will improve charter school access and services for students; ensures that our limited Federal investment supports the expansion and replication of the very best high-quality charter schools; requires more transparency and accountability for charter schools; gives charter schools additional tools to continue to serve at-risk kids pursuant to their mission, including free and reduced lunch; as well as ensuring that they have the tools they need to serve a pro rata number of special education kids.

Almost every Democrat and Republican in this entire body has already voted for this bill. A very similar, almost identical bill was in both the Republican ESEA reauthorization and the Democratic alternative.

This takes very few differences between those versions, irons them out, and has language that both Chairman KLINE and Ranking Member MILLER agree builds upon the consensus that was reached in each of those bills.

That is why I hope that this bill passes with strong bipartisan support. There is a reason that we need strong bipartisan support. Unlike far too many bills that we call single chamber bills that are considered in this body and languish in the Senate—I understand much of the frustration of the majority party—this bill, with a resounding bipartisan vote, can be sent to the Senate, where a very nearly identical bill has a growing number of bipartisan cosponsors with the message that this body overwhelmingly supports improving our public charter school program; and we encourage the Senate to take it up.

That is why every Member of this body's vote, Mr. Speaker, is so important on this bill. This bill will pass. This bill will have bipartisan support.

For any of my friends on the fence, this is our last great opportunity to leave a positive legacy of improving quality of and accountable for public charter schools.

□ 1430

AFT and NEA have acknowledged that the stronger accountability in this bill will improve the quality and accountability and transparency of charter schools, supported by charter school advocates as well as authorizers, like school districts.

The multistakeholder approach that Chairman KLINE and Ranking Member MILLER have presided over is a model of how this body can come together around legislation that improves our country. I hope that not only this bill is taken up by the Senate after a strong bipartisan vote in this body, but I hope it serves as a model not only for what we can do in education, but what we can do on a number of pressing issues that address this country, whether it is balancing our Federal budget, whether it is reauthorizing Federal transportation programs or establishing an infrastructure bank. There is, in fact, a bipartisan way forward. That is the opportunity that my friends and colleagues on both sides of the aisle have before us now.

Public charter schools are making a difference for kids across our country every day. With a limited Federal role, we can ensure that they make an even bigger difference. The families that are languishing on waiting lists have the opportunity to send their kids to expansion of an existing successful charter school or the replication or a second campus of a charter school that we know works, that we know can transform lives, that we know can help that young kid attend college, get a good job and, guess what, maybe even serve in this august body someday.

The most exciting thing about public education in this country is that there are examples of what works. You could take any at-risk demographic group, whether they are English language learners, whether they are low-income earners, whether they are in the most remote rural part of our country or in the poorest inner city area, and find an educational model that works. Some of them are run by school districts, as in neighborhood schools; some are run by school districts as schools of choice or magnet schools; and some are run as public charter schools under a contract in the school district or other authorizer.

What we need to do to help make sure that more kids have access to opportunity is expand and replicate what is already working in public education. That glimmer of hope, those shining islands of success and excellence with the passage of this bill, can serve more children in our country to ensure that more kids have access and more families have access to choose the public schools that work for them.

I want to thank Ranking Member MILLER, Chairman KLINE, and the majority and minority staff of the committee for working hard to craft a bipartisan bill without poison pills, without gotchas, without partisanship, that recognizes the vital role that strong, accountable, high-performing public charter schools can play in educational success. I was honored to work with them and with the staff on this legislation to improve, upgrade, and modernize this critical program.

I encourage my colleagues to understand that this vote matters. We want to ensure that this bill is not a single Chamber bill. We want to make sure that this bill does not languish in the Senate. And the best way to do that is to send a resounding vote, even stronger than the vote in the last Congress, that in these times of partisan discord, Democrats and Republicans can come together around commonsense legislation that helps kids succeed and helps America's neediest families send their kids to a quality public school. This bill will help maximize the impact of every dollar invested by focusing on the highest quality educational providers.

I strongly urge my Democratic and Republican colleagues to vote ''yes'' on H.R. 10 and ensure that our limited Federal dollars go only to quality programs.

As we mentioned earlier, unfortunately, I cannot support this rule. The rule contains a budgetary fix on an unrelated item. I am confident this rule will pass and allow for consideration of the charter school bill and a reasonable set of amendments, and I wish that I could support a rule that did just that. But this bill does include $150 billion in deficit spending which Democrats have not agreed to.

Public school choice is effective and empowering. Families know what is right for their children better than politicians do and better than school district officials do; therefore, parents should have the opportunity to choose the public school of their choice that meets the parents' and the family's need.

H.R. 10 represents the very best promise of bipartisanship in education. For those that embrace school choice, H.R. 10 rewards State policies that contribute to public charter school success. For those who are skeptical of public charter schools, H.R. 10 builds in stronger protections for charter school oversight, transparency, and accountability. There is something for everybody in this bill.

I urge my colleagues to vote ''no'' on this rule but ''yes,'' ''yes,'' ''yes'' on the underlying bill. And I look forward to continuing this tradition of bipartisanship, hopefully extending beyond education to the other pressing national challenges we face. Through this bill, we can improve access to great schools for our Nation's children.

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

Ms. FOXX. Mr. Speaker, I want to truly thank my colleague from Colorado for his eloquent words of support for charter schools and for his past efforts in this area. I particularly want to thank him for urging the Senate to take up this legislation. As he well knows, we have a lot of good legislation over in the Senate that has not been acted upon, and I hope this bill will have a better fate in the Senate than other bills have had.

Mr. Speaker, it would be imprudent to have a conversation about education and the use of taxpayer money without discussing the need for accountability. Hardworking taxpayers want to see their tax dollars being used in the best way possible and expect the Federal Government to be a wise steward of their dollars.

H.R. 10 builds on the principle of local accountability by modernizing the Charter Schools Program to authorize States to use the funding to replicate and expand high-quality charter schools. The schools with proven student success will have the opportunity to offer those advantages to more students.

States and local educators know their students best, and I urge my colleagues to modernize Federal school programs and respond to these needs by supporting both this rule and the underlying bill.

Mr. Speaker, many of my Republican colleagues and I would prefer we abide by the Constitution and take the Federal Government out of education altogether, but that is not what we are recommending here today because we know we can't achieve that goal. My assumption, though, is that all Members of Congress—all Members of Congress—agree that as long as taxpayer money is being used by the Federal Government to fund education, that Congress has a responsibility to make a strong effort to ensure that those who receive hardworking taxpayer money are being held accountable for how they use it. Washington should live within its means, just as families all across this country do, and limited resources require wise stewardship.

This bill consolidates multiple funding streams and grant programs that support charter schools into the existing State grant program, eliminating a separate authorization for charter school facilities funding. It reduces the overall authorization for charter school programs from $450 million to $300 million. By consolidating the funding streams into the existing State charter school program, the bill removes authority from the Secretary of Education to pick winners and losers and control the growth of the charter school sector. This authority is placed largely in the hands of States, where it belongs.

H.R. 10 promotes high-quality charter schools by updating the Charter Schools Program to reflect the success and growth of the charter school movement. States are authorized to use funds under the program to support the replication and expansion of high-quality charter schools in addition to supporting new innovative charter school models.

Mr. Speaker, my background as an educator, school board member, mother, and grandmother reinforces my belief that students are best served when people at the local level are in control of education decisions. I also believe that education is the most important tool that Americans at any age can have.

I was the first person in my family to graduate from high school and went to college, where I worked full-time and attended school part-time. It took me 7 years to earn my bachelor's degree, and I continued to work my way through my master's and doctoral degrees. From my own experience, I am convinced this is the greatest country in the world for many reasons, not the least of which is that a person like me, who grew up extremely poor in a house with no electricity and no running water, with parents with very little formal education and no prestige at all, could work hard and be elected to the United States House of Representatives.

No legislation is perfect, and that is why I look forward to working with my colleagues to address their concerns and improve this legislation through the amendment process. However, I have never been one to let the perfect be the enemy of the good. And while H.R. 10 isn't perfect, it is a step in the right direction of empowering parents, teachers, and local school districts, and increasing school choice and giving other young people the same opportunities that I and others have had to improve our lot in life. That is why I am a supporter of this legislation, and I urge my colleagues to vote in favor of this rule and the underlying bill.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak during the House's consideration of the Rule for H.R. 10, the ''Success and Opportunity through Quality Charter Schools Act.''

The Success and Opportunity through Quality Charter Schools Act would revise the Charter School Program and the Public Charter Schools of the Elementary and Secondary Education Act of 1965.

The rule before the House will pave the way for the consideration of a legislative proposal that consolidates two existing federal charter school programs into one:

The Charter School Program, which supports grants for charter school developers to open new charter schools. The program also provides funds to disseminate best practices and provide state facilities aid to charter schools.

The Charter School Credit Enhancement Program assists charter schools in accessing better credit terms to acquire and renovate facilities to operate a charter school.

The rule will allow the consideration of the bill that will create a new federal charter schools program to promote high-quality charter schools at the state and local level; and allows states to use federal funds to start new charter schools as well as expand and replicate existing high-quality charter schools.

The bill adds a new component—a Charter Management Organization grant program to support the opening of additional charter schools nationwide.

H.R. 10 establishes a new Charter School Program that would consist of three parts:

Grants to support high-quality charter schools will be awarded to a State Educational Agency, the State Charter School Board, the Governor, or a Charter School Support Organization.

Facilities Aid will be awarded to continue credit enhancement activities and support state facilities aid for charter schools.

National Activities will allow the secretary of education to operate a grant competition for charter schools in states that did not win or compete for a state grant and a competition for high quality CMOs.

The legislation adds five new definitions: a ''charter management organization, a charter support organization'', a ''high-quality charter school''; the ''expansion of a high-quality charter school''; and a ''replicable, high-quality charter school model.''

H.R. 10 authorizes $300,000,000 for fiscal years 2015 through 2020. The bill permits state-determined weighted lotteries and allows students to continue in the school program of their choice by clarifying students in affiliated charter schools can attend the next immediate grade in that network's school.

JACKSON LEE AMENDMENTS TO H.R. 10

I have long supported the need for better data on the experiences of children that Congress could use when deliberating on legislative measures intended to benefit our youngest citizens.

The Education and Workforce Committee included language in the amendment in the form of a substitute for the bill that reflected an amendment I had intended to offer as a separate amendment. The language reflects the intent of my amendment by adding rates of student attrition as a measure to be considered by charter school authorizers in monitoring the successes of schools.

Attrition data would help us better understand the impact of charter schools on student retention. It would also bring additional transparency regarding the drivers of attrition issues such as discipline, counseling, dropouts, bullying, as well as the impact of learning disabilities like dyslexia on student retention.

Although the data reporting is not mandatory, it is my hope that charter school districts and charter schools will take up the challenge of providing hard data to make the case for their approaches to education.

I offered two amendments for consideration by the House Rules Committee that would strengthen the legislative goals of H.R. 10.

The amendments were simple and were an important addition to this strong bipartisan effort from the Education and Workforce Committee to bring clarity and improve transparency of charter schools in communities around the Nation.

JACKSON LEE AMENDMENT NO. 1

The Jackson Lee amendment made in order by the Rules Committee for debate of this bill directs State Education Agencies that award Federally funded grants to charter schools to work with those schools so that they provide information on their websites regarding student recruitment, orientation materials, enrollment criteria, student discipline policies, behavior codes, and parent contract requirements, which should include any financial obligations such as fees for tutoring, and extracurricular activities.

This Amendment will make it possible for parents to learn more about how schools deal with important education issues such as academic performance, enrichment programs, and quality of education life issues like reasonable accommodations for students with learning disabilities like dyslexia or physical disabilities.

Many charter schools already provide this information, and the amendment would support this good transparency practice. This Jackson Lee amendment is good for parents and for charter schools because parents would have access to information that helps them make education decisions for their children; and charter schools would speak to a larger audience regarding their education programs.

JACKSON LEE AMENDMENT NO. 2

The second Jackson Lee amendment was a "Sense of the Congress" on the promotion of, and support for anti-bullying programs in charter schools, including those serving rural communities.

I regret that this amendment was not made in order by the Rules Committee because the prevention of bullying is one of the most challenging problems focusing school officials.

I am disappointed that the Rules Committee did not make this amendment in order for consideration under this bill.

I introduced H.R. 2585, the Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act of 2013 because of the unresolved national epidemic of school bullying. This anti-bullying bill amends the Omnibus Crime Control and Safe Streets Act of 1968 by expanding the juvenile accountability block grant program with respect to programs for the prevention of bullying to include intervention programs. The bill's objective is to reduce and prevent bullying and establish best practices for all activities that are likely to help reduce bullying among young people.

This year a million children will be teased, taunted, and physically assaulted by their peers. Bullying is the most common form of violence faced by our Nation's youth.

The frequency and intensity of bullying that young people face are astounding: 1 in 7 students in grades K–12 is either a bully or a victim of bullying; 90% of 4th to 8th grade students report being victims of bullying of some type, 56% of students have personally witnessed some type of bullying at school; 71% of students report incidents of bullying as a problem at their school; 15% of all students who don't show up for school report it to being out of fear of being bullied while at school; 1 out of 20 students has seen a student with a gun at school; 282,000 students are physically attacked in secondary schools each month.

Consequences of bullying: 15% of all school absenteeism is directly related to fears of being bullied at school; According to bullying statistics, 1 out of every 10 students who drops out of school does so because of repeated bullying; Suicides linked to bullying are the saddest statistic.

Statistics on Gun Violence: Homicide is the 2nd leading cause of death for young people ages 15 to 24 years old; Homicide is the leading cause of death for African Americans between ages 10 and 24; Thirteen young people from ages 10–24 become victims of homicide every day; 82.8% of those youths were killed with a firearm; Every 30 minutes, a child or teenager in America is injured by a gun; Every 3 hours and 15 minutes, a child or teenager loses their life to a firearm; In 2010, 82 children under 5 years of age lost their lives due to guns; One of four high school males reportedly carry a weapon to school, with 8.6% of reportedly carry a gun; 87% of youth said shootings are motivated by a desire to "get back at those who have hurt them," and 86% said, "other kids picking on them, making fun of them or bullying them" causes teenagers to turn to lethal violence in the schools; In 2011, over 707,000 young people, aged 10 to 24 years, had to be rushed to the emergency room as a result of physical assault injuries.

I strongly believe that where our children are concerned, Congress is in a unique position to advocate on their behalf in an effective and forceful way. Letting children know by our actions that members of Congress consider the lives of children and their experience to be of the utmost importance would help them in countless ways.

We cannot gamble with our children's future, and ultimately the future of our nation. I am committed to finding ways to make sure that education is as valued as national defense—because education is crucial to our nation's global success in all areas.

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

AMENDMENT OFFERED BY MS. FOXX

Ms. FOXX. Mr. Speaker, with that, I offer an amendment to the resolution.

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

The Clerk read as follows:

I. section 6, add "at the end of the bill" before the period.

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

The SPEAKER pro tempore. The question is on ordering the previous question on the amendment and on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 2 o'clock and 42 minutes p.m.), the House stood in recess.

□ 1520

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MARCHANT) at 3 o'clock and 20 minutes p.m.

MESSAGE FROM THE PRESIDENT

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of House Resolution 576, as amended;

The previous question on House Resolution 575;

Adoption of House Resolution 575, if ordered; and

The motion to suspend the rules on H.R. 2548.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 10, SUCCESS AND OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS ACT; RELATING TO CONSIDERATION OF H.R. 4438, AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2014; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 576) providing for consideration of the bill (H.R. 10) to amend the Charter School Program under the Elementary and Secondary Education Act of 1965; relating to consideration of the bill (H.R. 4438) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit; and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The vote was taken by electronic device, and there were—yeas 232, nays 178, not voting 21, as follows:

[Roll No. 205]

YEAS—232

Aderholt
Amash
Amodei
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
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crenshaw
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
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
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—178

Barrow (GA)
Beatty
Becerra
Bera (CA)
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
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meng
Michaud
Miller, George
Moore
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—21

Bachmann
Bass
Bishop (GA)
Coble
Crawford
Culberson
DeGette
DeLauro
Duffy
Kelly (IL)
Kingston
Lee (CA)
McAllister
Meeks
Nunnelee
Pelosi
Rangel
Reed
Rush
Schwartz
Scott, David

□ 1547

Mr. TAKANO, Mrs. DAVIS of California, and Mr. MURPHY of Florida changed their vote from ''yea'' to ''nay.''

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

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H. RES. 567, ESTABLISHING SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 575) providing for consideration of the resolution (H. Res. 567) providing for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 192, not voting 16, as follows:

[Roll No. 206]

YEAS—223

Aderholt
Amash
Amodei
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
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crenshaw
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
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—192

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
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
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
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
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
Scott (VA)
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—16

Bachmann
Bishop (GA)
Coble
Crawford
Culberson
DeGette
Duffy
Fattah
Kingston
McAllister
Nunnelee
Pelosi
Reed
Rush
Schwartz
Scott, David

□ 1554

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 224, nays 192, not voting 15, as follows:

[Roll No. 207]

YEAS—224

Aderholt
Amash
Amodei
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
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crenshaw
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
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—192

Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
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
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
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
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
Scott (VA)
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—15

Bachmann
Bishop (GA)
Coble
Crawford
Culberson
DeGette
Duffy
Kingston
McAllister
Nunnelee
Pelosi
Reed
Rush
Schwartz
Scott, David

□ 1602

Ms. DUCKWORTH and Mr. GARCIA changed their vote from ''yea'' to ''nay.''

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.

ELECTRIFY AFRICA ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2548) to establish a comprehensive United States Government

policy to assist countries in sub-Saharan Africa to develop an appropriate mix of power solutions for more broadly distributed electricity access in order to support poverty alleviation and drive economic growth, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 297, nays 117, not voting 17, as follows:

[Roll No. 208]

YEAS—297

Amodei
Bachus
Barber
Barletta
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bilirakis
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Cantor
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibson
Granger
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Gutiérrez
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Huizenga (MI)
Hultgren
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
McNerney
Meadows
Meeks
Meng
Messer
Michaud
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
Nugent
Nunes
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Renacci
Ribble
Richmond
Roby
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Scott (VA)
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Southerland
Speier
Stockman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walz
Wasserman Schultz
Waters
Waxman
Welch
Williams
Wilson (FL)
Wilson (SC)
Wolf
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—117

Aderholt
Amash
Barr
Barton
Benishek
Bentivolio
Bishop (UT)
Bridenstine
Brooks (AL)
Broun (GA)
Burgess
Byrne
Campbell
Capito
Chabot
Chaffetz
Collins (GA)
Conaway
Cotton
Daines
Davis, Rodney
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Hanna
Harris
Hensarling
Holding
Hudson
Huelskamp
Hunter
Hurt
Johnson (OH)
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lankford
Latta
Marchant
Massie
McClintock
McHenry
McKinley
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Olson
Palazzo
Pearce
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rothfus
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Tipton
Turner
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Wittman
Womack
Woodall

NOT VOTING—17

Bachmann
Bishop (GA)
Coble
Crawford
Culberson
Davis, Danny
DeGette
Duffy
Kingston
McAllister
Meehan
Nunnelee
Pelosi
Reed
Rush
Schwartz
Scott, David

□ 1611

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

Mr. COFFMAN and Ms. KAPTUR changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.''.

A motion to reconsider was laid on the table.

□ 1615

ESTABLISHING SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI

Mr. SESSIONS. Mr. Speaker, pursuant to House Resolution 575, I call up the resolution (H. Res. 567) providing for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. WOMACK). Pursuant to House Resolution 575, the resolution is considered read.

The text of the resolution is as follows:

H. RES. 567

Resolved,

SECTION 1. ESTABLISHMENT.

There is hereby established the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi (hereinafter referred to as the ''Select Committee'').

SEC. 2. COMPOSITION.

(a) The Speaker shall appoint 12 Members to the Select Committee, five of whom shall be appointed after consultation with the minority leader.

(b) The Speaker shall designate one Member to serve as chair of the Select Committee.

(c) Any vacancy in the Select Committee shall be filled in the same manner as the original appointment.

SEC. 3. INVESTIGATION AND REPORT ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI.

(a) The Select Committee is authorized and directed to conduct a full and complete investigation and study and issue a final report of its findings to the House regarding—

(1) all policies, decisions, and activities that contributed to the attacks on United States facilities in Benghazi, Libya, on September 11, 2012, as well as those that affected the ability of the United States to prepare for the attacks;

(2) all policies, decisions, and activities to respond to and repel the attacks on United States facilities in Benghazi, Libya, on September 11, 2012, including efforts to rescue United States personnel;

(3) internal and public executive branch communications about the attacks on United States facilities in Benghazi, Libya, on September 11, 2012;

(4) accountability for policies and decisions related to the security of facilities in Benghazi, Libya, and the response to the attacks, including individuals and entities responsible for those policies and decisions;

(5) executive branch authorities' efforts to identify and bring to justice the perpetrators of the attacks on U.S. facilities in Benghazi, Libya, on September 11, 2012;

(6) executive branch activities and efforts to comply with Congressional inquiries into the attacks on United States facilities in Benghazi, Libya, on September 11, 2012;

(7) recommendations for improving executive branch cooperation and compliance with congressional oversight and investigations;

(8) information related to lessons learned from the attacks and executive branch activities and efforts to protect United States facilities and personnel abroad; and

(9) any other relevant issues relating to the attacks, the response to the attacks, or the investigation by the House of Representatives into the attacks.

(b) In addition to any final report addressing the matters in subsection (a), the Select Committee may issue such interim reports as it deems necessary.

(c) Any report issued by the Select Committee may contain a classified annex.

SEC. 4. PROCEDURE.

(a) Notwithstanding clause 3(m) of rule X of the Rules of the House of Representatives, the Select Committee is authorized to study the sources and methods of entities described in clause 11(b)(1)(A) of rule X insofar as such study is related to the matters described in section 3.

(b) Clause 11(b)(4), clause 11(e), and the first sentence of clause 11(f) of rule X of the Rules of the House of Representatives shall apply to the Select Committee.

(c) Rule XI of the Rules of the House of Representatives shall apply to the Select Committee except as follows:

(1) Clause 2(a) of rule XI shall not apply to the Select Committee.

(2) Clause 2(g)(2)(D) of rule XI shall apply to the Select Committee in the same manner as it applies to the Permanent Select Committee on Intelligence.

(3) Pursuant to clause 2(h) of rule XI, two Members of the Select Committee shall constitute a quorum for taking testimony or receiving evidence and one-third of the Members of the Select Committee shall constitute a quorum for taking any action other than one for which the presence of a majority of the Select Committee is required.

(4) The chair of the Select Committee may authorize and issue subpoenas pursuant to clause 2(m) of rule XI in the investigation and study conducted pursuant to section 3 of this resolution, including for the purpose of taking depositions.

(5)(A) The chair of the Select Committee, upon consultation with the ranking minority member, may order the taking of depositions, under oath and pursuant to notice or subpoena, by a Member of the Select Committee or a counsel of the Select Committee.

(B) Depositions taken under the authority prescribed in this paragraph shall be governed by the procedures submitted by the chair of the Committee on Rules for printing in the Congressional Record.

(6) The chair of the Select Committee may, after consultation with the ranking minority member, recognize—

(A) Members of the Select Committee to question a witness for periods longer than five minutes as though pursuant to clause (2)(j)(2)(B) of rule XI; and

(B) staff of the Select Committee to question a witness as though pursuant to clause (2)(j)(2)(C) of rule XI.

SEC. 5. RECORDS; STAFF; FUNDING.

(a) Any committee of the House of Representatives having custody of records in any form relating to the matters described in section 3 shall transfer such records to the Select Committee within 14 days of the adoption of this resolution. Such records shall become the records of the Select Committee.

(b)(1)(A) To the greatest extent practicable, the Select Committee shall utilize the services of staff of employing entities of the House. At the request of the chair of the Select Committee in consultation with the ranking minority member, staff of employing entities of the House or a joint committee may be detailed to the Select Committee without reimbursement to carry out this resolution and shall be deemed to be staff of the Select Committee.

(B) Section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)) shall apply with respect to the Select Committee in the same manner as such section applies with respect to a standing committee of the House of Representatives.

(2) The chair of the Select Committee, upon consultation with the ranking minority member, may employ and fix the compensation of such staff as the chair considers necessary to carry out this resolution.

(c) There shall be paid out of the applicable accounts of the House of Representatives such sums as may be necessary for the expenses of the Select Committee. Such payments shall be made on vouchers signed by the chair of the Select Committee and approved in the manner directed by the Committee on House Administration. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 6. DISSOLUTION AND DISPOSITION OF RECORDS.

(a) The Select Committee shall cease to exist 30 days after filing the final report required under section 3.

(b) Upon dissolution of the Select Committee, the records of the Select Committee shall become the records of such committee or committees designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) and the gentlewoman from New York (Ms. SLAUGHTER) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on consideration of H. Res. 567.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the Speaker of the House.

Mr. BOEHNER. Mr. Speaker and my colleagues, I believe the whole House and the American people deserve to know how I came to the decision that brings us here today.

On September 11, 2012, a terrorist attack on our consulate in Libya left four of our countrymen dead, including our Ambassador.

Since that time, four committees of the House have been investigating these events, and those committees have done exemplary work. Chairman ISSA, Chairman MCKEON, Chairman ROGERS, Chairman ROYCE, and all the members of their respective committees deserve our gratitude; but last week, a line was crossed in two places.

First, it came to light that the White House did more to obscure what happened and why than what we were led to believe.

Second, we now know that the administration defied a formal congressional subpoena.

Our committees sought the full truth, and the administration tried to make sure that they wouldn't find it, which means they tried to prevent the American people from finding the truth as well.

In my view, these discoveries compel the House to respond as one institution and establish one select committee, a committee with robust authority, a committee that will do its work while the House continues to focus on the people's priorities.

I have asked the gentleman from South Carolina (Mr. GOWDY) to chair this panel. He is a well-respected Member of this body, and he has my complete confidence. I will convey to you what I conveyed to him. This doesn't need to be, shouldn't be, and will not be a partisan process.

Four Americans died at the hands of terrorists in a well-coordinated assault, and we will not take any shortcuts to the truth, accountability, or justice; and we will not allow any sideshows that distract us from those goals.

Our system of government depends on transparency and accountability, and either we do this well, or we face the terrifying prospect of our people having less knowledge and less power over their own government. We owe it to future generations to make the right choice.

I ask all the Members of this body to reflect on this matter, and I ask you to support this resolution.

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

Mr. Speaker, we all agree—I think all Americans agree, and we certainly understand from the Speaker that he agrees that the attack on Benghazi was a tragedy; but here we are, once again, riling up the community and the country and causing, again, grief to the families of the four people who died, in a pursuit of some kind of truth that they were unable to find in 2 years of hearings, over four committees, 13 congressional hearings, 50 briefings, five reports, 25,000 pages of documentation, and wasted millions of dollars, going nowhere, and that is just in the House.

The Senate has held hearings. The State Department did a thorough report; and yet, now, after all that, we want the truth.

What does it say about the House of Representatives that whatever that was going on over there did not get to the truth?

This is so reminiscent of what we have done in the House of Representatives by doing over and over and over again, like trying to repeal the health care, that we are just going to keep doing it until you reach whatever it is you want.

Well, we know what it is you want with this special committee. We understand that thoroughly. Earlier today—I want to make a comment, that one of my friends on the other side of the aisle—I deeply regret this—cited a report claiming that the Democrats were

fundraising off of the crass Republican fundraising off Benghazi.

Certainly, we looked into that because I was very concerned because I was the one making the charge about the fundraising. It is absolutely false that Democrats are doing that.

That report was from The Daily Caller, a conservative Web site, and all they found was that the chairman of the Democratic Congressional Campaign Committee posted a statement on his Web site condemning the Republican campaign committee for their attempt to capitalize and fundraise off the tragedy in Benghazi.

Let's stick to the facts here. You are going to continue. As I understand it, several reporters have asked the leadership do they intend to stop fundraising off these people's deaths; and the answer is, no, they don't.

So what we are doing here, again, is an awful waste of time, is looking for another answer to something that—unless you get some answer that you want, I guess we will go on even yet another year or so.

Now, one more committee that will be weighted in favor of the majority, as this one is expected to do, will do absolutely nothing to yield different results.

I had an amendment to this bill that was based on a simple premise, that the investigations and reports on the tragic attack in Benghazi produced by the House committees so far have been nothing but partisan and political.

My amendment would have made membership on the committee equally divided between the minority and the majority and would have guaranteed minority signoff on subpoenas and depositions and guaranteed equal distribution and money and staffing and other resources of the committee and certainly have ensured that the witnesses who come before that committee, unlike the other witnesses that the Oversight and Government Reform Committee has had, who were totally ineligible to even speak on the subject—one of them, I gather, was giving all the details of what happened that night, but he happened to be in Germany at the time.

Had our amendment passed, we could have added some decorum to this process, and we could have worked to ensure the tragedy never happens again, but it is clear that this majority will not allow that.

So we have seen all the reports. We know what everybody thinks; and we know that, once again, we will be going into this because you are the majority, and you have the votes to do it.

I am appalled by this posturing. To use the tragedy of those four deaths for political and financial gain is shameful and contemptible.

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

Mr. SESSIONS. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the Majority Leader of the House of Representatives.

Mr. CANTOR. I thank the chairman.

Mr. Speaker, I rise today in strong support of this resolution, to proceed with a select committee to find out what happened at the American consulate in Benghazi, Libya, on the night of September 11, 2012.

Mr. Speaker, it has been almost 2 years since a terror attack claimed the lives of four brave Americans in Benghazi: Ambassador J. Christopher Stevens; U.S. Foreign Service Information Management Officer Sean Smith; former Navy SEAL Glen Doherty; and former Navy SEAL and Bronze Star recipient, Tyrone Woods.

Over the past 2 years, our committees in the House have aggressively investigated what happened that night in Benghazi and the Obama administration's preparedness and response to those terror attacks.

Unfortunately, the White House has engaged in a pattern of obstruction, consistently ignoring subpoenas, redacting relevant information, and stonewalling investigators. This obstruction gives cause to the grave concerns expressed by countless Americans across the country.

Mr. Speaker, what is worse, as the White House refuses to turn over documents, they go in front of the American people and claim to be transparent. Those in the administration claim to be cooperating. They claim to be focused on bringing the perpetrators of that attack to justice.

Mr. Speaker, the attacks in Benghazi brought the first time an American Ambassador was killed in the line of duty since the 1970s and, to this day, not a single perpetrator of the attacks has been arrested or brought to justice. We should be using every tool necessary to find those responsible and bring them to justice.

After ignoring for nearly a year a lawful congressional subpoena, the White House, under court order, finally released emails showing that administration officials deliberately and deceptively misled Americans, claiming that the attack in Benghazi was the result of an offensive Internet video, rather than the product of a failed foreign policy that allowed radical Islamic terrorists to flourish in post-Qadhafi Libya.

This obfuscation and refusal to come clean to Congress has left us, as well as the people of this country, wondering: What else is the White House hiding?

My colleagues on the other side of the aisle want Americans to believe that this investigation is motivated by politics. No. This investigation would not be necessary had the Obama administration come clean. This investigation would not be necessary had the Obama administration complied with congressional subpoenas.

This investigation would not be necessary had the Obama administration not misled the Congress, the American people, and the media about what happened in Benghazi.

The American people deserve the truth and, most importantly, the families of those four brave men deserve the truth.

This committee will build upon the excellent oversight work conducted to this date and ask questions and demand answers. Constitutional checks and balances were intended to ensure that each branch of government conduct itself with the utmost integrity and do so within the law. That is our duty, and we will solemnly and judiciously carry this out.

Today, we have an opportunity to stand together and take another step closer to accomplishing that goal, to finding the truth; and I urge my colleagues in the House to support this resolution.

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. HASTINGS) will control the time.

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 5 minutes to the distinguished gentleman from Maryland (Mr. CUMMINGS), my good friend and member of the Oversight and Government Reform Committee, as its ranking member.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for yielding, and I rise in strong opposition to this resolution.

Benghazi was a tragedy. We lost four brave Americans that night, and I extend my deepest sympathies to their families. In my opinion, we honor their memories best by bringing their killers to justice and by working in a bipartisan way to strengthen security for all U.S. personal overseas.

As family members of Ambassador Stevens have stated, ''What Chris never would have accepted was the idea that his death would have been used for political purposes.''

□ 1630

Unfortunately, that is what House Republicans have been doing for the last year and a half.

On April 23, 2013, the Republican chairmen of five different House committees issued a highly partisan staff report with absolutely no consultation or input from a single Democratic Member of the Congress of the United States of America. Their report included a reckless accusation that Secretary Clinton personally authorized security reductions in Benghazi. Chairman ISSA then went on national television and said, Secretary Clinton ''outright denied security, in her signature, in a cable.''

When we located the cable, however, we discovered that the Republican report distorted the facts. The cable had only a printed stamp of Secretary Clinton's name, the same stamp that appears on hundreds of thousands of cables sent from the State Department every year.

This report was issued under the direction of the Speaker. It was posted on his Web site, and it was prepared only for Members of the House Republican Conference. How is this a bipartisan search for the truth?

House Republicans have also excluded Democratic Members from fact-finding delegations to Libya, in violation of the rules issued by the Speaker. How is that bipartisan?

Democratic Members have been denied equal access to witnesses, and Republicans have selectively leaked documents and cherry-picked transcript excerpts without any official committee consideration. How is that bipartisan?

Republicans have also been doing something worse. They have been using the deaths of these four Americans for political campaign fundraising. I call on the Speaker of the House to end that process right now.

For example, on February 17, Chairman ISSA traveled to New Hampshire to attend a political fundraiser, where he spoke about Benghazi. He suggested during his speech that our military's response on the night of the attacks was deficient because Secretary Clinton ordered Defense Secretary Panetta to ''stand down.'' That was a shocking accusation, and he had absolutely no evidence—none—to support it. In my opinion, his statements were reprehensible not only to the Secretary of State but to our brave men and women in uniform.

And so today, we are here to consider a resolution to create another partisan committee to investigate what the Speaker and his five chairmen have already been investigating.

With all due respect, if the Republicans want to fix the problems with their partisan investigation, they need more than just a new chairman. They need a new approach. I have tremendous respect for the gentleman from South Carolina (Mr. GOWDY), and I am glad that he said that fundraising should not be done on the deaths of these four people, and I hope that the Republican Conference will finally agree with that. We are better than that.

They need a new approach, one that is truly bipartisan, and one that seeks the facts before drawing conclusions, rather than the other way around.

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

Mr. Speaker, today is a historic day for this institution. As a result of the Obama administration's unwillingness to openly work with House Republicans in our ongoing effort to uncover the facts surrounding the events of the 2012 terrorist attack on the American diplomatic mission in Benghazi, Libya, the United States House of Representatives is left with no option except to establish a select committee on Benghazi.

As the author of this resolution, I would like to take the opportunity to provide the American people with a sequence of events that have led us to this point and explain how the newly formed select committee will operate on their behalf.

Immediately following the attacks on Benghazi on September 11, 2012, which took the lives of four brave Americans, including then-U.S. Ambassador to Libya J. Christopher Stevens, four House committees began investigations into the events prior to the attacks, those that occurred during the attacks, and the administration's response afterwards.

And I want to thank our House chairmen and the committees who did what I believe was an outstanding job in supporting this effort—Chairman DARRELL ISSA of the Oversight and Government Reform Committee, Chairman BUCK MCKEON of the Armed Services Committee, Chairman ED ROYCE of the Foreign Affairs Committee, and Chairman MIKE ROGERS of the Intelligence Committee—and for their exemplary work that has advanced this issue and brought up new facts. Without their diligent work, we would not be where we are today.

But, Mr. Speaker, that work was thwarted; and by this administration not proactively addressing the issue equally themselves in an open and, I believe, transparent way, they have placed us where we are today. It comes as a result of their being an unwilling partner. It comes as a result of many, many turns. The administration has chosen to build roadblocks to the congressional inquiry. Whether failing to comply completely with opportunities to come speak to Congress, objecting to and not complying with subpoenas, delaying the delivery of important documents, heavily redacting critical information, and retroactively classifying previously unclassified files, this administration earned exactly the title that has been placed on it today, ''uncooperative.''

Mr. Speaker, this will not be tolerated, and this is what has brought us to where we are today. I will tell you that many of the things which you have heard on the floor today are accusations pitched our way; and I will tell you that the American people, through this process, will find out exactly who is after the truth and who is exactly for hiding the truth, because I believe that it is not just mismanagement at the top, but bad decisions that they should and will be embarrassed to have uncovered by the select committee on Benghazi.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I will yield myself 1 minute before yielding to the gentleman from Missouri.

Mr. Speaker, last night in the Rules Committee, the gentlewoman from New York (Ms. SLAUGHTER) offered an amendment that was supported by all the Democrats on the committee. That amendment would have allowed for membership on the committee to be equally divided between Republicans and Democrats. It would guarantee minority signoff on subpoenas and depositions. It would guarantee equal distribution of money, staffing, and other resources of the committee. It would require the committee to establish written rules, specifically including rules concerning how documents and other information may be obtained, used, or released.

I will offer a caveat there about the intelligence that you are about to get into with the select committee. It would guarantee equal access to evidence and materials of the committee. It provides for transparency of the committee's expenditures and budgeting, and it would ensure that a quorum for taking testimony or receiving evidence includes at least one minority Member.

Finally, it would ensure that the minority has a say in decisions about extended questioning and staff questioning of witnesses. That would produce a bipartisan result that would be credible.

I am very pleased at this time to yield 2 minutes to the distinguished gentleman from Missouri (Mr. CLAY), my good friend and a member of the Committee on Oversight and Government Reform.

Mr. CLAY. I thank my friend from Florida for yielding.

Mr. Speaker, I rise today to oppose this misguided, highly partisan select committee that seeks to exploit the tragedy of the attack on our consulate in Benghazi for purely political purposes.

There have already been eight—eight—reviews of that terrible incident. There were legitimate oversight questions about Benghazi, and we explored them in exhaustive detail. More than 25,000 documents have been produced, and dozens of witnesses have been interviewed. Millions of tax dollars have already been spent responding to repetitive and partisan congressional requests. The majority has alleged multiple conspiracy theories, each of which has been dispelled by the facts.

Ambassador Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty are American heroes who gave their lives in brave service to our Nation. But instead of honoring their memory, even before it convenes, this sham select committee is already blatantly being used for political purposes. Evidence of that comes directly from the National Republican Congressional Committee, which created an online fundraising solicitation yesterday. And it reads, in part:

> You're now a Benghazi watchdog. Let's go after Obama & Hillary Clinton. Help us fight them now.

So this is not about discovering new facts about Benghazi. This is about creating a partisan vehicle to exploit this tragedy to raise money and to provide the majority's echo chamber on cable TV and talk radio with red meat rhetoric to influence the 2014 midterms and the 2016 Presidential election.

Mr. Speaker, I urge my colleagues to oppose this resolution.

Mr. SESSIONS. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Texas, Judge POE.

Mr. POE of Texas. I thank the gentleman for yielding.

Mr. Speaker, on September 11, 2012, terrorists stormed the American consulate in Benghazi. Four Americans were murdered. Nineteen months later, the killers are still running loose. One killer was even interviewed on CNN, but this country cannot capture him and his fellow outlaws.

Why? What has been the problem?

Today there are more questions than answers. Americans are still not really sure what happened that night and the days following the attack.

Several House committees launched investigations but were stonewalled. Subpoenas were issued but ignored. And last week, a White House email was disclosed that indicated there may have been coordination to purposely deceive Congress about what really happened.

Did the administration deceive America? If so, why? Let's find out.

We have no choice but to establish this select committee to ensure that the full story is told, even if the evidence reveals an inconvenient truth, to shine light on what happened when Americans overseas were murdered in the darkness of the night.

And to those who oppose this bill, I ask the question, Mr. Speaker: Why don't they want to know all of the facts?

Let's find the truth—the good, the bad, and the ugly truth. Justice demands it, and justice is what we do in this country.

And that's just the way it is.

The SPEAKER pro tempore. Without objection, the gentlewoman from New York will control the remaining time for the minority.

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH), a member of the Committee on Oversight and Government Reform.

Mr. WELCH. Mr. Speaker, 30 years ago, America suffered an incredible tragedy; 241 Marines in Beirut lost their lives when terrorists bombed the barracks in which they were living. At that time, we had a President whose name was Ronald Reagan, and we had a Speaker of the House whose name was Tip O'Neill. Different parties.

That was an enormous tragedy. An investigation needed to be done, and it was done. It was done on a bipartisan basis. One investigation was done. And there was a presumption that no matter how tragic this was and no matter how important it was to hold people accountable—and that was done—that everybody involved had the best intentions for America's future strength.

And there seems to be a premise, at least to me, that this President of the United States has any less commitment to protecting the lives and safety of the American people than any other President.

□ 1645

I will tell you, I was an opponent of the war in Iraq, and I was critical of the policies and the decisions of our then-President George Bush. But never once did I question that his motivations were anything less than what he thought was best for America.

We are going off the rails here. This is a tragedy. But there is a real question, at least on the part of many of us, and I think many Americans, as to whether we are doing this right. How is it that there is such glee that the decision is made to go forward after seven other committees, 25,000 documents—more work could be done—but how is it that there was such glee on one side that they turned it into a fundraising opportunity? Who would do that?

Mr. GOWDY won't do it, and he is a good man. But do you know what? If we are going to proceed, it has got to be on the level. We have a seven-to-five committee that is being organized. It is not even-handed. You can't have these tough decisions that not only have to be made right but have to be made so that there is credibility with the American people that they are on the level and not political where you don't have a bipartisan approach, you don't have everybody weighing in on subpoenas.

Mr. SESSIONS. Mr. Speaker, there are lots of questions. The first one is, Why didn't the military come help these men when they were in need over this firefight for several hours? We will just start there.

Mr. Speaker, at this time, I would like to yield 2 minutes to the gentleman from Dardanelle, Arkansas (Mr. COTTON), who is a member of the Foreign Affairs Committee.

Mr. COTTON. Mr. Speaker, a couple of lessons I learned in the Army were you move to the sound of gunfire, and the most important step in the troop-leading procedures is to supervise the execution of your orders.

When Americans were fighting for their lives in Benghazi, Barack Obama did neither. He sent no Quick Reaction Force, and he didn't even stay in the Situation Room to supervise the execution of his orders. We expect more from lieutenants in the Army than our President gave us that night. For 2 years, he has covered up this failure of leadership by stonewalling. Not anymore. We will now get to the truth.

But what do our colleagues on the other side of the aisle say to this? They express great outrage at politicizing this matter. When I was leading troops in Iraq in 2006, men and women who were being shot at and blown up by al Qaeda, where was the outrage as they fund-raised endlessly off the Iraq war? Where was the outrage as they viciously attacked our commanders? Where was the outrage when they said that soldiers were war criminals? Where was the outrage when they said the war was lost? Where was the outrage when they said that only high school dropouts join the Army?

Forgive me if I don't join my Democratic colleagues in sharing their fake outrage. Four Americans lost their lives that night in Benghazi. They deserve justice, and the American people deserve the truth.

One other lesson I learned in the Army is we leave no man behind, and we will not leave these four men behind.

Ms. SLAUGHTER. Mr. Speaker, let me yield myself 20 seconds to just respond to that.

Mr. Speaker, I would be outraged, too, if anybody did the things that he accused us of doing, and I don't believe a word of it.

I am now pleased to yield 2½ minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, I come to the floor today to urge my colleagues to vote against the creation of this select committee. Because this is not a select committee to investigate what happened in Benghazi, which has been done many times already, it is not a select committee to investigate what we can do to better protect our embassies, consulates, and diplomatic corps, which appears to have generated little interest in the majority, it is not even a select committee to probe where we were in the hunt for those responsible, which involves classified information and is something done best in closed session.

No. This is a proposal to create a select committee on talking points.

I have been involved with the investigation into Benghazi from day one as a member of the Intelligence Committee because, like every other American, I wanted to know what happened, why it happened, and how we can keep it from happening again. And I want to bring to justice those who perpetrated this horrible attack.

But almost 18 months later, and after eight reports from House and Senate committees and the Accountability Review Board, the questions that this select committee purports to investigate have been asked and answered time and time and time again. There is no question that this select committee on talking points will waste potentially millions of taxpayer dollars in a purely partisan exercise and serve as little more than a fundraising vehicle for Republicans.

Up until last Friday, the Speaker of the House resisted the siren call from his base for yet another wasteful committee. Here is what he said just a month ago:

> There are four committees that are investigating Benghazi. I see no reason to break up all the work that has been done and to take months and months and months to create some select committee.

I agree with the Speaker's previous assessment.

Democrats made a proposal to structure the committee so that it had equal numbers of members of each party, so that it required cooperation on subpoenas and depositions, and so that it guaranteed equal access to evidence and material collected by the committee. Yet, in each case, we were rejected.

If this isn't a fair investigation and select committee, there is no reason for Democrats to vote for it or to participate in it. Let's end the political circus and focus our efforts on preventing another Benghazi and accelerating the hunt for the murderers of four Americans, including Ambassador Stevens.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to yield 3 minutes to the gentleman from Nebraska (Mr. FORTENBERRY), a member of the Foreign Affairs Committee.

Mr. FORTENBERRY. Mr. Speaker, when pressed last week by a reporter about the tragic events on September 11, 2012, in Benghazi, Libya, the former spokesperson for the National Security Council said this: ''Dude, this was like 2 years ago.''

Now, this juvenile and unprofessional response has only added to the concern that we do not—still do not—have a full understanding of what occurred that night. What we do know is that our Ambassador, Chris Stevens, and three other Americans are dead.

Now, several congressional committees have looked into this question and have concluded different things, and there are many lingering questions still unanswered. They have reached different conclusions. But these lingering questions are made worse by the fact that we now know that emails from the administration may have been withheld from Congress.

This is the reason that we need a select committee, to probe deeply and get clear answers with a singular goal in mind: to restore the public trust.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Virginia (Mr. CONNOLLY), the ranking member of the Oversight and Government Reform Committee's Subcommittee on Government Operations.

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend.

By the way, Mr. Speaker, we don't need a select committee because a particular chairman who is subpoena-happy can't quite draft a subpoena to capture the emails in question.

I rise in strong opposition to H. Res. 567, which represents yet another unfortunate chapter in the majority's relentless commitment to wasting taxpayer dollars on round after round of Benghazi political theater.

There is a reason that State's slogan is ''diplomacy in action.'' To effectively represent our Nation, American personnel overseas and their families make significant sacrifices. Ambassador Stevens' own family knows that. They issued this eloquent statement after his death:

> Chris was not willing to be the kind of diplomat who would strut around in fortified compounds. He amazed and impressed the Libyans by walking the streets with the lightest of escorts, sitting in sidewalk cafes, chatting with passersby. There was a risk to being accessible. He knew it, and he accepted it.
>
> What he would never have accepted was the idea that his death would be used for political purposes. There were security shortcomings, no doubt. Both internal and outside investigations have identified and publicly disclosed them. Steps are being taken to repair them. Chris would not have wanted to be remembered as a victim. He knew and accepted that he was working under dangerous circumstances.
>
> He did so—just as so many of our diplomatic and development professionals do every day—because he believed the work was vitally important.

That is the statement of Chris Stevens, the deceased, murdered Ambassador to Libya, his family.

I deeply understand the demands we place on our Foreign Service, and I know the stakes are high. As a member of the Senate Foreign Relations Committee staff from 1979 to 1989, I vividly recall shortly after I returned home from a visit to the U.S. barracks in Beirut, a horrific truck bomb was detonated there, killing 241 U.S. members of the Marine Corps. Our Embassy was blown up twice in Beirut in that same timeframe.

The Democrats didn't pile on. The Democrats didn't call for a select committee to investigate Ronald Reagan and his administration for malfeasance and incompetence. We didn't darkly hint there was a conspiracy by the Reagan administration to hide the facts and to deny terrorism had occurred. We were patriots. We came together. We mourned our losses. We worked with a Republican President to make it better. That is the spirit in which we should approach this issue.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to yield 3 minutes to the gentleman from Nebraska (Mr. TERRY), a member of the Energy and Commerce Committee.

Mr. TERRY. Mr. Speaker, this bill is absolutely necessary when we look at the facts as we know them currently and we look at the information that we are uncertain about. Number one is we have lost four people in an attack that we now know is a terrorist attack. We now know that some things could have been done to save these people, but for some reason they weren't done.

Now, Beirut has been raised a couple of times, showing the cooperation between Speaker Tip O'Neill then and Ronald Reagan when we lost 241 soldiers in that attack. I remember it vividly. But the difference is how the leadership between then and now reacted.

The leadership at the White House responded to this attack by developing a false narrative to—probably, we don't know why they came up with this fake story about an impromptu protest gone bad, therefore causing these deaths, so if they are making up a story, what are they trying to hide? Their own incompetence? We don't know that.

We talked about then in Beirut, as my friends from the other side of the aisle had mentioned, about all of the documents that were received in the Beirut investigation. Well, that is because they were cooperative. The documents that we received, despite what the gentleman from Virginia just said, that they were subpoenaed incorrectly, the documents we received were heavily redacted. They were purposely not providing that information. It was redacted.

Now, why was that redacted? Why was it that we had to find out some of the truth about the coverup that occurred on that narrative about a protest gone bad from an outside group that provided the unredacted? So, now, what we have before us is an email that was redacted from the White House and another one that was obtained through an outside source that provided us the same but unredacted that says now that the White House was telling us something different.

When you have a White House that has gone out of their way to cover up the truth, it is incumbent upon all of us on both sides of the aisle to fight for the truth so that the four people that lost their lives—one of which an Ambassador, for God's sake—they are the ones that deserve justice by this select committee.

Ms. SLAUGHTER. Mr. Speaker, for rebuttal, I am going to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I say to my friend, it is amazing that he claims the White House is covering up when the same White House gave an unredacted version to the Judicial Watch. The easier conclusion——

Mr. TERRY. Will the gentleman yield?

Mr. CONNOLLY. I am rebutting what I just heard.

Mr. Speaker, the gentleman says this is about getting at the truth. Really? Because there have been so many falsehoods propounded on this subject by the other side of the aisle. There was a stand-down order proved conclusively by our own Republican-controlled House Armed Services Committee. There was no such thing.

We could have and should have mobilized the military to intervene and save lives. The military did what it could, but there was not enough timeframe for the military efficaciously to intervene in the tragedy unfolding in Benghazi.

The Secretary of State knew and deliberately covered up. There were talking points that deliberately avoided the word ''terrorism,'' even though the President of the United States a few days later most certainly did use the word ''terrorist'' to describe what happened in Benghazi.

The Islamic video had nothing whatsoever to do with Benghazi. The Islamic video was erupting——

Mr. TERRY. Will the gentleman yield now? Because that is absolutely wrong, and you know it.

Mr. CONNOLLY. Mr. Speaker——

The SPEAKER pro tempore. The gentleman will suspend.

Let me remind the other side that the gentleman from Virginia has the floor. He has been unwilling to yield. Let the gentleman have the floor.

The gentleman may proceed.

Mr. CONNOLLY. I thank the Speaker for returning us to regular order.

Mr. Speaker, these are all falsehoods used to justify a needless expense of taxpayer dollars to beat to death for political purposes the tragedy that occurred in Benghazi. And the invocation of the name of the deceased Ambassador, Chris Stevens, even though his own family has pleaded that he not be used as a political pawn in a political partisan game, is something that is beneath contempt.

□ 1700

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

Mr. Speaker, the reason why Judicial Watch received the information they did in an unredacted basis was because there are criminal penalties associated with that act. Those criminal penalties do not exist in a congressional inquiry. The administration is simply taking advantage of that, and they know that and so do all Members of Congress.

This administration was playing games. They are taking advantage of the structure which has been established in the relationship of trying to have the three branches of government coexist, and that is exactly what this administration did, and that was the trigger point to where the Speaker then said enough is enough.

When we recognized that the documents that we were getting, which are heavily redacted, did not coincide or agree with what outside groups would get because they, Mr. Speaker, asked for it under FOIA, which has criminal penalties associated with it, which meant that those lawyers knew exactly what they were doing and could be held to that criminal penalty point, but in providing them to Congress, they would just redact it and then claim national security, and we might not ever know the difference.

We are not stupid. We have been deliberate. We have been cautious. We have stayed after it. But redaction after redaction after redaction and wrong, wrong direction and trying to lead us down a path that was not correct is exactly where this administration has been, and they deserve what they are getting.

They are the ones that brought this to Congress. We are simply properly and carefully responding.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), a member of the Foreign Affairs Committee.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman for bringing this important resolution forward and also Congressman FRANK WOLF, who has been tenacious in insisting that there be a select committee.

There are serious gaps. We all know it. The people who lost their lives who died unnecessarily their loved ones and the American people deserve to know the truth about Benghazi.

When Secretary Clinton came before the Foreign Affairs Committee, I asked her point blank:

You have said, Madam Secretary, that you take full responsibility. How do you define ''full responsibility''?

She defined it from the day of, and all that preceded Benghazi is precluded from that definition.

Despite the fact that there was one cable after another, suggesting that there were serious gaps in security, all of that seemed to have not made its way to either her or her senior staff. That is very much of a lack of attention to detail, and a light needs to be brought to that.

I asked two of the people who headed up the ARB, the Accountability Review Board, why they did not interview Secretary Clinton. They had no good answer. I asked them twice—no good answer.

Back in 1998, when we got hit in Dar es Salaam and in Nairobi, I chaired the hearings of the Accountability Review Board. We looked painstakingly at all of the gaps that existed and I wrote the Secure Embassy Construction and Counterterrorism Act of 1999.

There were lessons learned. Those lessons were not applied the way they should have been to Benghazi. Requests were made for help. We still don't know the truth. The new select committee will leave no stone unturned. It will get answers.

Again, those who died, their loved ones, and the American people deserve to know the truth.

Ms. SLAUGHTER. Mr. Speaker, may I inquire if my colleague has more requests for time?

Mr. SESSIONS. In fact, I do.

Ms. SLAUGHTER. I reserve the balance of my time to close.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Tampa, Florida (Mr. JOLLY).

Mr. JOLLY. Mr. Speaker, I rise in support of this resolution, a resolution necessitated today by a crisis in trust, a crisis in trust between this Congress and this administration.

This body has the article I constitutional authority to provide oversight over the administration, an authority that has been repeatedly ignored by this administration, and ignored with an audacity rarely seen in modern politics. Today, with this resolution, we confront that audacity.

Here are the facts. We have a President that rules by pen and a phone. We have an Attorney General that selectively enforces laws when he wishes to and in which States he wishes to. We have a Veterans Affairs administration that is withholding documents about the death of veterans.

We have agencies that legislate by regulation, and we have an Internal Revenue Service that has targeted organizations and refuses to testify about it. So is it any surprise that, last week, additional information comes to light about Benghazi? No, it is not.

This administration has kept information from this Congress, and they have refused to recognize the gravity of this obstructionism. They have done so in the context of a loss of American lives and a loss of life that is personal for a family in my district. That family deserves answers.

Yes, we have a crisis in trust between this Congress and this administration, but this is not political theater. This has not been brought upon this House by this side of the aisle. It has been brought upon this house by the stonewalling of the administration.

It is a rightful execution and a proper execution of the article I oversight authority of this Congress. I urge my colleagues to support this resolution.

Mr. SESSIONS. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Florida (Mr. MICA), a member of the Committee on Oversight and Government Reform.

Mr. MICA. Mr. Speaker and my colleagues, I am going to ask a couple of questions. First of all, I have to give a disclaimer that I was one of the Members on this side of the aisle that did not favor a select committee. I actually took my name off of a request by Mr. WOLF. I thought we could handle this matter in regular order. Four committees proceeded to investigate the matter.

I am the senior member of the chief investigative panel of Congress. I have been through many investigations. I have never in my life seen the stonewalling. I have never seen the contempt for Congress displayed by this administration.

Then last week, to make a mockery of the entire system, we saw from an outside party getting information that four committees of Congress had never received and requested. I have never seen anything like this. Why are we doing this? The other side has brought this, the administration has brought this upon themselves.

Let me ask a fundamental question: What difference does it make? What difference does it make?

I want you to tell that to the State Department employees who every day go to work, sometimes put their life at risk. Four American officials were killed—murdered—and no one has been held accountable. No one has been brought to justice, and to have an official come before a committee of Congress and say: What difference does it make? Ask that to the families of the State Department people who work for the American people.

What difference does it make? Ask the military.

Oh, there is no evidence of an order to stand down, but we know our military had the ability to save those Americans. We know that the State Department had the ability to keep those Americans safe, and no one acted.

What difference does it make? What difference does it make to those four families?

What difference does it make? We don't have to investigate anything. We don't have to hold anyone accountable.

No one died in Watergate. Four American officials lost their lives. Under our system, individuals—whether it is the Secretary of State or the President of the United States or any official at any level—need to be and must be held accountable and responsible under our system.

Otherwise, we make a mockery of this whole business of a government of and for and by the people.

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

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

Mr. MICA. What difference does it make?

People were asleep at the switch. They need to be held accountable again, regardless of rank. This is the United States of America. This is the Congress. People sent us here. They are out there trying to make a living, provide for their families, pay their taxes. They sent us here to keep this government responsible, accountable.

What difference does it make? It makes a great deal of difference, not only to the men and women of the State Department, our United States military, the families of those slain, but it makes a big difference to the people of the United States who sent us here to keep this a responsible government and accountable, no matter who must be held responsible or accountable.

Ms. SLAUGHTER. I reserve the balance of my time as long as my colleague has speakers.

Mr. SESSIONS. We are now through with our speakers, and I am prepared to close.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time to close.

I think probably the best way that I can close would be with another quote from the man who is fast becoming my favorite Member of the House of Representatives, Congressman BUCK MCKEON, Republican chair of the Armed Services Committee.

He said to the Associated Press on April 10:

> I think I pretty well have been satisfied that given where the troops were, how quickly the thing all happened, and how quickly it dissipated, we probably could not have done more than we did. At some point, we think we will have as much of this story as we are going to get and move on.

Mr. MCKEON, it is long past time for us to move on.

I really appreciate so much hearing from Mr. CONNOLLY, the statement from Ambassador Stevens' family—I had not heard it before—and the eloquence with which they talked about him. Remember, he had only been there in Benghazi—was basically there for the day, and everybody said—and all of the things that I have read, he was that kind of man.

He spoke the language, and he wanted to be out with the people. He would not have wanted to be behind the walls of a compound, and he knew what he was doing, and he made his choices.

The thing that rang so strong with me was the one thing that they said that he would not have wanted was to become a political pawn, and that is exactly what we are making of Ambassador Stevens and the other three Americans who died in that tragic event.

Without any question, we are also causing, once again, to those four families of people who loved them most grievous hardship to deal with all this again, and it is being done for politics. It is being done to raise money.

So I want to close by paraphrasing another great American at another time and ask the majority: Have you no shame? At long last, have you no shame?

I yield back the balance of my time.

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

I do want to thank the gentlewoman from New York, the ranking member of the Rules Committee, my dear friend, who presided over a very long hearing yesterday, where we went through, in a meticulous fashion, the understanding of why this committee, who this committee might comprise itself of, and what their mission would be.

We intervened into this process as a result of a real problem, Mr. Speaker. We have intervened in this process because the administration and the standing committees here in the House of Representatives were unable to quickly and thoroughly accomplish their goal of providing not only proper oversight, but getting a fair and transparent answer back.

Hiding the ball is one thing; deception is another.

□ 1715

This administration has gone out of their way. They have lawyered up to make sure that they could, I think, mislead Congress. Well, they would make sure that we really could never get involved in anything but a goo ball, and then they would try and explain themselves in such a way that they would blame our insistence upon getting the truth as a political witch-hunt.

Mr. Speaker, that must mean there is a witch somewhere. And I don't have any clue what that answer is. What I will tell you is this: we must get to the bottom of this without it being a political witch-hunt.

So yesterday, I meticulously went through with the committee an understanding, and I stated three important parts of what this resolution is about: a select committee is authorized and directed to conduct a full and complete investigation and study; and to issue a final report and its findings to the House regarding all policies, decisions, and activities that contributed to the attack on the United States facilities in Benghazi, Libya, on September 11, 2012, as well as those that affected the ability of the United States to prepare for these attacks; and number three, in particular, that information related to lessons learned from the attack and executive branch activities and efforts to protect the United States facilities and personnel must be understood.

Mr. Speaker, JOHN BOEHNER, the Speaker of the House, has announced that the gentleman from South Carolina, a distinguished Federal prosecutor, a reliable person who serves in this body, is not the least bit interested in the political outcome. In fact, he is interested, because I know him and know him well, in doing the things which are under the charge that we at the Rules Committee and that this House today, I believe, will give him, that he will well and faithfully discharge those duties that have been given to him as the chairman of this select committee.

And I believe that the Speaker of the House has met with former Speaker PELOSI, now the minority leader, to ask the minority leader to please offer him the names of those five personnel, Members of Congress, who might represent the Democrats, or the minority in this case, an opportunity to be a full and forthwith member of this committee.

It is our intent that these 12 people will work together, not apart, that they will work with a mandate that is clear and that provides them the necessary information and the discretion to the full extent of the law.

It is also understood by this that these members of this select committee need to be met forthwith by the administration of the United States of America, and that is the office and the executive branch of the Presidency.

It is a full request that I would make at this time for the American people to understand that we are asking this administration to lay down their sword, to lay down those things which have been impediments to properly providing transparency and things that are information that would allow us to get to the bottom of this.

We have heard over and over how people accepted that the buck stopped there and they took full responsibility. In accepting full responsibility, we have not learned enough about what those mistakes were if they are willing to accept the responsibility.

This is not going to be wished away, Mr. Speaker. Our young chairman, TREY GOWDY, will not whitewash this investigation. Our committee is not empowered just to go off and fritter away the time. They will be serious members of this body.

I look forward to finding out who former Speaker PELOSI, minority leader, appoints to the committee. I will be intensely interested to see who Speaker BOEHNER appoints. And I would bet that they will represent the very best from this body, that they will be young men and young women who have been in and a part of understanding how to carefully look for the facts of the case and not an inch beyond, how to ask questions that are fair and those that represent the very best of only learning the truth and not an inch more.

I have confidence that this House of Representatives, through the leadership of Mr. GOWDY, will bring not only excellence, but will stand as a model of how the House of Representatives should conduct itself when they have a problem with an administration, whether it be Republican or Democrat. I will predict today that those people that former Speaker PELOSI brings to the table and that we bring to the table will be prepared to do exactly that.

Mr. Speaker, with that, I know I am ending my time. I yield back the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, this week the House will debate and vote on a resolution authorizing a new Select Committee on Benghazi. Indeed, the attack in Libya was a tragedy, as is losing an Ambassador doing official work for the United States abroad, but using these deaths to score political points is politics at its worst. After 9/11, our nation came together to do what is best for all Americans. There were no gotcha politics, no hearings to blame the victims; instead, we worked together as a unified body on Capitol Hill to protect the American people.

There have already been seven reviews of that terrible attack: one by the State Department's Accountability Review Board, two bipartisan reviews in the Senate, and four partisan reviews in the House. It certainly seems as though the Republicans' proposed special committee is nothing more than an attempt to exploit the deaths of four brave Americans to divert attention away from their own do-nothing record here in Washington.

Moreover, this new select committee is in reality, nothing more than a monumental waste of time and taxpayer dollars to help Republicans mobilize their extreme base ahead of the election. According to the Department of Defense in fact, they have already spent millions of dollars and thousands of hours responding to congressional inquiries. Nor will the new select committee have any additional powers that Chairman ISSA doesn't have already—including the ability to issue unilateral subpoenas for any document or any witness, authority he just used to subpoena the Secretary of State.

To be sure, Benghazi was not the first time Americans have been killed in an embassy while in the service to their country. In the last 100 years, there have been 39 attacks on U.S. embassies with at least 44 American deaths. In one Embassy bombing in fact, a constituent of mine, Mr. Julian Bartley, Sr. one of the most senior African Americans in the U.S. Foreign Service, was the highest-ranking U.S. official killed in the August 7th, 1998 explosions at the American Embassies in Nairobi and Dar es Salaam, Tanzania. Jay, his son, a sophomore at the U.S. International University in Nairobi, also died in that explosion.

On that day in August, Osama bin Laden and his terrorist group, al-Qaeda, simultaneously set off bombs at the American embassies in Nairobi and Dar es Salaam, Tanzania. More than 250 people were killed, including 12 Americans, and 5,000 wounded in the twin bombing attacks: we were all outraged at these coordinated attacks on Americans.

However, as Dana Milbank of the Washington Post put it: 'Benghazi doesn't qualify as a scandal because the Republican allegations, even if true, don't amount to much. It is indeed scandalous that weak security allowed the killings to occur, and that the perpetrators still haven't been brought to justice. But Republicans are focusing on (United Nations Ambassador Susan) Rice's TV talking points, under the theory that she emphasized the role of a provocative video and street protests so the violence wouldn't disprove President Obama's contention before the 2012 election that terrorists were being defeated.'

Mr. DUFFY. Mr. Speaker, I rise in support of H. Res. 567 and urge the House to approve the measure as soon as possible.

On September 11, 2012, a group of terrorists ruthlessly attacked our consulate in Benghazi and killed four Americans: U.S. Ambassador to Libya Christopher Stevens, Foreign Service Information Management Officer Sean Smith, and two private security contractors and former Navy SEALs, Glen Doherty and Tyrone Woods. The terrorists who perpetrated the attack have still not been brought to justice and the State Department officials, whose failure of leadership contributed to grossly inadequate security In Benghazi, have not been held accountable.

Despite numerous House oversight hearings on this issue, it is clear that there are too many questions that remain unanswered. Additionally, the Administration's unwillingness to present full and accurate information to these Congressional committees show officials are more interested in maintaining their public image than providing real answers.

That is why I am proud the House of Representatives is considering H. Res. 567 that establishes a Select Committee on the events surrounding the 2012 terrorist attacks in Benghazi. In fact, I was a proud cosponsor of a similar measure. I also want to thank you Mr. Speaker for appointing Rep. TREY GOWDY to head the Select Committee. A former federal prosecutor who never lost a case, I know my friend and colleague from South Carolina Rep. GOWDY will help these grieving American families finally get the answers they deserve.

I am hopeful that this Select Committee will finish the much needed work of holding the Administration accountable for its failures surrounding this attack, deliver justice to those terrorists who murdered these four Americans, and bring peace to the families of the victims.

I urge Members to support this resolution.

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

Pursuant to House Resolution 575, the previous question is ordered on the resolution.

The question is on the resolution.

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

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

The yeas and nays were ordered.

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

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–109)

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:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the ''Act''), the text of a proposed Agreement for Cooperation between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy (the ''Agreement''). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. (In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277), a classified annex to the NPAS, prepared by the Secretary of State in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of Vietnam's export control system with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A of the National Security Act of 1947 (50 U.S.C. 403–1), as amended, is being submitted separately by the Director of National Intelligence.

The proposed Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement provides a comprehensive framework for peaceful nuclear cooperation with Vietnam based on a mutual commitment to nuclear nonproliferation. Vietnam has affirmed that it does not intend to seek to acquire sensitive fuel cycle capabilities, but instead will rely upon the

international market in order to ensure a reliable nuclear fuel supply for Vietnam. This political commitment by Vietnam has been reaffirmed in the preamble of the proposed Agreement. The Agreement also contains a legally binding provision that prohibits Vietnam from enriching or reprocessing U.S.-origin material without U.S. consent.

The proposed Agreement will have an initial term of 30 years from the date of its entry into force, and will continue in force thereafter for additional periods of 5 years each. Either party may terminate the Agreement on 6 months' advance written notice at the end of the initial 30 year term or at the end of any subsequent 5-year period. Additionally, either party may terminate the Agreement on 1 year's written notice. I recognize the importance of executive branch consultations with the Congress regarding the status of the Agreement prior to the end of the 30-year period after entry into force and prior to the end of each 5-year period thereafter. To that end, it is my strong recommendation that future administrations conduct such consultations with the appropriate congressional committees at the appropriate times.

The proposed Agreement permits the transfer of information, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities. In the event of termination of the Agreement, key nonproliferation conditions and controls continue with respect to material, equipment, and components subject to the Agreement.

Vietnam is a non-nuclear-weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons. Vietnam has in force a comprehensive safeguards agreement and an Additional Protocol with the International Atomic Energy Agency. Vietnam is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material, and has ratified the 2005 Amendment to the Convention. A more detailed discussion of Vietnam's intended civil nuclear program and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the NPAS and in a classified annex to the NPAS submitted to you separately. As noted above, the Director of National Intelligence will provide an addendum to the NPAS containing a comprehensive analysis of Vietnam's export control system with respect to nuclear-related matters.

I have considered the views and recommendations of the interested departments and agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123b. and 123d. of the Act.

My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee as provided for in section 123b. Upon completion of the 30 days of continuous session review provided for in section 123b., the 60 days of continuous session review provided for in section 123d. shall commence.

BARACK OBAMA.

THE WHITE HOUSE, *May 8, 2014.*

AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2014

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 569, I call up the bill (H.R. 4438) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 569 and House Resolution 576, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, and the further amendment printed in part B of House Report 113–444, are adopted. The bill, as amended, is considered read.

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

H.R. 4438

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 Research and Competitiveness Act of 2014''.

SEC. 2. RESEARCH CREDIT SIMPLIFIED AND MADE PERMANENT.

(a) IN GENERAL.—Subsection (a) of section 41 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to the sum of—

''(1) 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

''(2) 20 percent of so much of the basic research payments for the taxable year as exceeds 50 percent of the average basic research payments for the 3 taxable years preceding the taxable year for which the credit is being determined, plus

''(3) 20 percent of the amounts paid or incurred by the taxpayer in carrying on any trade or business of the taxpayer during the taxable year (including as contributions) to an energy research consortium for energy research.''.

(b) REPEAL OF TERMINATION.—Section 41 of such Code is amended by striking subsection (h).

(c) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 41 of such Code is amended to read as follows:

''(c) DETERMINATION OF AVERAGE RESEARCH EXPENSES FOR PRIOR YEARS.—

''(1) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENDITURES IN ANY OF 3 PRECEDING TAXABLE YEARS.—In any case in which the taxpayer has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined, the amount determined under subsection (a)(1) for such taxable year shall be equal to 10 percent of the qualified research expenses for the taxable year.

''(2) CONSISTENT TREATMENT OF EXPENSES.—

''(A) IN GENERAL.—Notwithstanding whether the period for filing a claim for credit or refund has expired for any taxable year taken into account in determining the average qualified research expenses, or average basic research payments, taken into account under subsection (a), the qualified research expenses and basic research payments taken into account in determining such averages shall be determined on a basis consistent with the determination of qualified research expenses and basic research payments, respectively, for the credit year.

''(B) PREVENTION OF DISTORTIONS.—The Secretary may prescribe regulations to prevent distortions in calculating a taxpayer's qualified research expenses or basic research payments caused by a change in accounting methods used by such taxpayer between the current year and a year taken into account in determining the average qualified research expenses or average basic research payments taken into account under subsection (a).''.

(2) Section 41(e) of such Code is amended—

(A) by striking all that precedes paragraph (6) and inserting the following:

''(e) BASIC RESEARCH PAYMENTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'basic research payment' means, with respect to any taxable year, any amount paid in cash during such taxable year by a corporation to any qualified organization for basic research but only if—

''(A) such payment is pursuant to a written agreement between such corporation and such qualified organization, and

''(B) such basic research is to be performed by such qualified organization.

''(2) EXCEPTION TO REQUIREMENT THAT RESEARCH BE PERFORMED BY THE ORGANIZATION.—In the case of a qualified organization described in subparagraph (C) or (D) of paragraph (3), subparagraph (B) of paragraph (1) shall not apply.'',

(B) by redesignating paragraphs (6) and (7) as paragraphs (3) and (4), respectively, and

(C) in paragraph (4) as so redesignated, by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(3) Section 41(f)(3) of such Code is amended—

(A)(i) by striking '', and the gross receipts'' in subparagraph (A)(i) and all that follows through ''determined under clause (iii)'',

(ii) by striking clause (iii) of subparagraph (A) and redesignating clauses (iv), (v), and (vi), thereof, as clauses (iii), (iv), and (v), respectively,

(iii) by striking ''and (iv)'' each place it appears in subparagraph (A)(iv) (as so redesignated) and inserting ''and (iii)'',

(iv) by striking subclause (IV) of subparagraph (A)(iv) (as so redesignated), by striking '', and'' at the end of subparagraph (A)(iv)(III) (as so redesignated) and inserting a period, and by adding ''and'' at the end of subparagraph (A)(iv)(II) (as so redesignated),

(v) by striking ''(A)(vi)'' in subparagraph (B) and inserting ''(A)(v)'', and

(vi) by striking ''(A)(iv)(II)'' in subparagraph (B)(i)(II) and inserting ''(A)(iii)(II)'',

(B) by striking '', and the gross receipts of the predecessor,'' in subparagraph (A)(iv)(II) (as so redesignated),

(C) by striking '', and the gross receipts of,'' in subparagraph (B),

(D) by striking '', or gross receipts of,'' in subparagraph (B)(i)(I), and

(E) by striking subparagraph (C).

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2013.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to amounts paid or incurred after December 31, 2013.

SEC. 3. PAYGO SCORECARD

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4438.

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

There was no objection.

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

Mr. Speaker, our current Tax Code is broken. It is hurting families and hurting our ability to create good-paying jobs in this country.

Last week we learned that the economy grew 0.1 percent in the first quarter of 2014. One-tenth of a percent of growth is unacceptable. Hardworking families and small businesses are struggling in this economy, wages are flat, and businesses are not growing.

Beyond having the dubious distinction of the highest corporate rate in the world, the United States is the only country that also allows important pieces of its Tax Code, like the research and development tax credit, to expire on a regular basis.

Businesses can't grow and invest when the Tax Code is riddled with instability and uncertainty. The research and development credit, the permanent extension we have before us today, has been part of the U.S. Tax Code since 1981. Renewed year after year, the credit has long been bipartisan and an effective way to incentivize U.S. companies to innovate, create new products, and invest in the United States.

The bill we have before us is a result of years of work that the Ways and Means Committee members have put into tax reform. By simplifying the credit, we eliminate the burden on businesses to do substantial amounts of recordkeeping, maintain countless receipts, and perform complex calculations.

Notably, the R&D credit has been historically bipartisan. In fact, just a few years ago, Congressman LEVIN, now ranking Democrat on Ways and Means, and I cosponsored the House bill to extend the research and development tax credit. Today the bill is led by Mr. BRADY and Mr. LARSON and has many other Republican and Democrat cosponsors.

Many on the other side of the aisle have commented about the fact that this job-creating provision is unpaid for. I would note that this provision, among other extenders, has historically not been paid for. All together, Ways and Means Democrats have cast 71 votes on this floor in favor of unpaid extensions of this policy. That amounts to 15 years' worth of extensions.

While the change of tune may be for political reasons, I think we can all agree that this is the right policy. Making the R&D tax credit permanent is an important first step to achieving growth and putting us on a path toward comprehensive reform that lowers rates and makes the Code simpler and fairer. It also supports good-paying jobs. According to the National Association of Manufacturers, 70 percent of R&D credit dollars are used to pay salaries of R&D workers.

The United States was once the world leader in providing research incentives to U.S. companies so that U.S. companies could innovate and create new technologies and products, but we have fallen far behind. Other countries are moving past the United States, putting American companies at risk of falling further behind. Countries like Japan, the United Kingdom, Canada, Russia, and Slovenia have all invested more in research and development support than the United States.

□ 1730

This is unacceptable and we can do better. A strong permanent credit not only provides the certainty employers need, but the Joint Committee on Taxation estimates that making the R&D credit permanent will increase the amount of research and development American companies undertake by up to 10 percent. That translates into more workers, higher wages, and increased innovation here in the United States.

Mr. Speaker, I yield 1 minute to the gentleman from Virginia, Leader CANTOR.

Mr. CANTOR. Mr. Speaker, I thank the chairman, the gentleman from Michigan.

Mr. Speaker, I rise today in strong support of the American Research and Competitiveness Act.

Mr. Speaker, right now, America isn't working for too many people. Last month alone, 800,000 people left the workforce, and many more continue to search for a job. Working people are having a tough time too. They are having a tough time climbing the economic ladder of success, partly because America is struggling to remain competitive in the global marketplace.

However, we have an opportunity to change that today by passing this legislation and improving the R&D tax credit and making it permanent.

This action will grant the U.S. a chance to compete for more research and development investment dollars while manufacturers are being courted by other countries that have more stable R&D tax incentives and lower corporate tax rates. But the positive economic impact will not be constrained to manufacturing alone. It will also bring new investments to the energy industry, medical research, STEM advancements, and information technology, among others.

A 2011 study by Ernst & Young found that strengthening the R&D tax credit would raise wages by up to $3 billion in the short term and $8 billion in the long term. It would also increase employment related to research by 130,000 in the short term and over 300,000 jobs in the long term. With the American economy sputtering along, this bill creates an opportunity that we simply cannot afford to pass up.

Mr. Speaker, to put it simply, this legislation is about jobs. This legislation is about giving American workers and middle class families a chance at new opportunities. This legislation is about creating an America that works again, an America that works again for everybody.

Let's stand together in a bipartisan fashion and pass this bill so that we can help turn this economy around and begin to move in the right direction once again.

I want to thank Chairman CAMP for his leadership in bringing this bill forward, for Congressman BRADY in the Chamber from Texas, and the rest of the Ways and Means Committee for their hard work on this issue.

I urge my colleagues in the House to support this bill.

Mr. LEVIN. Mr. Speaker, I yield as much time as he may consume to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member on the Budget Committee.

Mr. VAN HOLLEN. Mr. Speaker, I want to thank my friend and colleague, the ranking member of the Ways and Means Committee, for all the work he has done on tax policy to make sure we have a tax policy that is both pro-growth and works for the country. And I want to commend the chairman of the Ways and Means Committee for his efforts on tax reform.

I wish what we were doing today was talking about real tax reform. Many of us agree that we need to reform our corporate Tax Code, that we do need to deal with the rates and we need to deal with the base.

But that is not what this is about. The Speaker decided not to bring before this full House the tax reform bill

that the chairman of the Ways and Means Committee has worked on, and that is not what we are dealing with today. Nor is what we are dealing with today whether we are for or against the research and development tax credit.

The chairman of the committee said there is bipartisan support for the R&D tax credit. I agree, it is a pro-growth tax policy.

The issue is whether we extend it on a permanent basis and unpaid for, not one penny of it paid for. The chairman mentioned that we had raised this on an annual basis in the past. That is true. One of the reasons we didn't take it up on a permanent basis was because everybody realized what impact it would have on our long-term deficit and said, you know, that is not good fiscal policy, that is not good fiscal discipline, let's try and work together to get it done in a fiscally responsible way.

But instead of doing that, we now have our colleagues coming forth and doing it in a way that puts it on a credit card, puts it on a credit card. Not one penny is paid for. We have this R&D tax credit bill before us today. There are four other business tax incentive bills that are coming out of the Ways and Means Committee. Together they add $310 billion to the deficit. That means $310 billion on our national credit card.

Now, what is interesting is it was probably less than a month ago that on the floor of this very House we had a debate on the Republican budget. We were told then that the most important thing we could do for long-term economic growth was to reduce long-term deficits. That was the be-all and end-all. It is important. And do you know what? We agree it is important to reduce the long-term deficits. The question is not whether, it is how.

So we proposed, in addition to some of the cuts we have already made in this House, that we also close some of the unproductive wasteful special interest tax breaks that happen to go to different interests around the country, not because it is important to our economy, not because it helps the economy grow, but because they happen to have a lot of influence here in Washington. So we should get rid of some of those to help pay for pro-growth tax policy like the R&D tax credit. But our Republican colleagues said no. They wouldn't close one, not one special interest tax break to help reduce the deficit, not one.

So here we are today after all that talk just a few weeks ago about reducing the deficit doing a permanent and unpaid-for extension of the R&D tax credit—the first installment of, as I said, five bills that will add $310 billion to the deficit, all on a credit card.

In fact, Mr. Chairman, I don't know if all the Members know, they had to waive their own rules because this bill is inconsistent with the budget that was passed in this House a few weeks ago—inconsistent. In fact, if you look at the five bills coming forward, they put the Republican budget at a balance even on its own terms. They used funny math to claim that their budget was balanced. They actually used the revenue from the Affordable Care Act—ObamaCare—even when they said they are getting rid of it. But let's give them that for a moment.

By their own terms, these five bills now mean that their own budget, Republican budget, is not in balance anymore. We are in favor of the R&D tax credit. We would like to find a way to permanently extend it, but let's do it in a fiscally responsible manner.

Here is the thing, Mr. Chairman—all of us know this. When you don't pay for it, when you put it on a credit card, at the end of the day somebody is paying for it. Now, last night we pointed out that the Republican proposal was actually going to pay for it by hitting Medicare. They left in place a Medicare sequester under statutory PAYGO. They were going to ask Medicare to pay for these tax credits. I am glad they reconsidered that. But at the end of the day someone has got to pay. Who pays?

Let's go back and look at the Republican budget from a few weeks ago. I will tell you who pays. Because that budget refuses to close any of those wasteful tax breaks, whether it is for corporate jets—whether it is for big oil companies, whether it is for hedge fund owners—because they refuse to do any of those to reduce the deficit they come after our kids' education: deep cuts in Head Start, deep cuts in K through 12, deep cuts in helping more students afford college, deep cuts in medical research, scientific research. We are talking about the importance of giving the private sector incentives to invest in R&D—that is right.

But when you cut the nondefense discretionary budget by 25 percent compared to now over the next 10 years, you are also cutting our capacity as a country to invest in cutting-edge R&D. After all, there were Federal Government investments that helped launch the Internet, which has had huge economic benefits. Investments in scientific research at NIH, huge benefits.

That's why it is so important to do this in a fiscally responsible manner. Because when you add $310 billion to the deficit somebody pays at the end of the day.

What we have said is, let's pay for it in a way that makes sense, a combination of cuts, many of which have been made, but also getting rid of the unproductive wasteful tax breaks that are in the Tax Code, which are there not because of the economic benefit, but because of the power of a lobby here in Washington.

I would hope we would go back to what the chairman of the committee actually wanted to do when he started the effort of tax reform a couple of years ago and beyond, which was, yes, let's do real tax reform, let's do it in a way that makes sense, let's do it in a way that doesn't bust the deficit wide open and leave our kids having to pick up the tab either through higher interest rates or cuts to their education. That is not right.

I urge my colleagues to vote against this legislation.

Mr. CAMP. Mr. Speaker, I would just note for the record that the previous speaker, the gentleman from Maryland, has voted four times to extend the research and development tax credit, none of them paid for, for a total of 7½ years.

With that, I yield 2 minutes to the gentleman from Texas (Mr. BRADY), a distinguished member of the Ways and Means Committee and chairman of the Joint Economic Committee.

Mr. BRADY of Texas. Mr. Speaker, I thank the chairman for bringing this important bill, the American Research and Competitiveness Act, to the House floor.

This is a bipartisan bill. I am glad not only to be the lead sponsor, but to be working with my friend, a Democrat, JOHN LARSON from Connecticut, on this important bill. We follow in the footsteps of two other bipartisan leaders, Chairman DAVE CAMP and Ranking Member SANDY LEVIN, who carried this bill together in a bipartisan way with strong support from Republicans and Democrats.

In the day and age where we look at our smart phone or our tablet and we see sort of the impact of technology on our lives, many of us have family members and parents for whom medical breakthroughs have saved lives, lengthened lives, given back quality of life. We see people who are disabled through technology now able to live full lives and work full lives because America is innovative. This is about jobs, but it is about people as well.

America used to lead the world in research incentives, but today we have fallen to 27th. China, Russia, and other global competitors are quickly surpassing us in their share of the economy devoted to research. If we don't permanently commit to encouraging new innovation in technology, in manufacturing, in energy, in medical breakthroughs, over time we will lose our place as the largest economy in the world.

We need to make permanent this key tax incentive that encourages American companies to increase their investments in America in research and development of new product breakthroughs. When we do that, when we make this temporary provision—temporary for 34 years by the way—when we make it permanent we will create over 300,000 new American jobs and raise workers' wages by almost $10 billion.

What this bill does is it simplifies this provision so that small- and medium-size businesses can also take advantage of this credit.

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

Mr. CAMP. I yield an additional 30 seconds to the gentleman from Texas.

Mr. BRADY of Texas. According to the Joint Committee on Taxation, making it permanent will lead to a 10 percent increase in new research here in America. The fact is American companies are going to invest in research. The question is, are they going to do it in America or are they going to do it overseas? We can't allow foreign countries to take this research, the jobs that go with technology. It is time to come together—Republicans and Democrats—to make this law permanent.

Mr. LEVIN. Mr. Speaker, I now yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), another distinguished member of the Ways and Means Committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in opposition to this legislation.

H.R. 4438 would add $156 billion to the deficit to provide permanent tax breaks for businesses while doing nothing for the 2.6 million Americans living the constant nightmare of long-term unemployment.

H.R. 4438 does nothing to help low-income working families by permanently extending the earned income tax credit or the child tax credit used by over 100,000 of my constituents and credits that keep millions of Americans out of poverty.

□ 1745

Further, H.R. 4438 does nothing to incentivize businesses to hire hard-to-employ workers via the work opportunity tax credit, to help revitalize distressed communities via the new markets tax credit, to help the elderly donate to charities via the IRA charitable rollover, to create affordable housing via the low-income housing tax credit, to reimburse the 3.7 million teachers the hundreds of dollars a year that they pay out of their own pockets.

In the name of fiscal responsibility, the Republican leadership has justified refusing to help the unemployed and slashing food stamps for poor families, cutting health care and services for seniors and limiting services for foster use.

Even worse, the Republican leadership understands that, as a law, H.R. 4438's failure to pay for its $156 billion price tag will cause automatic cuts to Medicare, to student loans, and to other mandatory safety net programs because the bill violates PAYGO.

I strongly urge my colleagues to vote ''no'' on this business giveaway.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from Washington State (Mr. REICHERT), a distinguished member of the Ways and Means Committee.

Mr. REICHERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the American Research and Competitiveness Act. This bill takes a couple of important steps in improving a tax credit that supports tens of thousands of jobs in my home State of Washington State.

First of all, it makes the credit permanent. This credit has been extended 15 times since it was first enacted in 1981, making it impossible for businesses to plan their research and development activities in the future.

When businesses have certainty, they can plan for the future, and when they can plan for the future, they have the confidence to hire workers and to create jobs.

Second, Mr. Speaker, there was a time when it was understood that businesses would perform their research and development activities right here in the United States of America. Today, that is not the case.

In my home State of Washington, we don't have to look too far to see exactly what other countries are doing to attract research and development. Let's just take Canada, for example, which is just right north of Washington State.

In Canada, not only have they reduced their federal corporate tax rate to 15 percent, but they have made it permanent. On top of this, the various provinces and territories have added their own research tax incentives.

For example, in British Columbia, there is an additional 10 percent research and development tax credit. We can't compete with that in the United States of America. We can't compete with that in Washington State.

Mr. BRADY's bill helps get us back in the game of competing for research and development dollars. It provides a permanent tax credit of 20 percent and allows expenditures on supplies and software to be a part of the credit's base.

This bill represents a step in the right direction of fixing our Tax Code, making our economy competitive. Most importantly, Mr. Speaker, this bill is about creating jobs for Americans, so I urge my colleagues to support its passage.

Mr. LEVIN. Mr. Speaker, I now yield such time as he may consume to the distinguished gentleman from Wisconsin (Mr. KIND), a member of our committee.

Mr. KIND. I thank my friend for yielding me this time.

Mr. Speaker, I rise in strong support of the goal to permanently extend the research and development tax credit. Our businesses, large and small, need that certainty. They can't be trying to make budgetary decisions in order to help grow the economy and create jobs on these short-term measures that have been coming through Congress.

What I have an objection to this evening and where the problem lies with this legislation before us today is that none of it is paid for. We have been to this dance before. We know what works and what doesn't work when it comes to the fiscal management of our Nation.

What works is pay-as-you-go budgeting rules. If there is going to be a revenue reduction or a spending increase, you have to find an offset in the budget to pay for it to maintain balance.

We had that system in place during the 1990s, thanks to the budget agreement of 1990 that President George H.W. Bush signed into law and then followed by the budget agreement of 1993, when President Clinton was in office.

Subsequently, with the strength of a vibrant, growing economy in which 24 million private sector jobs were created, along with pay-as-you-go budgeting rules that were in place, President Clinton saw 4 years of budget surpluses at the end of his term, when we were paying down the national debt, rather than adding to it.

Thank God we were at that time because, when September 11 hit—that unexpected disaster against our Nation—we had financial resources with which to respond.

After my Republican colleagues took complete control of the Federal Government during the 2000s, with President Bush's election, they reverted back to bad habits—with two large tax cuts that weren't paid for; with two major wars that weren't paid for; with the passage of a new prescription drug bill, which was the largest expansion of entitlement spending since Medicare was created in '65—and not a nickel of it paid for; the largest increase in discretionary spending since the Great Society—none of it paid for.

When President Obama took office, he inherited a $1.5 trillion budget deficit in his first year. They have not been shy in laying the blame of fiscal mismanagement in the structural annual budget deficits at the current President's doorstep, and yet this is exactly what gets us into this spot.

Now, with regard to the policy behind the permanent extension, you are not going to hear much dispute or much debate about that. This is all about who is going to be fiscally responsible and do the hard work of trying to find offsets in the budget to do it the right way, so we are not leaving a legacy of debt to our children, so we are not continuing to borrow from China.

We can go back over the last 4 years and repeat the same statements that we have heard from my Republican friends about the need for fiscal management and tough decisions in budgeting.

What is perhaps the height of cynicism this evening is that, in a few short weeks after having passed the Republican Ryan budget resolution, they are violating it here tonight. It called for offsets for any permanent extension in the Tax Code, and that is not what we are doing here.

What is really disheartening is there is a plan B. To Chairman CAMP's credit, a few weeks ago, he released a comprehensive tax reform draft discussion in order to simplify the Code, to make us more competitive, to broaden the base, and to lower the rates; but he paid for it through some tough decisions with expenditures that don't make sense to help us be competitive in the 21st century.

We can go back to that proposal and look for some of the items that Chairman CAMP, himself, was proposing as a

way to pay for this permanent extension tonight. Earlier this year, President Obama, in the budget he submitted, had items of pay-fors within the Tax Code that we can scrub because there is overlap between the two.

Really, what this comes down to is who is serious about doing the tough stuff, which is finding offsets in order to do the good policy that we are missing here this evening. Yes, we should be finding a way to permanently extend the R&D credit. Our businesses, large and small, need that certainty.

My name is on this bill, but it was always under the proviso that we would be fiscally responsible in moving forward and not leave this legacy for future generations. I also think we ought to be doing a permanent 179 expensing for our small businesses and family farmers.

It is another expensive item, but there are areas in the Tax Code we can look to in order to find offsets to pay for it, which I also think is important for the job creation and economic growth we need in this Nation.

We are $17 trillion in debt, and people are wondering who is to blame. You can look this evening at a bill before us today that calls for $156 billion over the next 10 years—not a nickel of it paid for.

We can do better. We have to do better for our children and for future generations. The clock is ticking on all of this. We don't have this luxury of delaying the tough decisions anymore.

There are other avenues that we can take, and I am confident, if we were to sit down and talk to each other, we could find some common ground and bipartisan agreement of what would be acceptable offsets in the Revenue Code in order to do this permanent extension here tonight.

That requires a little more effort, and that requires—God forbid—having to say no to some constituents and powerful special interest groups in this town from time to time.

The easiest thing in the world is to offer a tax cut without paying for it. Who doesn't want tax relief? That is not difficult, but it is also not the tough budget decisions that they were talking about just a few weeks ago on the floor, when they were passing the Ryan Republican budget resolution.

If you would go back and look at it again, to its credit, it called for offsets for permanent extensions.

So what is true here? Are they truly committed to the fiscal responsibility that is called for in that budget resolution? Or is that all just a numbers game, in order to make the numbers add up?

With the first opportunity they have to violate that resolution, they are going to do so tonight with an unpaid-for permanent extension, and that is just $156 billion in the first 10 years. This will be a gift that keeps on giving, if we don't find offsets in the future.

I would encourage my colleagues to think hard and long about this because this is just the first of six tax extenders that will inevitably be coming up. I hope this isn't the pattern we are going to be seeing with the five additional ones, in that they are going to come forward without any pay-fors and say: let's load up the debt, and let's claim that the economy is going to grow and that everything is going to be fine afterwards.

We know that hasn't worked in the past. It is not going to work tonight. I encourage my colleagues to vote ''no.''

We have got time. We can work with the Senate, and we can work with what Chairman CAMP was proposing and with what the administration was proposing in its budget. We can find the appropriate offsets and do the responsible thing.

Let's end this legacy of deficit financing, and let's give our children the hope and opportunity that they deserve.

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

I would just say that the previous speaker, the gentleman from Wisconsin, has voted five times to extend the research and development tax credit—for 12½ years—with not a nickel of it paid for, to use his words.

Let me just say that our friends in the Senate are advancing an ''unpaid-for'' extension of all of the extenders to the tune of $85 billion. I just think, to follow their line of logic, they would say we need to raise taxes to keep taxes the same. That makes no sense. We haven't done it for almost 30 years, and we shouldn't do it now.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, with all due respect to the chairman of the committee—and I do respect him, and he is a friend of mine—he knows as well as anyone that there is a big difference between permanency in the Tax Code and short-term measures to give us some time in order to find out what the appropriate permanent solution will be.

That is, really, what we ought to be doing right now, is trying to find that permanent solution once and for all, but in a fiscally responsible manner. That is how we should be approaching this.

Again, to the chairman's credit, the discussion draft he just released a few weeks ago calls for offsets to the Revenue Code in order to do comprehensive reform, so he belies his own argument from just a minute ago that tax cuts shouldn't be met with corresponding offsets.

I mean, if that is true, then what have we been doing for the last 3 years in trying to do comprehensive reform while still paying for it, so we are not blowing a hole in future budget deficits?

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

Mr. LEVIN. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentlelady from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I regrettably rise in opposition to H.R. 4438, a bill that would simplify and make the research and development tax credit permanent.

As ranking member of the Science, Space, and Technology Committee, I have been a longtime supporter and advocate for making the R&D tax credit permanent. The R&D tax credit promotes innovation and encourages the creation and retention of jobs in the United States.

Unfortunately, since being created in the early 1980s, the R&D tax credit has been allowed to lapse and has needed to be extended year after year. The business community needs certainty when planning long-term research and development investments, and many have called for this important tax credit to be made permanent.

In the famous National Academies' ''Rising Above the Gathering Storm'' report, making the R&D tax credit stronger and permanent was one of their 10 recommendations on congressional actions to improve our Nation's competitiveness.

Private sector leaders also agree that there is a clear and necessary role for government in all aspects of our innovation ecosystem, from the direct funding of fundamental research, to incentives for the private sector to increase their R&D investments.

Often, private sector R&D investments are built upon years of direct government research funding. For example, the Internet and the GPS were developed with DARPA and National Science Foundation funding, but private sector innovation carried these technologies to their full commercial potential, with immeasurable benefit for our Nation.

However, the conversation about how best to modify the R&D tax credit and make it permanent should be part of a larger conversation about tax reform and tax extenders, and that conversation should include other tax provisions that are important for millions of working families and students, including the earned income tax credit, the child tax credit, and education tax credits.

Further, we should be debating how to offset this tax credit, instead of ignoring how it would add $156 billion to the deficit over the next 10 years.

□ 1800

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

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), the chairman of our Caucus.

Mr. BECERRA. I thank the gentleman for yielding.

Today's vote on H.R. 4438 and on five other Republican bills to come that would permanently extend other tax breaks without paying for them will increase the deficit by $310 billion and

lead to Republican cuts to services like Medicare, health research, and school funding.

How much is $310 billion?

That is five times what we spend on services to our veterans. We have over 21 million Americans who have served in uniform who are veterans of this country.

That $310 billion is three times what the Federal Government invests in education, job training, and social services for an entire year. It is over 10 times what we spend annually on medical research to come up with the innovations and the lifesaving treatments that Americans rely upon.

We hear from our colleagues on the Republican side that they are fiscally responsible, that they are fiscal hawks, but they pass these severe budgets that would cut schools, that would cut medical research, that would cut Medicare funding for our seniors, that would cut Social Security, but they have to do it because we have to get rid of that deficit.

Here we have the fiscal pretenders.

In this bill, H.R. 4438, our Republican colleagues propose to blow the deficit wide open by adding $310 billion to that deficit by passing these unpaid-for tax breaks. Yet when it is time to make the tough choices, when it comes to providing the services that our middle class families want for their children to go to college, they can't do it. But there is a free pass for these corporate tax breaks.

What American citizen and taxpayer would trust this Republican math from our colleagues?

I urge colleagues to vote against this budget-busting legislation and turn our focus to building an economy that works for all Americans, not just a select few.

Mr. CAMP. Mr. Speaker, I would just say the gentleman from California voted three times to extend the R&D tax credit unoffset for a length of time of 8 years.

I continue to reserve the balance of my time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 4438 is postponed.

ESTABLISHING SELECT COMMITTEE ON BENGHAZI

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 567) providing for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 232, nays 186, not voting 14, as follows:

[Roll No. 209]

YEAS—232

Aderholt
Amash
Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boehner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
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
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—186

Bass
Beatty
Becerra
Bera (CA)
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
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
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
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—14

Bachmann
Bishop (GA)
Coble
Crawford
DeGette
Duffy
Kingston
McAllister
Nunnelee
Pelosi
Reed
Rush
Schwartz
Scott, David

□ 1829

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

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.

MODIFICATION OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that H. Res. 567 be modified in the manner I have placed at the desk.

The SPEAKER pro tempore (Mr. CULBERSON). The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. SESSIONS of Texas:

Page 6, line 3, strike ''clause (2)'' and insert ''clause 2''.

Page 6, line 6, strike ''clause (2)'' and insert ''clause 2''.

The SPEAKER pro tempore. Without objection, the modification is agreed to.

There was no objection.

AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2014

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 4438 will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. When proceedings were postponed earlier today, 28¾ minutes of debate remained on the bill.

The gentleman from Michigan (Mr. CAMP) has 19¾ minutes remaining, and the gentleman from Michigan (Mr. LEVIN) has 9 minutes remaining.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

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

Mr. LEVIN. Mr. Speaker, I now yield 2 minutes to the gentleman from Maryland (Mr. HOYER), our distinguished whip.

Mr. HOYER. Mr. Speaker, I rise with a great deal of sadness. We are punting. USA Today said, ''House action on tax extenders forfeits credibility on deficits and national debt.'' They are right.

The distinguished chairman of the Ways and Means Committee, who is my friend, offered a real bill on tax reform. The problem with that real bill was it had tough choices to make. Congratulations to the gentleman from Michigan (Mr. CAMP) for having the courage to suggest those tough choices.

This vote today requires absolutely no courage at all. It gives the ice cream and says forget about the spinach. It is the reason that we have trillions of dollars in debt today on our national debt, because we didn't pay for the '01 or '03 tax cuts.

Now, Mr. CAMP will tell me that I voted for R&D tax cuts six times that were temporary, that were annual, that were not a permanent change in the base. That is what the Republicans want to do. That is what they did in '01 and '03, and that is all inside jargon. And yes, they didn't waive statutory PAYGO, which we passed, which USA Today says was one of the reasons we got to balance 4 years in a row. That is why.

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

Mr. LEVIN. I yield the gentleman from Maryland an additional 1 minute.

Mr. HOYER. Mr. Speaker, I have 3 minutes to discuss with the American public why their country is going to be put deeper into debt by passing this legislation.

It would be good legislation if it were paid for. It was good legislation when it was included in Mr. CAMP's overall tax reform bill. But it is very bad policy and very bad legislation in this unpaid-for, discreet form. And, by the way, there is about another $160 billion of debt to follow.

What a sad day for America. What a sad day for this House. What a sad day for the Ways and Means Committee. What a sad day for fiscal responsibility.

Mr. Speaker, I urge my colleagues not to vote for the temporary political benefit of saying you gave somebody a tax cut, but vote for fiscal responsibility. Vote to keep on a path of a big deal to solve the fiscal challenges that confront our country. I urge my colleagues to vote ''no.''

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

Well, I would just say that the gentleman from Maryland is correct. He has voted six times to extend the research and development tax credit without paying for it, for a total of 14 years.

Look, I think it is time we are honest with the American people. If we are going to extend these policies again and again and again—in this case, 30 years—and not pay for it, look, we shouldn't have to raise taxes to keep taxes the same.

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

Mr. LEVIN. I now yield 2 minutes to the gentleman from New York (Mr. RANGEL), a distinguished member of our committee, to put it mildly.

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

Mr. RANGEL. Mr. Speaker, I am opposed to this bill because I didn't think it was honest with the American people, and the chairman says he wants to be honest. I am just surprised that he is responding to this, because I don't think too many people believe this is on the level.

The Senate has spoken on this issue. This is not going to become law. It is not Benghazi. It is not affordable care. So I would think that this has to be something else that we are preparing for in 2014. And I really don't think that the American people are going to go to sleep tonight wondering whether or not we take this billion-dollar bill—even though all of us love the concept of research and development. But so many people are going to be going to sleep hungry. They haven't got extended unemployment insurance. They need a variety of affordable housing. And now we are doing this for 2014. It doesn't fly. It doesn't get off the ground.

Well, what I am saying to the chairman is that he has such a great start with the tax reform, something that we could have worked on together, to pick out one good thing that we have, even though we don't have money to pay for it, is an ideal thing for Democrats and Republicans to sit down and wonder, ''How can we make certain that America stays ahead in research and development?'' but to do this because we are running out of things to try to embarrass Democrats on is really not fair to our Nation. I really think our national security is being impacted because of our inability to work and get something done.

So I oppose this, as any other thing that is just trying to find something to embarrass us, but I do hope for 2014 that we find something, anything—immigration, unemployment compensation—so that when we do get there there will be a Republican Party.

I really love Democrats. But this used to be the party of Dixiecrats. Now they left us, and I want to make certain that they don't come back.

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

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), a most distinguished member of our committee.

Mr. DOGGETT. Mr. Speaker, this bill represents only the first of many installments of hundreds of billions of dollars that the Republicans plan to finance with more debt, borrowing from the Chinese or whoever will lend it to us. Surely we don't need any more research this afternoon to know that such an irresponsible approach is the wrong way to go.

In January of last year, Republicans came to this floor and they told us that they had reserved H.R. 1 for a bill that would do it all. It was going to simplify the Tax Code, it was going to lower the rates, and it would not add a penny to the debt because it would all be financed by closing loopholes.

Where is that bill? It is still reserved, and it will be reserved until the end of this term because the truth of the matter is Republicans could not stand up to the special interests that like those loopholes, that like the complexity of the Tax Code, that benefit from that complexity. They would not stand up to pass a bill that was fiscally responsible.

Both parties, as the chairman has indicated, have repeatedly supported temporary extensions, but neither has had the audacity to come to this floor and say we are going to borrow enough to make it permanent without closing a single loophole. They are doing exactly the opposite of what they have repeatedly promised us and the American people that they would do.

I support a permanent research and development credit to incentivize research for new products. It has never been a question of whether to support research, but how to do it and how to pay for it. And if the only goal is to encourage more job growth, there are ways we can redesign this credit to get even more growth than it does now.

The Government Accountability Office said the credit in its current form is a windfall for some corporations, and some multinationals have used it as a way to get the taxpayer to subsidize research here and then shift the benefits overseas.

I believe a better research credit on a permanent basis is the best way to encourage growth, not an irresponsible unpaid tax credit.

Mr. CAMP. Mr. Speaker, at this time, I yield such time as he may consume to the gentleman from Texas (Mr. BRADY), a distinguished member of the Ways and Means Committee and the chairman of the Joint Economic Committee.

Mr. BRADY of Texas. I thank the chairman for yielding.

Mr. Speaker, I was touring a hospital in the Rio Grande Valley the other day, and we were going through the critical care unit, with young babies 25, 26 weeks old who in past years would, frankly, have never survived. But

today, because of medical breakthroughs, they will not only not have a lifetime of chronic diseases and disabilities, but they will live a full life because the medical breakthroughs and innovations developed here in America are giving them a life, frankly, their parents never hoped for.

I see our veterans coming back from war, some of them with such terrible injuries, who not only are having their lives restored but, through these remarkable prosthetics, are living full lives that, again, wouldn't have been possible in recent years, even, because we are doing innovation here in America.

Each day, we read of another U.S. company being courted to move those medical breakthroughs and that research overseas to other countries, to China, to Europe, to others. We are seeing America lose our edge in innovation, even though everyone knows—Republicans and Democrats—that the country that innovates the most will lead the world in economic growth, period. We know it.

And I look at statements such as this. And I will read this. It is a direct quote:

> I believe it is critical that our tax system provide strong incentives to help our manufacturing base. One of the most important tax incentives for the manufacturing sector is the research and development tax credit. Manufacturers do about 70 percent of the private sector R&D conducted in the United States. I have long been a strong and persistent voice for making the R&D credit a permanent part of our Tax Code and strengthening it so that all companies have a strong incentive to do R&D here in the United States.

□ 1845

That wasn't me; that wasn't Chairman CAMP. That was our distinguished ranking member, SANDY LEVIN.

He is not alone. Democrats and Republicans together long have sought a permanent R&D tax credit to make America competitive again. Make no mistake. Today, you have heard people say this really isn't about supporting innovation, technology, biosciences and medical breakthroughs; today, it is about fiscal responsibility and payfors; yesterday, it was some other bills we wanted. The truth is that we can't afford these excuses, and that is what they are.

Today, it is a clear choice between those who will stand for medical innovation in America, technology innovation in America, and energy innovation and manufacturing innovation that will create good-paying jobs and good-paying wages for Americans.

I ask our Democrat colleagues to set aside the politics. We know it is an election year. Set that aside. Stay consistent with the values that you have said over and over again that the research and development tax credit needs to be made permanent, and let's send a bill to the Senate so that they, too—we can discover and learn whether they are willing to stand with their past, longtime statements that the R&D tax credit should be permanent.

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

Mr. Speaker, I support R&D. Mr. Speaker, I support it now. I have never voted to make it permanent without paying for it. So this bill is a dangerous dodge.

Mr. CAMP, you paid for what you suggested was permanent, and I salute your being forthright. That isn't what is happening, is not happening today. So this isn't only fiscally irresponsible. What it does is to threaten programs that we care about. What was not done with one hand yesterday, automatic cuts, will be done by the Republicans with the other. They will use this deficit to cut programs we care about mentioned earlier: medical research, Head Start, Pell Grants, and other extenders that we deeply care about.

This bill today is, as I said, a dangerous dodge. We should not be party to it. We should not be party to it. It is irresponsible, it is hypocritical, and it is harmful to what we really care about and what the American people care about.

I urge a ''no'' vote on this bill, and I yield back the balance of my time.

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

Mr. Speaker, the research and development tax credit has been extended repeatedly by members of the other side and members of this side for nearly 30 years, and it has not been paid for in those extensions.

But what does that really mean? Well, what we have done in America, which no other country has done, is we have taken a valuable tax policy like that, something that should be certain and dependable, and made it temporary. Not only do we make it temporary, we allow it to expire for a year at a time. So over this 30-year period, employers, innovators, businesses, and companies have not known whether they can count on this policy in order to do something really important.

I heard Mr. BRADY talk about the medical innovation and how critical that is to making peoples' lives better. I think of Big Rapids, Michigan, and Wolverine Worldwide, which makes military footwear and boots. They are constantly innovating that so that our military servicemen and -women have the best possible equipment on their feet. You can imagine the kinds of climates that we find our military in and how important this is.

But if companies like that don't know whether this tax policy is dependable, yet we extend it 30 years backwards retroactively and forward for a year, then we allow it to expire for a year, it absolutely makes no sense. By allowing it to expire repeatedly, we have called into question whether this R&D credit is available at all.

I would just say by supporting permanent policies—the reason it is so important to make this permanent, we can actually promote certainty for American businesses, and we need to generate certainly greater economic growth. The reason we are seeing the worst recovery since the Depression, 0.1 percent economic growth, none of us should be satisfied with that, and I don't think any of us are. We can generate more growth by making these things permanent. So we need to wake up to the reality and start offering some concrete solutions that really strengthen the economy and help hard-working taxpayers.

Let me just say the nonpartisan Joint Committee on Taxation, which is our referee on these matters, says that if we make the credit permanent that actually more research and development will take place, the kind of innovation that really puts America at the forefront of job creation and an economy that is strong and vibrant, that up to 10 percent more research and development will occur. We certainly need more of that, because that is more jobs, more innovation, and higher wages.

Let me just say that the President of the United States voted to extend the research and development tax credit unpaid for when he was a Senator. He signed legislation twice to extend the research and development tax credit unpaid for. I think 30 years of uncertainty has actually been a detriment—a detriment to U.S. business employers and certainly their employees because the jobs they provide are so dependent on our being at the cutting edge.

Look, this is the 21st century. We can't live in the past as if these policies don't matter. This is a very competitive world, and most of our constituents understand the kind of competition that we face. We need to make this permanent. We need to do it now. Let's do something positive and good for America, something that we have repeatedly done. Let's be honest about it.

Since we are going to extend it at some point temporarily another 2 years, let's make this permanent. Let's make this certain. Let's make this something that our employers can depend on so they can create the kind of jobs that we haven't seen.

With that, I yield back the balance of my time. Vote ''yes'' on this legislation.

Ms. ESHOO. Mr. Speaker, I rise today in support of the American Research and Competitiveness Act of 2014, a bill to simplify and permanently extend the U.S. research and development (R&D) tax credit. Over the past thirty years, the R&D tax credit has been a key economic tool for businesses in my Silicon Valley district and across our country by directly rewarding business investment in R&D.

At a time of great partisanship in Congress, I think the R&D we speak of today can be said to be 'Republicans and Democrats' because of the bipartisan support this legislation enjoys. For years the R&D tax credit has been essential for out-innovating and out-competing the rest of the world, but now other countries are catching up or already have. While the U.S.

was the first nation to offer a tax incentive for research and development in 1981, according to a study by the Information Technology & Innovation Foundation (ITIF), we now rank 27th out of 42 countries in terms of the generosity of the R&D incentives we offer.

Congress needs to do so much more to improve our national economy, and updating the R&D tax credit is an important policy that will encourage businesses to invest in new technologies which in turn will create jobs and shape a better economy in our future.

Nearly six months have passed since the R&D tax credit expired. To maintain our nation's competitiveness, let's not wait another day to give businesses the certainty they need to continue innovating and investing in America's future.

I thank Representatives KEVIN BRADY and JOHN LARSON for their leadership in bringing this bill to the floor today and I urge my colleagues to support H.R. 4438.

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

Pursuant to House Resolution 569 and House Resolution 576, the previous question is ordered on the bill, as amended.

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

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

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 4438 is postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken later.

STRENGTHENING EDUCATION THROUGH RESEARCH ACT

Mr. ROKITA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4366) to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4366

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 ''Strengthening Education through Research Act''.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—EDUCATION SCIENCES REFORM

Sec. 101. References.
Sec. 102. Definitions.

PART A—THE INSTITUTE OF EDUCATION SCIENCES

Sec. 111. Establishment.
Sec. 112. Functions.
Sec. 113. Delegation.
Sec. 114. Office of the Director.
Sec. 115. Priorities.
Sec. 116. National Board for Education Sciences.
Sec. 117. Commissioners of the National Education Centers.
Sec. 118. Transparency.
Sec. 119. Competitive awards.

PART B—NATIONAL CENTER FOR EDUCATION RESEARCH

Sec. 131. Establishment.
Sec. 132. Duties.
Sec. 133. Standards for conduct and evaluation of research.

PART C—NATIONAL CENTER FOR EDUCATION STATISTICS

Sec. 151. Establishment.
Sec. 152. Duties.
Sec. 153. Performance of duties.
Sec. 154. Reports.
Sec. 155. Dissemination.
Sec. 156. Cooperative education statistics systems.

PART D—NATIONAL CENTER FOR EDUCATION EVALUATION AND REGIONAL ASSISTANCE

Sec. 171. Establishment.
Sec. 172. Commissioner for Education Evaluation and Regional Assistance.
Sec. 173. Evaluations.
Sec. 174. Regional educational laboratories for research, development, dissemination, and evaluation.

PART E—NATIONAL CENTER FOR SPECIAL EDUCATION RESEARCH

Sec. 175. Establishment.
Sec. 176. Commissioner for Special Education Research.
Sec. 177. Duties.

PART F—GENERAL PROVISIONS

Sec. 182. Prohibitions.
Sec. 183. Confidentiality.
Sec. 184. Availability of data.
Sec. 185. Performance management.
Sec. 186. Authority to publish.
Sec. 187. Repeals.
Sec. 188. Fellowships.
Sec. 189. Authorization of appropriations.

TITLE II—EDUCATIONAL TECHNICAL ASSISTANCE

Sec. 201. References.
Sec. 202. Definitions.
Sec. 203. Comprehensive centers.
Sec. 204. Evaluations.
Sec. 205. Existing technical assistance providers.
Sec. 206. Regional advisory committees.
Sec. 207. Priorities.
Sec. 208. Grant program for statewide longitudinal data systems.
Sec. 209. Authorization of appropriations.

TITLE III—NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

Sec. 301. References.
Sec. 302. National assessment governing board.
Sec. 303. National assessment of educational progress.
Sec. 304. Definitions.
Sec. 305. Authorization of appropriations.

TITLE IV—EVALUATION PLAN

Sec. 401. Research and evaluation.

TITLE I—EDUCATION SCIENCES REFORM

SEC. 101. REFERENCES.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.).

SEC. 102. DEFINITIONS.

Section 102 (20 U.S.C. 9501) is amended—

(1) in paragraph (5), by striking ''Affairs'' and inserting ''Education'';

(2) in paragraph (10)—

(A) by inserting ''or other information, in a timely manner and'' after ''evaluations,'' and

(B) by inserting ''school leaders,'' after ''teachers,'';

(3) in paragraph (12), by inserting '', school leaders,'' after ''teachers'';

(4) by striking paragraph (13);

(5) by redesignating paragraphs (14) and (15) as paragraphs (13) and (14), respectively;

(6) by inserting after paragraph (14), as so redesignated, the following:

''(15) MINORITY-SERVING INSTITUTION.—The term 'minority-serving institution' means an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).'';

(7) by amending paragraph (18) to read as follows:

''(18) PRINCIPLES OF SCIENTIFIC RESEARCH.—The term 'principles of scientific research' means principles of research that—

''(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

''(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

''(C) include, appropriate to the research being conducted—

''(i) use of systematic, empirical methods that draw on observation or experiment;

''(ii) use of data analyses that are adequate to support the general findings;

''(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

''(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

''(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

''(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

''(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.'';

(8) in paragraph (20), by striking ''scientifically based research standards'' and inserting ''the principles of scientific research''; and

(9) by adding at the end the following:

''(24) SCHOOL LEADER.—The term 'school leader' means a principal, assistant principal, or other individual who is—

''(A) an employee or officer of—

''(i) an elementary school or secondary school;

''(ii) a local educational agency serving an elementary school or secondary school; or

''(iii) another entity operating the elementary school or secondary school; and

''(B) responsible for the daily instructional leadership and managerial operations of the elementary school or secondary school.''.

PART A—THE INSTITUTE OF EDUCATION SCIENCES

SEC. 111. ESTABLISHMENT.

Section 111 (20 U.S.C. 9511) is amended—

(1) in subsection (b)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''and wide dissemination activities'' and inserting ''and, consistent with

section 114(j), wide dissemination and utilization activities'' and

(ii) by striking ''(including in technology areas)''; and

(B) in subparagraph (B), by inserting ''disability,'' after ''gender,''.

SEC. 112. FUNCTIONS.

Section 112 (20 U.S.C. 9512) is amended—

(1) in paragraph (1)—

(A) by inserting ''(including evaluations of impact and implementation)'' after ''education evaluation''; and

(B) by inserting before the semicolon the following ''and utilization''; and

(2) in paragraph (2)—

(A) by inserting '', consistent with section 114(j),'' after ''disseminate''; and

(B) by adding before the semicolon the following: ''and scientifically valid education evaluations carried out under this title''.

SEC. 113. DELEGATION.

Section 113 (20 U.S.C. 9513) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(C) in paragraph (2), as so redesignated, by striking ''of the National Assessment of Educational Progress Authorization Act'';

(2) in subsection (b), by striking ''Secretary may assign the Institute responsibility for administering'' and inserting ''Director may accept requests from the Secretary for the Institute to administer''; and

(3) by adding at the end the following:

''(c) CONTRACT ACQUISITION.—With respect to any contract entered into under this title, the Director shall be consulted—

''(1) during the procurement process; and

''(2) in the management of such contract's performance, which shall be consistent with the requirements of the performance management system described in section 185.''.

SEC. 114. OFFICE OF THE DIRECTOR.

Section 114 (20 U.S.C. 9514) is amended—

(1) in subsection (a), by striking ''Except as provided in subsection (b)(2), the'' and inserting ''The'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting before the period the following: '', except that if a successor to the Director has not been appointed as of the date of expiration of the Director's term, the Director may serve for an additional 1-year period, beginning on the day after the date of expiration of the Director's term, or until a successor has been appointed under subsection (a), whichever occurs first'';

(B) by amending paragraph (2) to read as follows:

''(2) REAPPOINTMENT.—A Director may be reappointed under subsection (a) for one additional term.''; and

(C) in paragraph (3)—

(i) in the heading, by striking ''SUBSEQUENT DIRECTORS'' and inserting ''RECOMMENDATIONS''; and

(ii) by striking '', other than a Director appointed under paragraph (2)'';

(3) in subsection (f)—

(A) in paragraph (3), by inserting before the period the following: '', and, as appropriate, with such research and activities carried out by public and private entities, to avoid duplicative or overlapping efforts'';

(B) in paragraph (4), by inserting '', and the use of evidence'' after ''statistics activities'';

(C) in paragraph (5)—

(i) by inserting ''and maintain'' after ''establish''; and

(ii) by inserting ''and subsection (h)'' after ''section 116(b)(3)'';

(D) in paragraph (7), by inserting ''disability,'' after ''gender,'';

(E) in paragraph (8), by striking ''historically Black colleges or universities'' and inserting ''minority-serving institutions'';

(F) by amending paragraph (9) to read as follows:

''(9) To coordinate with the Secretary to ensure that the results of the Institute's work are coordinated with, and utilized by, the Department's technical assistance providers and dissemination networks.'';

(G) by striking paragraphs (10) and (11);

(H) by redesignating paragraph (12) as paragraph (10);

(4) by redesignating subsection (h) as subsection (i);

(5) by inserting after subsection (g), the following:

''(h) PEER-REVIEW SYSTEM.—The Director shall establish and maintain a peer-review system involving highly-qualified individuals, including practitioners, as appropriate, with an in-depth knowledge of the subject to be investigated, for—

''(1) reviewing and evaluating each application for a grant or cooperative agreement under this title that exceeds $100,000; and

''(2) evaluating and assessing all reports and other products that exceed $100,000 to be published and publicly released by the Institute.'';

(6) in subsection (i), as so redesignated—

(A) by striking ''the products and''; and

(B) by striking ''certify that evidence-based claims about those products and'' and inserting ''determine whether evidence-based claims in those''; and

(7) by adding at the end the following:

''(j) RELEVANCE, DISSEMINATION, AND UTILIZATION.—To ensure all activities authorized under this title are rigorous, relevant, and useful for researchers, policymakers, practitioners, and the public, the Director shall—

''(1) ensure such activities address significant challenges faced by practitioners, and increase knowledge in the field of education;

''(2) ensure that the information, products, and publications of the Institute are—

''(A) prepared and widely disseminated—

''(i) in a timely fashion; and

''(ii) in forms that are understandable, easily accessible, and usable, or adaptable for use in, the improvement of educational practice; and

''(B) widely disseminated through electronic transfer, and other means, such as posting to the Institute's website or other relevant place;

''(3) promote the utilization of the information, products, and publications of the Institute, including through the use of dissemination networks and technical assistance providers, within the Institute and the Department; and

''(4) monitor and manage the performance of all activities authorized under this title in accordance with section 185.''.

SEC. 115. PRIORITIES.

Section 115 (20 U.S.C. 9515) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''(taking into consideration long-term research and development on core issues conducted through the national research and development centers)'' and inserting ''at least once every 6 years''; and

(ii) by striking ''such as'' and inserting ''including'';

(B) in paragraph (1)—

(i) by inserting ''ensuring that all children have the ability to obtain a high-quality education, particularly'' before ''closing'';

(ii) by striking ''especially achievement gaps between'';

(iii) by striking ''nonminority children'' and inserting ''nonminority children, disabled and nondisabled children,'';

(iv) by striking ''and between disadvantaged'' and inserting ''and disadvantaged'';

(v) by striking ''and'' at the end;

(C) by striking paragraph (2); and

(D) by adding at the end the following:

''(2) improving the quality of early childhood education;

''(3) improving education in elementary and secondary schools, particularly among low-performing students and schools; and

''(4) improving access to, opportunities for, and completion of postsecondary education.''; and

(2) in subsection (d), by striking ''by means of the Internet'' and inserting ''by electronic means such as posting in an easily accessible manner on the Institute's website''.

SEC. 116. NATIONAL BOARD FOR EDUCATION SCIENCES.

Section 116 (20 U.S.C. 9516) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''to guide the work of the Institute'' and inserting '', and to advise, and provide input to, the Director on the activities of the Institute on an ongoing basis'';

(B) in paragraph (3), by inserting ''under section 114(h)'' after ''procedures'';

(C) in paragraph (8), by inserting ''disability,'' after ''gender,''

(D) in paragraph (9)—

(i) by striking ''To solicit'' and inserting ''To ensure all activities of the Institute are relevant to education policy and practice by soliciting, on an ongoing basis,''; and

(ii) by striking ''consistent with'' and inserting ''consistent with section 114(j) and'';

(E) in paragraph (11)—

(i) by inserting ''the Institute's'' after ''enhance''; and

(ii) by striking ''among other Federal and State research agencies'' and inserting ''with public and private entities to improve the work of the Institute''; and

(F) by adding at the end the following:

''(13) To conduct the evaluations required under subsection (d).'';

(2) in subsection (c)—

(A) in paragraph (2)—

(i) by inserting ''Board,'' before ''National Academy'';

(ii) by striking ''and the National Science Advisor'' and inserting ''the National Science Advisor, and other entities and organizations that have knowledge of individuals who are highly-qualified to appraise education research, statistics, evaluations, or development'';

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i), by striking '', which may include those researchers recommended by the National Academy of Sciences'';

(II) by redesignating clause (ii) as clause (iii);

(III) by inserting after clause (i), the following:

''(ii) Not fewer than 2 practitioners who are knowledgeable about the education needs of the United States, who may include school based professional educators, teachers, school leaders, local educational agency superintendents, and members of local boards of education or Bureau-funded school boards.''; and

(IV) in clause (iii), as so redesignated—

(aa) by striking ''school-based professional educators,'';

(bb) by striking ''local educational agency superintendents,'';

(cc) by striking ''principals,'';

(dd) by striking ''or local''; and

(ee) by striking ''or Bureau-funded school boards''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting ''beginning on the date of appointment of the member,'' after ''4 years,'';

(II) by striking clause (i);

(III) by redesignating clause (ii) as clause (i);

(IV) in clause (i), as so redesignated, by striking the period and inserting ''; and''; and

(V) by adding at the end the following:

''(ii) in a case in which a successor to a member has not been appointed as of the date of expiration of the member's term, the member may serve for an additional 1-year period, beginning on the day after the date of expiration of the member's term, or until a successor has been appointed under paragraph (1), whichever occurs first.'';

(iii) by striking subparagraph (C); and

(iv) by redesignating subparagraph (D) as subparagraph (C);

(C) in paragraph (8)—

(i) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively;

(ii) by inserting before subparagraph (B), as so redesignated, the following:

''(A) IN GENERAL.—In the exercise of its duties under section 116(b) and in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), the Board shall be independent of the Director and the other offices and officers of the Institute.'';

(iii) in subparagraph (B), as so redesignated, by inserting before the period at the end the following: ''for a term of not more than 6 years, and who may be reappointed by the Board for 1 additional term of not more than 6 years''; and

(iv) by adding at the end the following:

''(G) SUBCOMMITTEES.—The Board may establish standing or temporary subcommittees to make recommendations to the Board for carrying out activities authorized under this title.'';

(3) by striking subsection (d);

(4) by redesignating subsection (e) as subsection (d);

(5) in subsection (d), as so redesignated—

(A) in the subsection heading, by striking ''ANNUAL'' and inserting ''EVALUATION'';

(B) by striking ''The Board'' and inserting the following:

''(1) IN GENERAL.—The Board'';

(C) by striking ''not later than July 1 of each year, a'' and inserting ''and make widely available to the public (including by electronic means such as posting in an easily accessible manner on the Institute's website), a triennial''; and

(D) by adding at the end the following:

''(2) REQUIREMENTS.—An evaluation report described in paragraph (1) shall include—

''(A) subject to paragraph (3), an evaluation of the activities authorized for each of the National Education Centers, which—

''(i) uses the performance management system described in section 185; and

''(ii) is conducted by an independent entity;

''(B) a review of the Institute to ensure its work, consistent with the requirements of section 114(j), is timely, rigorous, and relevant;

''(C) any recommendations regarding actions that may be taken to enhance the ability of the Institute and the National Education Centers to carry out their priorities and missions; and

''(D) a summary of the major research findings of the Institute and the activities carried out under section 113(b) during the 3 preceding fiscal years.

''(3) NATIONAL CENTER FOR EDUCATION EVALUATION AND REGIONAL ASSISTANCE.—With respect to the National Center for Education Evaluation and Regional Assistance, an evaluation report described in paragraph (1) shall contain—

''(A) an evaluation described in paragraph (2)(A) of the activities authorized for such Center, except for the regional educational laboratories established under section 174; and

''(B) a summative or interim evaluation, whichever is most recent, for each such laboratory conducted under section 174(i) on or after the date of enactment of the Strengthening Education through Research Act or, in a case in which such an evaluation is not available for a laboratory, the most recent evaluation for the laboratory conducted prior to the date of enactment of the Strengthening Education through Research Act.''; and

(6) by striking subsection (f).

SEC. 117. COMMISSIONERS OF THE NATIONAL EDUCATION CENTERS.

Section 117 (20 U.S.C. 9517) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''Except as provided in subsection (b), each'' and inserting ''Each'';

(B) in paragraph (2)—

(i) by striking ''Except as provided in subsection (b), each'' and inserting ''Each''; and

(ii) by inserting '', statistics,'' after ''research'';

(C) in paragraph (3), by striking ''Except as provided in subsection (b), each'' and inserting ''Each'';

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(4) in subsection (c), as so redesignated, by striking '', except the Commissioner for Education Statistics,''.

SEC. 118. TRANSPARENCY.

(a) IN GENERAL.—Section 119 (20 U.S.C. 9519) is amended to read as follows:

''SEC. 119. TRANSPARENCY.

''Not later than 120 days after awarding a grant, contract, or cooperative agreement under this title in excess of $100,000, the Director shall make publicly available (including through electronic means such as posting in an easily accessible manner on the Institute's website) a description of the grant, contract, or cooperative agreement, including, at a minimum, the amount, duration, recipient, and the purpose of the grant, contract, or cooperative agreement.''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1 of the Act of November 5, 2002 (Public Law 107–279; 116 Stat. 1940) is amended by striking the item relating to section 119 and inserting the following:

''Sec. 119. Transparency.''.

SEC. 119. COMPETITIVE AWARDS.

Section 120 (20 U.S.C. 9520) is amended by striking ''when practicable'' and inserting ''consistent with section 114(h)''.

PART B—NATIONAL CENTER FOR EDUCATION RESEARCH

SEC. 131. ESTABLISHMENT.

Section 131(b) (20 U.S.C. 9531(b)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) to sponsor sustained research that will lead to the accumulation of knowledge and understanding of education, consistent with the priorities described in section 115;'';

(2) by striking ''and'' at the end of paragraph (3);

(3) in paragraph (4), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(5) consistent with section 114(j), to widely disseminate and promote utilization of the work of the Research Center.''.

SEC. 132. DUTIES.

Section 133 (20 U.S.C. 9533) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''peer-review standards and'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2);

(D) by striking paragraph (4);

(E) by redesignating paragraphs (5) through (9) as paragraphs (3) through (7), respectively;

(F) in paragraph (3), as so redesignated, by inserting ''in the implementation of programs carried out by the Department and other agencies'' before ''within the Federal Government'';

(G) in paragraph (5), as so redesignated, by striking ''disseminate, through the National Center for Education Evaluation and Regional Assistance,'' and inserting ''widely disseminate, consistent with section 114(j),'';

(H) in paragraph (6), as so redesignated—

(i) by striking ''Director'' and inserting ''Board''; and

(ii) by striking ''of a biennial report, as described in section 119'' and inserting ''and dissemination of each evaluation report under section 116(d)'';

(I) in paragraph (7), as so redesignated, by inserting ''and which may include research on social and emotional learning,'' after ''gap,'';

(J) by inserting after paragraph (7), as so redesignated, the following:

''(8) to the extent time and resources allow, when findings from previous research under this part provoke relevant follow up questions, carry out research initiatives on such follow up questions;'';

(K) by redesignating paragraphs (10) and (11) as paragraphs (9) and (10), respectively;

(L) by amending paragraph (9), as so redesignated, to read as follows:

''(9) carry out research initiatives, including rigorous, peer-reviewed, large-scale, long-term, and broadly applicable empirical research, regarding the impact of technology on education, including online education and hybrid learning;'';

(M) in paragraph (10), as so redesignated, by striking the period and inserting ''; and''; and

(N) by adding at the end the following:

''(11) to the extent feasible, carry out research on the quality of implementation of practices and strategies determined to be effective through scientifically valid research.'';

(2) by amending subsection (b) to read as follows:

''(b) PLAN.—The Research Commissioner shall propose to the Director and, subject to the approval of the Director, implement a research plan for the activities of the Research Center that—

''(1) is consistent with the priorities and mission of the Institute and the mission of the Research Center described in section 131(b), and includes the activities described in subsection (a);

''(2) is carried out and, as appropriate, updated and modified, including through the use of the results of the Research Center's most recent evaluation report under section 116(d);

''(3) describes how the Research Center will use the performance management system described in section 185 to assess and improve the activities of the Center;

''(4) meets the procedures for peer review established and maintained by the Director under section 114(f)(5) and the standards of research described in section 134; and

''(5) includes both basic research and applied research, which shall include research conducted through field-initiated research and ongoing research initiatives.'';

(3) by redesignating subsection (c) as subsection (d);

(4) by inserting after subsection (b), as so amended, the following:

''(c) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

''(1) IN GENERAL.—The Research Commissioner may award grants to, or enter into

contracts or cooperative agreements, with eligible applicants to carry out research under subsection (a).

''(2) ELIGIBILITY.—For purposes of this subsection, the term 'eligible applicant' means an applicant that has the ability and capacity to conduct scientifically valid research.

''(3) APPLICATIONS.—

''(A) IN GENERAL.—An eligible applicant that wishes to receive a grant, or enter into a contract or cooperative agreement, under this section shall submit an application to the Research Commissioner at such time, in such manner, and containing such information as the Research Commissioner may require.

''(B) CONTENT.—An application submitted under subparagraph (A) shall describe how the eligible applicant will address and demonstrate progress on the requirements of the performance management system described in section 185, with respect to the activities that will be carried out under the grant, contract, or cooperative agreement.''; and

(5) in subsection (d), as redesignated by paragraph (3)—

(A) by amending paragraph (1) to read as follows:

''(1) SUPPORT.—In carrying out activities under subsection (a)(2), the Research Commissioner shall support national research and development centers that address topics of importance and relevance in the field of education across the country and are consistent with the Institute's priorities under section 115.'';

(B) by striking paragraphs (2), (3), and (5);

(C) by redesignating paragraphs (4), (6), and (7) as paragraph (2), (3), and (4), respectively;

(D) by amending paragraph (2), as so redesignated—

(i) in the matter preceding subparagraph (A), by striking ''5 additional'' and inserting ''2 additional'';

(ii) in subparagraph (B), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) demonstrates progress on the requirements of the performance management system described in section 185.'';

(E) in paragraph (3), as so redesignated, by striking ''paragraphs (4) and (5)'' and inserting ''paragraph (2)''; and

(F) by amending paragraph (4), as so redesignated, to read as follows:

''(4) DISAGGREGATION.—To the extent feasible and when relevant to the research being conducted, research conducted under this subsection shall be disaggregated and cross-tabulated by age, race, gender, disability status, English learner status, and socioeconomic background.''.

SEC. 133. STANDARDS FOR CONDUCT AND EVALUATION OF RESEARCH.

Section 134 (20 U.S.C. 9534) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''based'' and inserting ''valid''; and

(B) in paragraph (2), by striking ''and wide dissemination activities'' and inserting ''and, consistent with section 114(j), wide dissemination and utilization activities'';

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

PART C—NATIONAL CENTER FOR EDUCATION STATISTICS

SEC. 151. ESTABLISHMENT.

Section 151(b) (20 U.S.C. 9541(b)) is amended—

(1) in paragraph (2), by inserting ''and consistent with the privacy protections under section 183'' after ''manner''; and

(2) in paragraph (3)—

(A) in subparagraph (A), by inserting ''disability,'' after ''cultural,''; and

(B) by amending subparagraph (B) to read as follows:

''(B) consistent with section 114(j), is relevant, timely, and widely disseminated.''.

SEC. 152. DUTIES.

Section 153 (20 U.S.C. 9543) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', consistent with the privacy protections under section 183,'' after ''Center shall'';

(B) in paragraph (1)—

(i) by amending subparagraph (D) to read as follows:

''(D) secondary school graduation and completion rates, including the four-year adjusted cohort graduation rate (as defined in section 200.19(b)(1)(i)(A) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) and the extended-year adjusted cohort graduation rate (as defined in section 200.19(b)(1)(v)(A) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008), and school dropout rates, and adult literacy;'';

(ii) in subparagraph (E), by striking ''and opportunity for,'' and inserting ''opportunity for, and completion of'';

(iii) by amending subparagraph (F) to read as follows:

''(F) teaching, including information on pre-service preparation, professional development, teacher distribution, and teacher and school leader evaluation;'';

(iv) in subparagraph (G), by inserting ''and school leaders'' before the semicolon;

(v) in subparagraph (H), by inserting '', climate, and in- and out-of-school suspensions and expulsions'' before '', including information regarding'';

(vi) by amending subparagraph (K) to read as follows:

''(K) the access to, and use of, technology to improve elementary schools and secondary schools;'';

(vii) in subparagraph (L), by striking ''and opportunity for,'' and inserting ''opportunity for, and quality of'';

(viii) in subparagraph (M), by striking ''such programs during school recesses'' and inserting ''summer school''; and

(ix) in subparagraph (N), by striking ''vocational'' and inserting ''career'';

(C) in paragraph (3), by striking ''when such disaggregated information will facilitate educational and policy decisionmaking'' and inserting ''so long as any reported information does not reveal individually identifiable information'';

(D) in paragraph (4), by inserting before the semicolon the following: '', and the implementation (with the assistance of the Department and other Federal officials who have statutory authority to provide assistance on applicable privacy laws, regulations, and policies) of appropriate privacy protections'';

(E) in paragraph (5), by striking ''promote linkages across States,'';

(F) in paragraph (6)—

(i) by striking ''Third'' and inserting ''Trends in''; and

(ii) by inserting ''and the Program for International Student Assessment'' after ''Science Study'';

(G) in paragraph (7), by inserting before the semicolon the following: '', ensuring such collections protect student privacy consistent with section 183'';

(H) by amending paragraph (8) to read as follows:

''(8) assisting the Board in the preparation and dissemination of each evaluation report under section 116(d); and'; and

(I) by striking paragraph (9);

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) PLAN.—The Statistics Commissioner shall propose to the Director and, subject to the approval of the Director, implement a plan for activities of the Statistics Center that—

''(1) is consistent with the priorities and mission of the Institute and the mission of the Statistics Center described in section 151(b);

''(2) is carried out and, as appropriate, updated and modified, including through the use of the results of the Statistic Center's most recent evaluation report under section 116(d); and

''(3) describes how the Statistics Center will use the performance management system described in section 185 to assess and improve the activities of the Center.''.

SEC. 153. PERFORMANCE OF DUTIES.

Section 154 (20 U.S.C. 9544) is amended—

(1) in subsection (a)—

(A) by striking ''In carrying'' and inserting the following:

''(1) IN GENERAL.—In carrying''; and

(B) by adding at the end the following:

''(2) ELIGIBILITY.—For purposes of this section, the term 'eligible applicant' means an applicant that has the ability and capacity to carry out activities under this part.

''(3) APPLICATIONS.—

''(A) IN GENERAL.—An eligible applicant that wishes to receive a grant, or enter into a contract or cooperative agreement, under this section shall submit an application to the Statistics Commissioner at such time, in such manner, and containing such information as the Statistics Commissioner may require.

''(B) CONTENTS.—An application submitted under subparagraph (A) shall describe how the eligible applicant will address and demonstrate progress on the requirements of the performance management system described in section 185, with respect to the activities that will be carried out under the grant, contract, or cooperative agreement.'';

(2) in subsection (b)(2)(A), by striking ''vocational and'' and inserting ''career and technical education programs,''; and

(3) in subsection (c), by striking ''5 years'' the second place it appears and inserting ''2 years if the recipient demonstrates progress on the requirements of the performance management system described in section 185, with respect to the activities carried out under the grant, contract, or cooperative agreement received under this section''.

SEC. 154. REPORTS.

Section 155 (20 U.S.C. 9545) is amended—

(1) in subsection (a), by inserting ''(consistent with section 114(h))'' after ''review''; and

(2) in subsection (b), by striking ''2003'' and inserting ''2015''.

SEC. 155. DISSEMINATION.

Section 156 (20 U.S.C. 9546) is amended—

(1) in subsection (c), by adding at the end the following: ''Such projects shall adhere to student privacy requirements under section 183.''; and

(2) in subsection (e)—

(A) in paragraph (1), by adding at the end the following: ''Before receiving access to educational data under this paragraph, a Federal agency shall describe to the Statistics Center the specific research intent for use of the data, how access to the data may meet such research intent, and how the Federal agency will protect the confidentiality of the data consistent with the requirements of section 183.'';

(B) in paragraph (2)—

(i) by inserting ''and consistent with section 183'' after ''may prescribe''; and

(ii) by adding at the end the following: ''Before receiving access to data under this paragraph, an interested party shall describe

to the Statistics Center the specific research intent for use of the data, how access to the data may meet such research intent, and how the party will protect the confidentiality of the data consistent with the requirements of section 183.''; and

(C) by adding at the end the following:

''(3) DENIAL AUTHORITY.—The Statistics Center shall have the authority to deny any requests for access to data under paragraph (1) or (2) for any scientific deficiencies in the proposed research design or research intent for use of the data, or if the request would introduce risk of a privacy violation or misuse of data.''.

SEC. 156. COOPERATIVE EDUCATION STATISTICS SYSTEMS.

(a) IN GENERAL.—Section 157 (20 U.S.C. 9547) is amended—

(1) in the heading, by striking ''**SYSTEMS**'' and inserting ''**PARTNERSHIPS**'';

(2) by striking ''national cooperative education statistics systems'' and inserting ''cooperative education statistics partnerships'';

(3) by striking ''producing and maintaining, with the cooperation'' and inserting ''reviewing and improving, with the voluntary participation'';

(4) by striking ''comparable and uniform'' and inserting ''data quality standards, which may include establishing voluntary guidelines to standardize'';

(5) by striking ''adult education, and libraries,'' and inserting ''and adult education''; and

(6) by adding at the end the following: ''No student data shall be collected by the partnerships established under this section, nor shall such partnerships establish a national student data system.''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1 of the Act of November 5, 2002 (Public Law 107–279; 116 Stat. 1940) is amended by striking the item relating to section 157 and inserting the following:

''Sec. 157. Cooperative education statistics partnerships.''.

PART D—NATIONAL CENTER FOR EDUCATION EVALUATION AND REGIONAL ASSISTANCE

SEC. 171. ESTABLISHMENT.

Section 171 (20 U.S.C. 9561) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(C) in paragraph (1), as so redesignated, by striking ''of such programs'' and all that follows through ''science)'' and inserting ''and to evaluate the implementation of such programs'';

(D) in paragraph (2), as so redesignated, by striking ''and wide dissemination of results of'' and inserting ''and, consistent with section 114(j), the wide dissemination and utilization of results of all''; and

(2) by striking subsection (c).

SEC. 172. COMMISSIONER FOR EDUCATION EVALUATION AND REGIONAL ASSISTANCE.

Section 172 (20 U.S.C. 9562) is amended—

(1) in subsection (a)—

(A) by amending paragraph (2) to read as follows:

''(2) widely disseminate, consistent with section 114(j), all information on scientifically valid research and statistics supported by the Institute and all scientifically valid education evaluations supported by the Institute, particularly to State educational agencies and local educational agencies, to institutions of higher education, to the public, the media, voluntary organizations, professional associations, and other constituencies, especially with respect to the priorities described in section 115;'';

(B) in paragraph (3), by inserting '', consistent with section 114(j)'' after ''timely, and efficient manner'';

(C) in paragraph (4)—

(i) by striking ''development and dissemination'' and inserting ''development, dissemination, and utilization''; and

(ii) by striking ''the provision of technical assistance,'';

(D) in paragraph (5), by inserting ''and'' after the semicolon;

(E) in paragraph (6)—

(i) by striking ''Director'' and inserting ''Board'';

(ii) by striking ''preparation of a biennial report'' and inserting ''preparation and dissemination of each evaluation report''; and

(iii) by striking ''119; and'' and inserting ''116(d).'';

(F) by striking paragraph (7);

(2) in subsection (b)(1)—

(A) by inserting ''all'' before ''information disseminated''; and

(B) by striking '', which may include'' and all that follows through ''of this Act)'';

(3) by striking subsection (c) and redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (b) the following:

''(c) PLAN.—The Evaluation and Regional Assistance Commissioner shall propose to the Director and, subject to the approval of the Director, implement a plan for the activities of the National Center for Education Evaluation and Regional Assistance that—

''(1) is consistent with the priorities and mission of the Institute and the mission of the Center described in section 171(b);

''(2) is carried out and, as appropriate, updated and modified, including through the use of the results of the Center's most recent evaluation report under section 116(d); and

''(3) describes how the Center will use the performance management system described in section 185 to assess and improve the activities of the Center.

''(d) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

''(1) IN GENERAL.—In carrying out the duties under this part, the Evaluation and Regional Assistance Commissioner may—

''(A) award grants, contracts, or cooperative agreements to eligible applicants to carry out the activities under this part; and

''(B) provide technical assistance.

''(2) ELIGIBILITY.—For purposes of this section, the term 'eligible applicant' means an applicant that has the ability and capacity to carry out activities under this part.

''(3) ENTITIES TO CONDUCT EVALUATIONS.—In awarding grants, contracts, or cooperative agreements under paragraph (1) to carry out activities under section 173, the Evaluation and Regional Assistance Commissioner shall make such awards to eligible applicants with the ability and capacity to conduct scientifically valid education evaluations.

''(4) APPLICATIONS.—

''(A) IN GENERAL.—An eligible applicant that wishes to receive a grant, contract, or cooperative agreement under paragraph (1) shall submit an application to the Evaluation and Regional Assistance Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

''(B) CONTENTS.—An application submitted under subparagraph (A) shall describe how the eligible applicant will address and demonstrate progress on the requirements of the performance management system described in section 185, with respect to the activities carried out under such grant, contract, or cooperative agreement.

''(5) DURATION.—Notwithstanding any other provision of law, the grants, contracts, and cooperative agreements under paragraph (1) may be awarded, on a competitive basis, for a period of not more than 5 years, and may be renewed at the discretion of the Evaluation and Regional Assistance Commissioner for an additional period of not more than 2 years if the recipient demonstrates progress on the requirements of the performance management system described in section 185, with respect to the activities carried out under the grant, contract, or cooperative agreement.'';

(5) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking ''There is established'' and all that follows through ''Regional Assistance'' and inserting ''The Evaluation and Regional Assistance Commissioner may establish'';

(B) in paragraph (2)(A), by inserting ''all'' before ''products''; and

(C) in paragraph (2)(B)(ii), by striking ''2002'' and all that follows through the period and inserting ''2002.''.

SEC. 173. EVALUATIONS.

Section 173 (20 U.S.C. 9563) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''may'' and inserting ''shall'';

(ii) in subparagraph (A), by striking ''evaluations'' and inserting ''high-quality evaluations, including impact evaluations that use rigorous methodologies that permit the strongest possible causal inferences,'';

(iii) in subparagraph (B), by inserting before the semicolon at the end the following: '', including programs under part A of such title (20 U.S.C. 6311 et seq.)'';

(iv) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C);

(v) by striking subparagraphs (E) and (G), and redesignating subparagraph (F) as subparagraph (D);

(vi) in subparagraph (D), as so redesignated, by striking ''and'' at the end; and

(vii) by inserting after subparagraph (D), as so redesignated, the following:

''(E) provide evaluation findings in an understandable, easily accessible, and usable format to support program improvement;

''(F) support the evaluation activities described in section 401 of the Strengthening Education through Research Act that are carried about by the Director; and

''(G) to the extent feasible—

''(i) examine evaluations conducted or supported by others to determine the quality and relevance of the evidence of effectiveness generated by those evaluations, with the approval of the Director;

''(ii) review and supplement Federal education program evaluations, particularly such evaluations by the Department, to determine or enhance the quality and relevance of the evidence generated by those evaluations;

''(iii) conduct implementation evaluations that promote continuous improvement and inform policymaking;

''(iv) evaluate the short- and long-term effects and cost efficiencies across programs assisted or authorized under Federal law and administrated by the Department; and

''(v) synthesize the results of evaluation studies for and across Federal education programs, policies, and practices.''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period and inserting ''under section 114(h); and''; and

(iii) by adding at the end the following:

''(C) be widely disseminated, consistent with section 114(j).''; and

(2) in subsection (b), by striking ''contracts'' and inserting ''grants, contracts, or cooperative agreements''.

SEC. 174. REGIONAL EDUCATIONAL LABORATORIES FOR RESEARCH, DEVELOPMENT, DISSEMINATION, AND EVALUATION.

(a) IN GENERAL.—Section 174 (20 U.S.C. 9564) is amended—

(1) in the section heading by striking ''**TECHNICAL ASSISTANCE**'' and inserting ''**EVALUATION**'';

(2) in subsection (a)—

(A) by striking ''Director'' and inserting ''Evaluation and Regional Assistance Commissioner'';

(B) by striking ''contracts'' and inserting ''grants, contracts, or cooperative agreements''; and

(C) by inserting ''not more than'' before ''10 regional'';

(3) in subsection (c)—

(A) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Evaluation and Regional Assistance Commissioner'';

(B) by striking ''contracts under this section with research organizations, institutions, agencies, institutions of higher education,'' and inserting ''grants, contracts, or cooperative agreements under this section with public or private, nonprofit or for-profit research organizations, other organizations, or institutions of higher education,'';

(C) by striking ''or individuals,'';

(D) by striking '', including regional entities'' and all that follows through ''107–110))''; and

(E) by adding at the end the following:

''(2) DEFINITION.—For purposes of this section, the term 'eligible applicant' means an entity described in paragraph (1).'';

(4) by striking subsections (d) through (j) and inserting the following:

''(d) APPLICATIONS.—

''(1) SUBMISSION.—

''(A) IN GENERAL.—Each eligible applicant desiring a contract grant, contract, or cooperative agreement under this section shall submit an application at such time, in such manner, and containing such information as the Evaluation and Regional Assistance Commissioner may reasonably require.

''(B) INPUT.—To ensure that applications submitted under this paragraph are reflective of the needs of the regions to be served, each eligible applicant submitting such an application shall seek input from State educational agencies and local educational agencies in the region that the award will serve, and other individuals with knowledge of the region's needs. Such individuals may include members of the regional advisory committee for the region under section 206(a).

''(2) PLAN.—

''(A) IN GENERAL.—Each application submitted under paragraph (1) shall contain a plan for the activities of the regional educational laboratory to be established under this section, which shall be updated, modified, and improved, as appropriate, on an ongoing basis, including by using the results of the laboratory's interim evaluation under subsection (i)(3).

''(B) CONTENTS.—A plan described in subparagraph (A) shall address—

''(i) the priorities for applied research, development, evaluations, and wide dissemination established under section 207;

''(ii) the needs of State educational agencies and local educational agencies, on an ongoing basis, using available State and local data, including the relevant results of the region's assessment under section 206(e); and

''(iii) if available, demonstrated support from State educational agencies and local educational agencies in the region, such as letters of support or signed memoranda of understanding.

''(3) NON-FEDERAL SUPPORT.—In conducting a competition for grants, contracts, or cooperative agreements under subsection (a), the Evaluation and Regional Assistance Commissioner shall give priority to eligible applicants that will provide a portion of non-Federal funds to maximize support for activities of the regional educational laboratories to be established under this section.

''(e) AWARDING GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—

''(1) ASSURANCES.—In awarding grants, contracts, or cooperative agreements under this section, the Evaluation and Regional Assistance Commissioner shall—

''(A) make such an award for not more than a 5-year period;

''(B) ensure that regional educational laboratories established under this section have strong and effective governance, organization, management, and administration, and employ qualified staff; and

''(C) ensure that each such laboratory has the flexibility to respond in a timely fashion to the needs of the laboratory's region, including—

''(i) through using the results of the laboratory's interim evaluation under subsection (i)(3) to improve and modify the activities of the laboratory before the end of the award period; and

''(ii) through sharing preliminary results of the laboratory's research, as appropriate, to increase the relevance and usefulness of the research.

''(2) COORDINATION.—To ensure coordination and prevent unnecessary duplication of activities among the regions, the Evaluation and Regional Assistance Commissioner shall—

''(A) share information about the activities of each regional educational laboratory with each other regional educational laboratory, the Department, the Director, and the National Board for Education Sciences;

''(B) ensure, where appropriate, that the activities of each regional educational laboratory established under this section also serve national interests;

''(C) ensure each such regional educational laboratory establishes strong partnerships among practitioners, policymakers, researchers, and others, so that such partnerships are continued in the absence of Federal support; and

''(D) enable, where appropriate, for such a laboratory to work in a region being served by another laboratory or to carry out a project that extends beyond the region served by the laboratory.

''(3) COLLABORATION WITH TECHNICAL ASSISTANCE PROVIDERS.—Each regional educational laboratory established under this section shall, on an ongoing basis, coordinate its activities, collaborate, and regularly exchange information with the comprehensive centers (established in section 203) in the region in which the center is located, and with comprehensive centers located outside of its region, as appropriate.

''(4) OUTREACH.—

''(A) IN GENERAL.—In conducting competitions for grants, contracts, or cooperative agreements under this section, the Evaluation and Regional Assistance Commissioner shall—

''(i) by making information and technical assistance relating to the competition widely available, actively encourage eligible applicants to compete for such an award; and

''(ii) seek input from the chief executive officers of States, chief State school officers, educators, parents, superintendents, and other individuals with knowledge of the needs of the regions to be served by the awards, regarding—

''(I) the needs in the regions for applied research, evaluation, development, and wide-dissemination activities authorized by this title; and

''(II) how such needs may be addressed most effectively.

''(B) REGIONAL ADVISORY COMMITTEES.—The individuals described in subparagraph (A)(ii) may include members of the regional advisory committees established under section 206(a).

''(5) PERFORMANCE MANAGEMENT.—Before the Evaluation and Regional Assistance Commissioner awards a grant, contract, or cooperative agreement under this section, the Director shall establish measurable performance indicators for assessing the ongoing progress and performance of the regional educational laboratories established with such awards that address—

''(A) the requirements of the performance management system described in section 185; and

''(B) the relevant results of the regional assessments under section 206(e).

''(6) STANDARDS.—The Evaluation and Regional Assistance Commissioner shall adhere to the Institute's system for technical and peer review under section 114(h) in reviewing the applied research activities and research-based reports of the regional educational laboratories.

''(7) REQUIRED CONSIDERATION.—In determining whether to award a grant, contract, or cooperative agreement under this section to an eligible applicant that previously established a regional educational laboratory under this section, the Evaluation and Regional Assistance Commissioner shall consider the results of such laboratory's summative evaluation under subsection (i)(2).

''(f) MISSION.—Each regional educational laboratory established under this section shall—

''(1) conduct applied research, development, and evaluation activities with State educational agencies, local educational agencies, and, as appropriate, schools funded by the Bureau;

''(2) widely disseminate such work, consistent with section 114(j); and

''(3) develop the capacity of State educational agencies, local educational agencies, and, as appropriate, schools funded by the Bureau to carry out the activities described in paragraphs (1) and (2).

''(g) ACTIVITIES.—To carry out the mission described in subsection (f), each regional educational laboratory established under this section shall carry out the following activities:

''(1) Conduct, widely disseminate, and promote utilization of applied research, development activities, evaluations, and other scientifically valid research.

''(2) Develop and improve the plan for the laboratory under subsection (d)(2) for serving the region of the laboratory, and as appropriate, national needs, on an ongoing basis, which shall include seeking input and incorporating feedback from the representatives of State educational agencies and local educational agencies in the region, and other individuals with knowledge of the region's needs. Such representatives and other individuals may include members of the regional advisory committee for the region established under section 206(a).

''(3) Ensure research and related products are relevant and responsive to the needs of the region, including by using the relevant results of the region's assessment under section 206(e).

''(h) GOVERNING BOARD.—

''(1) IN GENERAL.—Each regional educational laboratory established under this section may establish a governing board to improve the management of activities that the laboratory carries out under this section.

''(2) BOARD DUTIES.—A Board established under paragraph (1) shall coordinate and align its work with the work of the regional advisory committee for the region established under section 206.

''(i) EVALUATIONS.—

''(1) IN GENERAL.—The Evaluation and Regional Assistance Commissioner shall—

''(A) provide for ongoing summative and interim evaluations described in paragraphs (2) and (3), respectively, of each of the regional educational laboratories established under this section in carrying out the full range of duties described in this section; and

''(B) transmit the results of such evaluations, through appropriate means, to the appropriate congressional committees, the Director, and the public.

''(2) SUMMATIVE EVALUATIONS.—The Evaluation and Regional Assistance Commissioner shall ensure each regional educational laboratory established under this section is evaluated by an independent entity at the end of the period of the grant, contract, or cooperative agreement that established such laboratory, which shall—

''(A) be completed in a timely fashion;

''(B) assess how well the laboratory is meeting the measurable performance indicators established under subsection (e)(5); and

''(C) consider the extent to which the laboratory ensures that the activities of such laboratory are relevant and useful to the work of State and local practitioners and policymakers.

''(3) INTERIM EVALUATIONS.—The Evaluation and Regional Assistance Commissioner shall ensure each regional educational laboratory established under this section is evaluated at the midpoint of the period of the grant, contract, or cooperative agreement that established such laboratory, which shall—

''(A) assess how well such laboratory is meeting the performance indicators described in subsection (e)(5); and

''(B) be used to improve the effectiveness of such laboratory in carrying out its plan under subsection (d)(2).

''(j) CONTINUATION OF AWARDS; RECOMPETITION.—

''(1) CONTINUATION OF AWARDS.—The Evaluation and Regional Assistance Commissioner shall continue awards made to each eligible applicant for the support of regional educational laboratories established under this section prior to the date of enactment of the Strengthening Education through Research Act, as such awards were in effect on the day before the date of enactment of the Strengthening Education through Research Act, for the duration of those awards, in accordance with the terms and agreements of such awards.

''(2) RECOMPETITION.—Not later than the end of the period of the awards described in paragraph (1), the Evaluation and Regional Assistance Commissioner shall—

''(A) hold a competition to make grants, contracts, or cooperative agreements under this section to eligible applicants, which may include eligible applicants that held awards described in paragraph (1); and

''(B) in determining whether to select an eligible applicant that held an award described in paragraph (1) for an award under subparagraph (A) of this paragraph, consider the results of the summative evaluation under subsection (i)(2) of the laboratory established with the eligible applicant's award described in paragraph (1).'';

(5) by striking subsection (l);

(6) by redesignating subsections (m), (n), and (o) as subsections (l), (m), and (n), respectively;

(7) in subsection (l), as so redesignated, by inserting ''and local'' after ''achieve State'';

(8) by amending subsection (m), as so redesignated, to read as follows:

''(m) ANNUAL REPORT.—Each regional educational laboratory established under this section shall submit to the Evaluation and Regional Assistance Commissioner an annual report containing such information as the Commissioner may require, but which shall include, at a minimum, the following:

''(1) A summary of the laboratory's activities and products developed during the previous year.

''(2) A listing of the State educational agencies, local educational agencies, and schools the laboratory assisted during the previous year.

''(3) Using the measurable performance indicators established under subsection (e)(5), a description of how well the laboratory is meeting educational needs of the region served by the laboratory.

''(4) Any changes to the laboratory's plan under subsection (d)(2) to improve its activities in the remaining years of the grant, contract, or cooperative agreement.''; and

(9) by adding at the end the following new subsection:

''(o) APPROPRIATIONS RESERVATION.—Of the amounts appropriated under section 194(a), the Evaluation and Regional Assistance Commissioner shall reserve 16.13 percent of such funds to carry out this section, of which the Commissioner shall use not less than 25 percent to serve rural areas (including schools funded by the Bureau which are located in rural areas).''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1 of the Act of November 5, 2002 (Public Law 107–279; 116 Stat. 1940) is amended by striking the item relating to section 174 and inserting the following:

''Sec. 174. Regional educational laboratories for research, development, dissemination, and evaluation.''.

PART E—NATIONAL CENTER FOR SPECIAL EDUCATION RESEARCH

SEC. 175. ESTABLISHMENT.

Section 175(b) (20 U.S.C. 9567(b)) is amended—

(1) in paragraph (1), by striking ''and children'' and inserting ''children, and youth'';

(2) in paragraph (2), by striking ''and'' at the end;

(3) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(4) to promote quality and integrity through the use of accepted practices of scientific inquiry to obtain knowledge and understanding of the validity of education theories, practices, or conditions with respect to special education research and evaluation described in paragraphs (1) through (3); and

''(5) to promote scientifically valid research findings in special education that may provide the basis for improving academic instruction and lifelong learning.''.

SEC. 176. COMMISSIONER FOR SPECIAL EDUCATION RESEARCH.

Section 176 (20 U.S.C. 9567a) is amended by inserting ''and youth'' after ''children''.

SEC. 177. DUTIES.

Section 177 (20 U.S.C. 9567b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by inserting ''and youth'' after ''children'';

(B) in paragraph (2), by striking ''scientifically based educational practices'' and inserting ''educational practices, including the use of technology based on scientifically valid research,'';

(C) in paragraph (4), by striking ''based'' and inserting ''valid'';

(D) in paragraph (10), by inserting before the semicolon the following: '', including how secondary school credentials are related to postsecondary and employment outcomes'';

(E) by redesignating paragraphs (11) through (15) and paragraphs (16) and (17) as paragraphs (12) through (16), respectively, and paragraphs (18) and (19), respectively;

(F) by inserting after paragraph (10), the following:

''(11) examine the participation and outcomes of students with disabilities in secondary and postsecondary career and technical education programs;'';

(G) in paragraph (14), as so redesignated, by inserting ''and professional development'' after ''preparation'';

(H) in paragraph (16), as so redesignated, by striking ''help parents'' and inserting ''examine the methods by which parents may'';

(I) by inserting after paragraph (16), as so redesignated, the following:

''(17) assist the Board in the preparation and dissemination of each evaluation report under section 116(d);'';

(J) in paragraph (18), as so redesignated, by striking ''and'' at the end;

(K) by amending paragraph (19), as so redesignated, to read as follows:

''(19) examine the needs of children with disabilities who are English learners, gifted and talented, or who have other unique learning needs; and''; and

(L) by adding at the end the following:

''(20) examine innovations in the field of special education, such as multi-tiered systems of support.'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''for the activities of the Special Education Research Center'' after ''research plan''; and

(ii) by inserting ''and, subject to the approval of the Director, implement such plan'' after ''Services'';

(B) in paragraph (1), by inserting ''described in section 175(b)'' after ''Center'';

(C) by amending paragraph (2) to read as follows:

''(2) is carried out, and, as appropriate, updated and modified, including by using the results of the Special Education Research Center's most recent evaluation report under section 116(d);'';

(D) by striking paragraph (5);

(E) by redesignating paragraphs (3), (4), and (6) as paragraphs (4), (5), and (7), respectively;

(F) by inserting after paragraph (2), as so amended, the following:

''(3) provides for research that addresses significant questions of practice where such research is lacking;'';

(G) in paragraph (5), as so redesignated, by striking ''and types of children with'' and inserting '', student subgroups, and types of''; and

(H) by inserting after paragraph (5), as so redesignated and amended, the following:

''(6) describes how the Special Education Research Center will use the performance management system described in section 185 to assess and improve the activities of the Center; and'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''Director'' and inserting ''Special Education Research Commissioner'';

(B) by amending paragraph (3) to read as follows:

''(3) APPLICATIONS.—

''(A) IN GENERAL.—An eligible applicant that wishes to receive a grant, or enter into a contract or cooperative agreement, under this section shall submit an application to the Special Education Research Commissioner at such time, in such manner, and containing such information as the Special

Education Research Commissioner may require.

''(B) CONTENTS.—An application submitted under subparagraph (A) shall describe how the eligible applicant will address and demonstrate progress on the requirements of the performance management system described in section 185, with respect to the activities that will be carried out under such grant, contract, or cooperative agreement.''; and

(C) by adding at the end the following:

''(4) DURATION.—Notwithstanding any other provision of law, the grants, contracts, and cooperative agreements under this section may be awarded, on a competitive basis, for a period of not more than 5 years, and may be renewed at the discretion of the Special Education Research Commissioner for an additional period of not more than 2 years if the recipient demonstrates progress on the requirements of the performance management system described in section 185, with respect to the activities carried out under the grant, contract, or cooperative agreement received under this section.'';

(4) by amending subsection (e) to read as follows:

''(e) DISSEMINATION.—The Special Education Research Center shall synthesize and, consistent with section 114(j), widely disseminate and promote utilization of the findings and results of special education research conducted or supported by the Special Education Research Center.''; and

(5) in subsection (f), by striking ''part such sums as may be necessary for each of fiscal years 2005 through 2010.'' and inserting ''part—

''(1) for fiscal year 2015, $54,000,000;

''(2) for fiscal year 2016, $54,108,000;

''(3) for fiscal year 2017, $55,298,376;

''(4) for fiscal year 2018, $56,625,537;

''(5) for fiscal year 2019, $58,154,426; and

''(6) for fiscal year 2020, $65,645,169.''.

PART F—GENERAL PROVISIONS

SEC. 182. PROHIBITIONS.

Section 182 (20 U.S.C. 9572) is amended—

(1) in subsection (b)—

(A) by striking ''or control'' and inserting ''control, or coerce''; and

(B) by inserting ''specific academic standards or assessments,'' after ''the curriculum,''

(3) in subsection (c)—

(A) by inserting ''coerce,'' after ''approve,'' and

(B) by striking ''an elementary school or secondary school'' and inserting ''early education, or in an elementary school, secondary school, or institution of higher education''.

SEC. 183. CONFIDENTIALITY.

Section 183 (20 U.S.C. 9573) is amended—

(1) in subsection (b)—

(A) by striking ''their families, and information with respect to individual schools,'' and inserting ''and their families''; and

(B) by inserting before the period at the end the following: '', and that any disclosed information with respect to individual schools not reveal such individually identifiable information'';

(2) in subsection (d)(2), by inserting '', including voluntary and uncompensated services under section 190'' after ''providing services''; and

(3) in subsection (e)(1), in the matter preceding subparagraph (A), by inserting ''and Director'' after ''Secretary''.

SEC. 184. AVAILABILITY OF DATA.

Section 184 (20 U.S.C. 9574) is amended by striking ''use of the Internet'' and inserting ''electronic means, such as posting to the Institute's website in an easily accessible manner''.

SEC. 185. PERFORMANCE MANAGEMENT.

Section 185 (20 U.S.C. 9575) is amended to read as follows:

''SEC. 185. PERFORMANCE MANAGEMENT.

''The Director shall establish a system for managing the performance of all activities authorized under this title to promote continuous improvement of the activities and to ensure the effective use of Federal funds by—

''(1) developing and using measurable performance indicators, including timelines, to evaluate and improve the effectiveness of the activities;

''(2) using the performance indicators described in paragraph (1) to inform funding decisions, including the awarding and continuation of all grants, contracts, and cooperative agreements under this title;

''(3) establishing and improving formal feedback mechanisms to—

''(A) anticipate and meet stakeholder needs; and

''(B) incorporate, on an ongoing basis, the feedback of such stakeholders into the activities authorized under this title; and

''(4) promoting the wide dissemination and utilization, consistent with section 114(j), of all information, products, and publications of the Institute.''.

SEC. 186. AUTHORITY TO PUBLISH.

Section 186(b) (20 U.S.C. 9576) is amended by striking ''any information to be published under this section before publication'' and inserting ''publications under this section before the public release of such publications''.

SEC. 187. REPEALS.

(a) REPEALS.—Sections 187 (20 U.S.C. 9577) and 193 (20 U.S.C. 9583) are repealed.

(b) CONFORMING AMENDMENTS.—The table of contents in section 1 of the Act of November 5, 2002 (Public Law 107–279; 116 Stat. 1940) is amended by striking the items relating to sections 187 and 193.

SEC. 188. FELLOWSHIPS.

Section 189 (20 U.S.C. 9579) is amended—

(1) by inserting ''and the mission of each National Education Center authorized under this title'' after ''related to education''; and

(2) by striking ''historically Black colleges and universities'' and inserting ''minority-serving institutions''.

SEC. 189. AUTHORIZATION OF APPROPRIATIONS.

Section 194 (20 U.S.C. 9584) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated to administer and carry out this title (except part E)—

''(1) for fiscal year 2015, $337,343,000;

''(2) for fiscal year 2016, $338,017,686;

''(3) for fiscal year 2017, $345,454,075;

''(4) for fiscal year 2018, $353,744,974;

''(5) for fiscal year 2019, $363,296,087; and

''(6) for fiscal year 2020, $368,745,528.''.

(2) by striking subsection (b) and inserting the following:

''(b) RESERVATIONS.—Of the amounts appropriated under subsection (a) for each fiscal year—

''(1) not less than the amount provided to the National Center for Education Statistics (as such Center was in existence on the day before the date of enactment of the Strengthening Education through Research Act) for fiscal year 2014 shall be provided to the National Center for Education Statistics, as authorized under part C; and

''(2) not more than the lesser of 2 percent of such funds or $2,000,000 shall be made available to carry out section 116 (relating to the National Board for Education Sciences).''.

TITLE II—EDUCATIONAL TECHNICAL ASSISTANCE

SEC. 201. REFERENCES.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9601 et seq.).

SEC. 202. DEFINITIONS.

Section 202 (20 U.S.C. 9601) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1), the following:

''(2) SCHOOL LEADER.—The term 'school leader' has the meaning given the term in section 102.''.

SEC. 203. COMPREHENSIVE CENTERS.

Section 203 (20 U.S.C. 9602)—

(1) by amending subsection (a) to read as follows:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—Subject to paragraph (3), the Secretary is authorized to award not more than 17 grants, contracts, or cooperative agreements to eligible applicants to establish comprehensive centers.

''(2) MISSION.—The mission of the comprehensive centers is to provide State educational agencies and local educational agencies technical assistance, analysis, and training to build their capacity in implementing the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and other Federal education laws, and research-based practices.

''(3) REGIONS.—In awarding grants, contracts, or cooperative agreements under paragraph (1), the Secretary—

''(A) shall establish at least one comprehensive center for each of the 10 geographic regions served by the regional educational laboratories established under section 941(h) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such provision existed on the day before the date of enactment of this Act); and

''(B) may establish additional comprehensive centers—

''(i) for one or more of the regions described in subparagraph (A); or

''(ii) to serve the Nation as a whole by providing technical assistance on a particular content area of importance to the Nation, as determined by the Secretary with the advice of the regional advisory committees established under section 206(a).

''(4) NATION.—In the case of a comprehensive center established to serve the Nation as described in paragraph (3)(B)(ii), the Nation shall be considered to be a region served by such Center.

''(5) AWARD PERIOD.—A grant, contract, or cooperative agreement under this section may be awarded, on a competitive basis, for a period of not more than 5 years.

''(6) RESPONSIVENESS.—The Secretary shall ensure that each comprehensive center established under this section has the ability to respond in a timely fashion to the needs of State educational agencies and local educational agencies, including through using the results of the center's interim evaluation under section 204(c), to improve and modify the activities of the center before the end of the award period.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting '', contracts, or cooperative agreements'' after ''Grants'';

(ii) by striking ''research organizations, institutions, agencies, institutions of higher education,'' and inserting ''public or private, nonprofit or for-profit research organizations, other organizations, or institutions of higher education,'';

(iii) by striking '', or individuals,'';

(iv) by striking ''subsection (f)'' and inserting ''subsection (e)''; and

(v) by striking '', including regional'' and all that follows through ''107–110))''; and

(B) by striking paragraphs (2) and (3) and inserting the following:

''(2) OUTREACH.—

''(A) IN GENERAL.—In conducting competitions for grants, contracts, or cooperative agreements under this section, the Secretary shall—

''(i) by making widely available information and technical assistance relating to the competition, actively encourage eligible applicants to compete for such awards; and

''(ii) seek input from chief executive officers of States, chief State school officers, educators, parents, superintendents, and other individuals with knowledge of the needs of the regions to be served by the awards, regarding—

''(I) the needs in the regions for technical assistance authorized under this title; and

''(II) how such needs may be addressed most effectively.

''(B) REGIONAL ADVISORY COMMITTEES.—The individuals described in subparagraph (A)(ii) may include members of the regional advisory committees established under section 206(a).

''(3) PERFORMANCE MANAGEMENT.—Before awarding a grant, contract, or cooperative agreement under this section, the Secretary shall establish measurable performance indicators to be used to assess the ongoing progress and performance of the comprehensive centers to be established under this title that address—

''(A) paragraphs (1) through (3) of the performance management system described in section 185; and

''(B) the relevant results of the regional assessments under section 206(e).

''(4) REQUIRED CONSIDERATION.—In determining whether to award a grant, contract, or cooperative agreement under this section to an eligible applicant that previously established a comprehensive center under this section, the Secretary shall consider the results of such center's summative evaluation under section 204(b).

''(5) CONTINUATION OF AWARDS.—

''(A) CONTINUATION OF AWARDS.—The Secretary shall continue awards made to each eligible applicant for the support of comprehensive centers established under this section prior to the date of enactment of the Strengthening Education through Research Act, as such awards were in effect on the day before the date of enactment of the Strengthening Education through Research Act, for the duration of those awards, in accordance with the terms and agreements of such awards.

''(B) RECOMPETITION.—Not later than the end of the period of the awards described in subparagraph (A), the Secretary shall—

''(i) hold a competition to make grants, contracts, or cooperative agreements under this section to eligible applicants, which may include eligible applicants that held awards described in subparagraph (A); and

''(ii) in determining whether to select an eligible applicant that held an award described in subparagraph (A) for an award under clause (i) of this subparagraph, consider the results of the summative evaluation under section 204(b) of the center established with the eligible applicant's award described in subparagraph (A).

''(6) ELIGIBLE APPLICANT DEFINED.—For purposes of this section, the term 'eligible applicant' means an entity described in paragraph (1).'';

(3) by amending subsection (c) to read as follows:

''(c) APPLICATIONS.—

''(1) SUBMISSION.—

''(A) IN GENERAL.—Each eligible applicant seeking a grant, contract, or cooperative agreement under this section shall submit an application at such time, in such manner, and containing such additional information as the Secretary may reasonably require.

''(B) INPUT.—To ensure that applications submitted under this paragraph are reflective of the needs of the regions to be served, each eligible applicant submitting such an application shall seek input from State educational agencies and local educational agencies in the region that the award will serve, and other individuals with knowledge of the region's needs. Such individuals may include members of the regional advisory committee for the region under section 206(a).

''(2) PLAN.—

''(A) IN GENERAL.—Each application submitted under paragraph (1) shall contain a plan for the comprehensive center to be established under this section, which shall be updated, modified, and improved, as appropriate, on an ongoing basis, including by using the results of the center's interim evaluation under section 204(c).

''(B) CONTENTS.—A plan described in subparagraph (A) shall address—

''(i) the priorities for technical assistance established under section 207;

''(ii) the needs of State educational agencies and local educational agencies, on an ongoing basis, using available State and local data, including the relevant results of the regional assessments under section 206(e); and

''(iii) if available, demonstrated support from State educational agencies and local educational agencies, such as letters of support or signed memoranda of understanding.

''(3) NON-FEDERAL SUPPORT.—In conducting a competition for grants, contracts, or cooperative agreements under subsection (a), the Secretary shall give priority to eligible applicants that will provide a portion of non-Federal funds to maximize support for activities of the comprehensive centers to be established under this section.'';

(4) in subsection (d), by inserting ''the number of low-performing schools in the region,'' after ''economically disadvantaged students,'';

(5) by striking subsection (e) and redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively;

(6) in subsection (e), as so redesignated—

(A) in paragraph (1)—

(i) by striking ''support dissemination and technical assistance activities by'' and inserting ''support State educational agencies and local educational agencies, including by'';

(ii) in subparagraph (A)(i), by inserting ''and other Federal education laws'' before the semicolon;

(iii) in subparagraph (A)(ii)—

(I) in the matter preceding subclause (I), by striking ''and assessment tools'' and inserting '', assessment tools, and other educational strategies'';

(II) in subclause (I), by striking ''mathematics, science,'' and inserting ''mathematics and science, which may include computer science or engineering,''; and

(III) in subclause (III), by inserting '', including innovative tools and methods'' before the semicolon;

(iv) by striking subparagraph (A)(iii) and inserting the following:

''(iii) the replication and adaptation of exemplary practices and innovative methods that have an evidence base of effectiveness; and'';

(v) in subparagraph (B)—

(I) by inserting '', consistent with section 114(j),'' after ''disseminating''; and

(II) by striking ''(as described'' and all that follows through ''is located''; and

(vi) by amending subparagraph (C) to read as follows:

''(C) ensuring activities carried out under this section are relevant and responsive to the needs of the region being served, including by using the relevant results of the regional assessments under section 206(e).''; and

(B) in paragraph (2)—

(i) by inserting '', on an ongoing basis,'' after ''this section shall''; and

(ii) by inserting ''or other regional educational laboratories or comprehensive centers, as appropriate,'' after ''center is located,''; and

(7) by amending subsections (f) and (g), as each so redesignated, to read as follows:

''(f) COMPREHENSIVE CENTER ADVISORY BOARD.—A comprehensive center established under this section may establish an advisory board to support and monitor the priorities and activities of such center. An advisory board established under this subsection shall coordinate and align its work with the work of the regional advisory committee of the region served by such center established under section 206.

''(g) REPORT TO THE SECRETARY.—Each comprehensive center established under this section shall submit to the Secretary an annual report, at such time, in such manner, and containing such information as the Secretary may require, which shall include the following:

''(1) A summary of the center's activities and products developed during the previous year.

''(2) A listing of the State educational agencies, local educational agencies, and schools the center assisted during the previous year.

''(3) Using the measurable performance indicators established under subsection (b)(3), a description of how well the center is meeting educational needs of the region served by the center.

''(4) Any changes to the center's plan under subsection (c)(2) to improve its activities in the remaining years of the grant, contract, or cooperative agreement.''.

SEC. 204. EVALUATIONS.

Section 204 (20 U.S.C. 9603) is amended to read as follows:

''SEC. 204. EVALUATIONS.

''(a) IN GENERAL.—The Secretary shall—

''(1) provide for ongoing summative and interim evaluations described in subsections (b) and (c), respectively, of each of the comprehensive centers established under this title in carrying out the full range of duties of the center under this title; and

''(2) transmit the results of such evaluations, through appropriate means, to the appropriate congressional committees, the Director of the Institute of Education Sciences, and the public.

''(b) SUMMATIVE EVALUATION.—The Secretary shall ensure each comprehensive center established under this title is evaluated by an independent entity at the end of the period of the grant, contract, or cooperative agreement that established such center, which shall—

''(1) be completed in a timely fashion;

''(2) assess how well the center is meeting the measurable performance indicators established under section 203(b)(3); and

''(3) consider the extent to which the center ensures that the technical assistance of such center is relevant and useful to the work of State and local practitioners and policymakers.

''(c) INTERIM EVALUATION.—The Secretary shall ensure that each comprehensive center established under this title is evaluated at the midpoint of the period of the grant, contract, or cooperative agreement that established such center, which shall—

''(1) assess how well such center is meeting the measurable performance indicators established under section 203(b)(3); and

''(2) be used to improve the effectiveness of such center in carrying out its plan under section 203(c)(2).''.

SEC. 205. EXISTING TECHNICAL ASSISTANCE PROVIDERS.

(a) REPEAL.—Section 205 (20 U.S.C. 9604) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents in section 1 of the Act of November 5, 2002 (Public Law 107–279; 116 Stat. 1940) is amended by striking the item relating to section 205.

SEC. 206. REGIONAL ADVISORY COMMITTEES.

Section 206 (20 U.S.C. 9605) is amended—

(1) in subsection (a)—

(A) by striking ''Beginning in 2004, the'' and inserting ''The''; and

(B) by striking ''of the Education Sciences Reform Act of 2002'';

(2) by striking subsection (c) and redesignating subsections (b) and (d) as subsections (d) and (e), respectively;

(3) by inserting the following after subsection (a):

''(b) MISSION.—The mission of each regional advisory committee established under subsection (a) shall be to—

''(1) support, strengthen, and, as appropriate, align the work of the regional educational laboratories established under section 174 and the comprehensive centers established under this title; and

''(2) ensure that the regional educational laboratories and comprehensive centers are meeting the needs of their regions.

''(c) DUTIES.—Each advisory committee established under subsection (a) shall—

''(1) conduct, on at least a biennial basis, a needs assessments of the region served by the committee, as described in subsection (e);

''(2) to ensure the activities of the regional educational laboratory and comprehensive centers serving the region of the committee are responsive to the needs of such region, provide ongoing input to the laboratory and centers on planning and carrying out their activities under section 174 and this title, respectively;

''(3) maintain a high standard of quality in the performance of the activities of the laboratory and centers, respectively; and

''(4) support the continuous improvement of the laboratory and centers in the region served by the committee, especially in meeting the measurable performance indicators established under sections 174(e)(4) and 203(b)(3), respectively.'';

(4) by amending subsection (d), as so redesignated, to read as follows:

''(d) MEMBERSHIP.—

''(1) COMPOSITION.—The membership of each regional advisory committee shall—

''(A) not exceed 25 members;

''(B) include the chief State school officer, or such officer's designee, or other State official, of States within the region of the committee who have primary responsibility under State law for elementary and secondary education in the State;

''(C) include representatives of local educational agencies, including rural and urban local educational agencies, that represent the geographic diversity of the region; and

''(D) include researchers.

''(2) ELIGIBILITY.—The membership of each regional advisory committee may include the following:

''(A) Representatives of institutions of higher education.

''(B) Parents.

''(C) Practicing educators, including classroom teachers, school leaders, administrators, school board members, and other local school officials.

''(D) Representatives of business.

''(E) Policymakers.

''(F) Representatives from the regional educational laboratory and comprehensive centers in the region.

''(3) RECOMMENDATIONS.—In choosing individuals for membership on a regional advisory committee, the Secretary shall consult with, and solicit recommendations from, the chief executive officers of States, chief State school officers, local educational agencies, and other education stakeholders within the applicable region.

''(4) SPECIAL RULE.—The total number of members on each committee who are selected under subparagraphs (B) and (C) of paragraph (1), in the aggregate, shall exceed the total number of members who are selected under paragraph (2), collectively.'';

(5) in subsection (e), as so redesignated—

(A) in paragraph (1)—

(i) by inserting '', at least on a biennial basis,'' after ''assess''; and

(ii) by inserting '', strengths, and weaknesses'' after ''educational needs'';

(B) in paragraph (2)—

(i) by striking ''State school officers,'' and all that follows through ''within the region)'' and inserting ''State school officers, local educational agencies, representatives of public charter schools, educators, parents, and others within the region'';

(ii) by striking ''of the Education Sciences Reform Act of 2002 and section 203 of this title'' and inserting ''and section 203''; and

(iii) by striking ''and'' at the end;

(C) by redesignating paragraph (3) as paragraph (4);

(D) by inserting after paragraph (2) the following new paragraph:

''(3) use available State and local data, consistent with privacy protections under section 183, to determine regional educational needs; and''.

SEC. 207. PRIORITIES.

Section 207 (20 U.S.C. 9606) is amended—

(1) by inserting ''Director and'' before ''Secretary shall establish'';

(2) by striking ''of the Education Sciences Reform Act of 2002'';

(3) by striking ''of this title'';

(4) by striking ''to address, taking onto account'' and inserting '', respectively, using the results of''; and

(5) by striking ''relevant regional'' and all that follows through ''Secretary deems appropriate'' and inserting ''relevant regional and national surveys of educational needs''.

SEC. 208. GRANT PROGRAM FOR STATEWIDE LONGITUDINAL DATA SYSTEMS.

Section 208 (20 U.S.C. 9607) is amended—

(1) in subsection (a)—

(A) by inserting before the period at the end the following: '', the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.)''; and

(B) by adding at the end the following: ''State educational agencies receiving a grant under this section may provide subgrants to local educational agencies to improve the capacity of local educational agencies to carry out the activities authorized under this section.'';

(2) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (g), respectively;

(3) by inserting after subsection (b), the following:

''(c) PERFORMANCE MANAGEMENT.—Before awarding a grant under this section, the Secretary shall establish measurable performance indicators—

''(1) to be used to assess the ongoing progress and performance of State educational agencies receiving a grant under this section; and

''(2) that address paragraphs (1) through (3) of the performance management system described in section 185.'';

(4) in subsection (d), as so redesignated—

(A) in paragraph (1), by striking '', promotes linkages across States,'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''supports school improvement and'' after ''data that'';

(ii) in subparagraph (A), by striking ''and other reporting requirements and close achievement gaps; and'' and inserting '', other reporting requirements, close achievement gaps, and improve teaching;'';

(iii) in subparagraph (B), by striking ''and close achievement gaps'' and by inserting '', close achievement gaps, and improve teaching''; and

(iv) by inserting after subparagraph (B) the following:

''(C) to align statewide longitudinal data systems from early education through postsecondary education (including pre-service preparation programs), and the workforce, consistent with privacy protections under section 183;''; and

(C) by striking paragraph (3) and inserting the following:

''(3) ensures the protection of student privacy, and includes a review of how State educational agencies, local educational agencies, and others that will have access to the statewide data systems under this section will adhere to Federal privacy laws and protections, consistent with section 183, in the building, maintenance, and use of such data systems;

''(4) ensures State educational agencies receiving a grant under this section support professional development that builds the capacity of teachers and school leaders to use data effectively; and

''(5) gives priority to State educational agencies that leverage the use of longitudinal data systems to improve student achievement and growth, including such State educational agencies that—

''(A) meet the voluntary standards and guidelines described in section 153(a)(5);

''(B) define the roles of State educational agencies, local educational agencies, and others in providing timely access to data under the statewide data systems, consistent with privacy protections in section 183; and

''(C) demonstrate the capacity to share teacher and school leader performance data, including student achievement and growth data, with local educational agencies and teacher and school leader preparation programs.'';

(5) by inserting after subsection (e), as so redesignated, the following:

''(f) RENEWAL OF AWARDS.—The Secretary may renew a grant awarded to a State educational agency under this section for a period not to exceed 3 years, if the State educational agency has demonstrated progress on the measurable performance indicators established under subsection (c).''; and

(6) by amending subsection (g), as so redesignated, to read as follows:

''(g) REPORTS.—

''(1) FIRST REPORT.—Not later than 1 year after the date of enactment of the Strengthening Education through Research Act, the Secretary shall prepare and make publicly available a report on the implementation and effectiveness of the activities carried out by State educational agencies receiving a grant under this section, including—

''(A) information on progress in the development and use of statewide longitudinal data systems described in this section;

''(B) information on best practices and areas for improvement in such development and use; and

''(C) how the State educational agencies are adhering to Federal privacy laws and protections in the building, maintenance, and use of such data systems.

''(2) SUCCEEDING REPORTS.—Every succeeding 3 years after the report is made publicly available under paragraph (1), the Secretary shall prepare and make publicly available a report on the implementation and effectiveness of the activities carried out by State educational agencies receiving a grant under this section, including—

''(A) information on the requirements of subparagraphs (A) through (C) of paragraph (1); and

''(B) the progress, in the aggregate, State educational agencies are making on the measurable performance indicators established under subsection (c).''.

SEC. 209. AUTHORIZATION OF APPROPRIATIONS.

Section 209 (20 U.S.C. 9608) is amended to read as follows:

''SEC. 209. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title—

''(1) for fiscal year 2015, $82,984,000;

''(2) for fiscal year 2016, $83,149,968;

''(3) for fiscal year 2017, $84,979,268;

''(4) for fiscal year 2018, $87,018,769;

''(5) for fiscal year 2019, $89,368,277; and

''(6) for fiscal year 2020, $90,708,801.''.

TITLE III—NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

SEC. 301. REFERENCES.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.).

SEC. 302. NATIONAL ASSESSMENT GOVERNING BOARD.

Section 302 (20 U.S.C. 9621) is amended—

(1) in subsection (a), by striking ''shall formulate policy guidelines'' and inserting ''shall oversee and set policies, in a manner consistent with subsection (e) and accepted professional standards,'';

(2) in subsection (b)(1)(L)—

(A) by striking ''principals'' and inserting ''leaders''; and

(B) by striking ''principal'' both places it appears and inserting ''leader'';

(3) in subsection (c), by striking paragraph (4);

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''the Assessment Board after consultation with'' before ''organizations''; and

(ii) in subparagraph (B)—

(I) by striking ''Each organization submitting nominations to the Secretary with'' and inserting ''With''; and

(II) by inserting '', the Assessment Board'' after ''particular vacancy''; and

(B) in paragraph (2)—

(i) by striking ''that each organization described in paragraph (1)(A) submit additional nominations'' and inserting ''additional nominations from the Assessment Board or each organization described in paragraph (1)(A)''; and

(ii) by striking ''such organization'' and inserting ''the Assessment Board''; and

(5) in subsection (e)(1)—

(A) in subparagraph (A)—

(i) by inserting ''in consultation with the Commissioner for Education Statistics,'' before ''select'';

(ii) by inserting ''and grades or ages'' before ''to be''; and

(iii) by inserting '', and determine the year in which such assessments will be conducted'' after ''assessed'';

(B) in subparagraph (D), by inserting ''school leaders,'' after ''teachers,'';

(C) in subparagraph (E), by striking ''design'' and inserting ''provide input on'';

(D) by striking ''and'' at the end of subparagraph (I);

(E) by redesignating subparagraph (J) as subparagraph (K);

(F) by inserting after subparagraph (I), the following:

''(J) provide input to the Director on annual budget requests for the National Assessment of Educational Progress; and'';

(G) in subparagraph (K), as so redesignated—

(i) by striking ''plan and execute the initial public release of''; and

(ii) by inserting ''release the initial'' before ''National''; and

(H) in the matter following subparagraph (K), as so amended and redesignated, by striking ''subparagraph (J)'' and inserting ''subparagraph (K)''.

SEC. 303. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.

Section 303 (20 U.S.C. 9622) is amended—

(1) in subsection (a), by striking ''with the advice of the Assessment Board established under section 302'' and inserting ''in a manner consistent with accepted professional standards and the policies set forth by the Assessment Board under section 302(a)'';

(2) in subsection (b)(2)—

(A) in subparagraph (D), by inserting ''and consistent with section 302(e)(1)(A)'' after ''resources allow'';

(B) by striking ''and'' at the end of subparagraph (G);

(C) by striking the period and inserting ''; and'' at the end of subparagraph (H); and

(D) by adding at the end the following new subparagraph:

''(I) determine, after taking into account section 302(e)(1)(I), the content of initial and subsequent reports of all assessments authorized under this section and ensure that such reports are valid and reliable.'';

(3) in subsection (c)(2)—

(A) in subparagraph (B), by striking ''of Education'' after ''Secretary''; and

(B) in subparagraph (D)—

(i) by striking ''Chairman of the House'' before ''Committee on Education'';

(ii) by inserting ''of the House of Representatives'' after ''Workforce'';

(iii) by striking ''Chairman of the Senate'' before ''Committee on Health''; and

(iv) by inserting ''of the Senate'' after ''Pensions'';

(4) in subsection (d)(1), by inserting before the period, the following: '', except as required under section 1112(b)(1)(F) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(b)(1)(F))'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''or age''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''shall'' and all that follows through ''be'' and insert ''shall be'';

(II) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively (and by moving the margins 2 ems to the left); and

(III) in clause (ii) (as so redesignated), by striking '', or the age of the students, as the case may be'';

(ii) in subparagraph (B)—

(I) by striking ''After the determinations described in subparagraph (A), devising'' and inserting ''The Assessment Board shall, in making the determination described in subparagraph (A), use''; and

(II) by inserting after ''approach'' the following: '', providing for the active participation of teachers, school leaders, curriculum specialists, local school administrators, parents, and concerned members of the general public''; and

(iii) in subparagraph (D), by inserting ''Assessment'' before ''Board''; and

(6) in subsection (g)(2)—

(A) in the heading, by striking ''AFFAIRS'' and inserting ''EDUCATION''; and

(B) by striking ''Affairs'' and inserting ''Education''.

SEC. 304. DEFINITIONS.

Section 304 (20 U.S.C. 9623) is amended—

(1) in paragraph (1), by striking ''(1)'' and inserting ''(1) DIRECTOR.—'';

(2) in paragraph (2), by striking ''(2)'' and inserting ''(2) STATE.—''; and

(3) by redesignating paragraphs (1) and (2) (as so amended) as paragraphs (2) and (5), respectively;

(4) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

''(1) IN GENERAL.—The terms 'elementary school', 'local educational agency', and 'secondary school' have the meanings given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).''; and

(5) by inserting after paragraph (2) (as so redesignated), the following new paragraphs:

''(3) SCHOOL LEADER.—The term 'school leader' has the meaning given the term in section 102.

''(4) SECRETARY.—The term 'Secretary' means the Secretary of Education.''.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

Section 305(a) (20 U.S.C. 9624(a)) is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated—

''(1) for fiscal year 2015—

''(A) $8,235,000 to carry out section 302 (relating to the National Assessment Governing Board); and

''(B) $132,000,000 to carry out section 303 (relating to the National Assessment of Educational Progress);

''(2) for fiscal year 2016—

''(A) $8,251,470 to carry out section 302 (relating to the National Assessment Governing Board); and

''(B) $132,264,000 to carry out section 303 (relating to the National Assessment of Educational Progress);

''(3) for fiscal year 2017—

''(A) $8,433,002 to carry out section 302 (relating to the National Assessment Governing Board); and

''(B) $135,173,808 to carry out section 303 (relating to the National Assessment of Educational Progress);

''(4) for fiscal year 2018—

''(A) $8,635,395 to carry out section 302 (relating to the National Assessment Governing Board); and

''(B) $138,417,979 to carry out section 303 (relating to the National Assessment of Educational Progress);

''(5) for fiscal year 2019—

''(A) $8,868,550 to carry out section 302 (relating to the National Assessment Governing Board); and

''(B) $142,155,266 to carry out section 303 (relating to the National Assessment of Educational Progress); and

''(6) for fiscal year 2020—

''(A) $9,001,578 to carry out section 302 (relating to the National Assessment Governing Board); and

''(B) $144,287,595 to carry out section 303 (relating to the National Assessment of Educational Progress).''.

TITLE IV—EVALUATION PLAN

SEC. 401. RESEARCH AND EVALUATION.

(a) IN GENERAL.—The Institute of Education Sciences shall be the primary entity for conducting research on and evaluations of Federal education programs within the Department of Education to ensure the rigor

and independence of such research and evaluation.

(b) FLEXIBLE AUTHORITY.—

(1) RESERVATION.—Notwithstanding any other provision of law in the Elementary and Secondary Education Act of 1965 (20 U.S.C. et seq. 6301 et seq.) related to evaluation, the Secretary of Education, in consultation with the Director of the Institute of Education Sciences—

(A) may, for purposes of carrying out the activities described in paragraph (2)(B)—

(i) reserve not more than 0.5 percent of the total amount of funds appropriated for each program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), other than part A of title I of such Act (20 U.S.C. 6311 et seq.) and section 1501 of such Act (20 U.S.C. 6491); and

(ii) reserve, in the manner described in subparagraph (B), an amount equal to not more than 0.1 percent of the total amount of funds appropriated for—

(I) part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.); and

(II) section 1501 of such Act (20 U.S.C. 6491); and

(B) in reserving the amount described in subparagraph (A)(ii)—

(i) shall reserve up to the total amount of funds appropriated for section 1501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491); and

(ii) may, in a case in which the total amount of funds appropriated for such section 1501 (20 U.S.C. 6491) is less than the amount described in subparagraph (A)(ii), reserve the amount of funds appropriated for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) that is needed for the sum of the total amount of funds appropriated for such section 1501 (20 U.S.C. 6491) and such amount of funds appropriated for such part A of title I (20 U.S.C. 6311 et seq.) to equal the amount described in subparagraph (A)(ii).

(2) AUTHORIZED ACTIVITIES.—If funds are reserved under paragraph (1)—

(A) neither the Secretary of Education nor the Director of the Institute of Education Sciences shall—

(i) carry out evaluations under section 1501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491); or

(ii) reserve funds for evaluation activities under section 3111(c)(1)(C) of such Act (20 U.S.C. 6821); and

(B) the Secretary of Education, in consultation with the Director of the Institute of Education Sciences—

(i) shall use the funds reserved under paragraph (1) to carry out high-quality evaluations (consistent with the requirements of section 173(a) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9563(a)), as amended by this Act, and the evaluation plan described in subsection (c) of this section) of programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); and

(ii) may use the funds reserved under paragraph (1) to—

(I) increase the usefulness of the evaluations conducted under clause (i) to promote continuous improvement of programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); or

(II) assist grantees of such programs in collecting and analyzing data and other activities related to conducting high-quality evaluations under clause (i).

(3) DISSEMINATION.—The Secretary of Education or the Director of the Institute of Education Sciences shall disseminate evaluation findings, consistent with section 114(j) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9514(j)), as amended by this Act, of evaluations carried out under paragraph (2)(B)(i).

(4) CONSOLIDATION.—The Secretary of Education, in consultation with the Director of the Institute of Education Sciences—

(A) may consolidate the funds reserved under paragraph (1) for purposes of carrying out the activities under paragraph (2)(B); and

(B) shall not be required to evaluate under paragraph (2)(B)(i) each program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) each year.

(c) EVALUATION PLAN.—The Director of the Institute of Education Sciences, in consultation with the Secretary of Education, shall, on a biennial basis, develop, submit to Congress, and make publicly available an evaluation plan, that—

(1) describes the specific activities that will be carried out under subsection (b)(2)(B) for the 2-year period applicable to the plan, and the timelines of such activities;

(2) contains the results of the activities carried out under subsection (b)(2)(B) for the most recent 2-year period; and

(3) describes how programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) will be regularly evaluated.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect section 173(b) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9563(b)), as amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. ROKITA) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. ROKITA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4366.

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

There was no objection.

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

I rise today in support of the Strengthening Education Through Research Act, legislation to improve the quality and usefulness of education research.

Mr. Speaker, more than a decade ago, Congress approved the Education Sciences Reform Act, legislation that established the Institute of Education Sciences to gather information on education progress, conduct research on education practices in schools, and evaluate the effectiveness of Federal education programs and initiatives.

Like many of my colleagues, I believe the Federal Government's role in education needs to be significantly reduced. And that is why we passed the Student Success Act last summer, comprehensive education reform legislation that will actually shrink the Federal footprint in the classroom and return control to the parents, the teachers, and community leaders who, in fact, know our children best. In fact, I would challenge anyone here on the floor to say that any person or bureaucrat in the Department of Education knows our kids better than their own teachers, parents, and the local taxpayer.

So while we continue to await Senate action on the Student Success Act, we have additional opportunities now to act on commonsense proposals that will make the Federal role in education more effective and efficient. The research produced by the Institute sheds critical light on how taxpayer dollars are being used in our education system and can provide important information on what is and is not working in our schools.

Mr. Speaker, the Strengthening Education Through Research Act will improve education research, protect taxpayers by enhancing program accountability, and help ensure more schools and students can benefit from effective education practices.

This law provides information that helps States and school districts identify successful education practices and allows taxpayers and congressional leaders to monitor the Federal investment in education. However, the Education Sciences Reform Act is overdue for reform, with several weaknesses in the law that must be addressed now.

For example, according to a report by the Government Accountability Office, the Institute does not always properly evaluate the effectiveness of its programs and research arms. So we run into an issue where we could be throwing good money after bad, and that needs to stop. It could lead to unnecessary costs and redundancies, something we must be particularly wary of in these times of fiscal restraint. Additionally, although the Institute has dramatically improved the quality of education research in recent years, there is often a significant delay in disseminating key data and findings to education leaders nationwide. What good does it do for us to pay to conduct this research, to collect the data, but fail to disseminate it so it can be used?

The Supporting Education Through Research Act will address these weaknesses and help school leaders access more timely, more relevant, and useful information on the most effective educational practices. It is called transparency, Mr. Speaker, and that is good for the students, it is good for the teachers, it is good for the parents, and it is good for the taxpayers. It is good for all of us.

First, H.R. 4366 will enhance the relevancy of education research, ensuring teachers, students, parents, and policymakers can access and actually use more useful information about what is successful, what is working and what isn't.

Second, the legislation will take steps to streamline the education research system and reduce overlap and duplicative research efforts. Now, this bill will also require the Institute to regularly evaluate its research and review the efficacy of Federal education programs, ensuring taxpayer resources are being put to good use.

Finally, H.R. 4366 will ensure that the Institute and the National Assessment Governing Board, which administers the Nation's Report Card, remain autonomous entities that are free from political influence and bias. Unfortunately, that political influence and bias exists in our education system and could exist in our research arms if we don't, as Congress, make clear what is expected of them.

Not only does this legislation help teachers, school leaders, and State and local governments, it also helps families. Families, particularly military families, can change school districts several times during their child's education. Our experience with the free market tells us that informed consumers are, in fact, the best consumers and the best-protected consumers.

□ 1900

As consumers of education, families deserve the best information possible in making decisions regarding their child's education.

So, Mr. Speaker, the Strengthening Education Through Research Act will improve education research, protect taxpayers by enhancing program accountability, and help ensure more schools and students can benefit from effective education practices.

I urge my colleagues to support the Strengthening Education Through Research Act.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. MCCARTHY), who is the lead author on the Democratic side on this legislation.

Mrs. MCCARTHY of New York. Mr. Speaker, I want to thank Ranking Member MILLER for allowing me to speak in support of this important bipartisan legislation.

First, I want to take a moment and also thank my good friend, Mr. ROKITA, for his great work and leadership on behalf of our students and the educational system. It has been a pleasure working with you, sir.

I rise today in strong support of H.R. 4366, the Strengthening Education Through Research Act. Now, I firmly believe that, in order to successfully prepare our students for the workforce, our Nation's educators must be able to identify and have access to successful and proven techniques.

In 2002, I proudly supported the passage of the Education Sciences Reform Act which, among other things, ensured that education research be conducted free of political bias and focus on improving student achievement.

Last year, the Government Accountability Office released a report highlighting the successes of the law, but also detailed several areas that could be improved to better impact outcomes for our students.

Today, along with Mr. ROKITA, we have built upon the success of that bill through H.R. 4366. The Strengthening Education Through Research Act is a perfect example of what bipartisanship and a commitment to good government can yield, and I am proud to support this legislation today.

The bill improves, among other things, the quality of education research by enhancing the timeless and relevancy of research, limiting duplication and overlap, improving accountability, and refocusing our commitment to equity in education for our most vulnerable student populations.

The bill also provides critical funding to strengthen special education research, which has been unfairly cut in recent years.

Moreover, the bill meets one of my top priorities by reaffirming a Federal commitment to States and localities to provide teachers, principals, and educational leaders with the latest research products to improve educational equity and effectiveness for students without bias.

Especially under difficult budgetary circumstances, this Congress has an obligation to explore opportunities that will most effectively deliver results for our students and our taxpayers, and this bill does just that.

I strongly urge my colleagues to support H.R. 4366, as it represents another strong step toward improving our Nation's educational landscape and preparing our students with the necessary skills to compete in the global economy.

Mr. ROKITA. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I want to thank my colleague from Indiana for his leadership on this bill. I also want to thank my colleague from New York, Representative MCCARTHY, for her leadership on this bill.

One of the most important assets that we have in education is our teachers, but our teachers need proven tools. That is why we are here today. This bill is about making sure that we are providing best practices, data-based tools, in terms of teaching methods.

The Strengthening Education Through Research Act seeks to bolster one of our most fundamental education priorities—improving outcomes and raising student achievement.

In 2002, Congress passed the Education Sciences Reform Act, establishing the Institute of Education Sciences, which is responsible for gathering data on educational best practices in the Nation's schools. The intent of the law was to enable States and school districts to identify and improve upon successful education practices.

Although IES has meaningfully improved the quality of education research over the last decade, it also faces shortcomings, one being the significant delay in disseminating key data and findings to local education stakeholders, especially in more rural areas of the country.

Despite the law's successes, improvements can and must be made, and that is the business we are about here this evening. The Strengthening Education Through Research Act reforms our Federal research structure so that States, local school districts, parents, and policymakers have greater access to data—data that is better organized, more reliable, and more useful for our local schools and communities.

As a member of the House Education Subcommittee on Early Childhood, Elementary, and Secondary Education, I am proud to be a cosponsor of this bipartisan reauthorization.

I urge my colleagues to support passage of this bill, so that we can fulfill the Federal Government's commitment to provide States and localities with the latest and best available evidence-based research in a timely fashion.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the subcommittee chairman, Mr. ROKITA, for bringing this bill to the floor, and to Congresswoman MCCARTHY, the ranking member on the subcommittee, for all of their effort to make sure that this legislation was considered in this session of Congress.

The Strengthening Education Through Research Act, SETRA, bolsters education research in a way that benefits both students and teachers. Congress passed the Education Sciences Reform Act, commonly known as ESRA, in 2002 to strengthen the quality and rigor of education research.

Twelve years later, we have a wealth of information that can be used to determine what is working for students, make corrections, and drive long-lasting improvements; but research is not effective if it stays locked in computer files or is only published in abstract trade journals. Research must be relevant, timely, and useful. It must be used to solve real problems faced by students and teachers.

I am pleased that this legislation will address this challenge, making education research more valuable. At the same time, it will ensure that research remains accurate, rigorous, and scientific.

I am also pleased SETRA increases the Federal investment in education research. In particular, our teachers need better actionable research on educating students with disabilities.

To address that need, SETRA includes a large increase in the funding of special education research, helping to make up for the devastating cuts in 2011.

The historic Federal role in education is protecting and promoting equity. SETRA maintains that commitment in three key ways. This bill keeps a laserlike focus on closing the achievement gap and ensuring that all students obtain a high-quality education.

The bill ensures that we collect data such as graduation rates and student achievement, but also vital information on school climate, student safety

and discipline, and student access to great teachers. This bill helps States and school districts use data systems to improve teaching and learning.

Mr. Speaker, I have often said that we, in the Federal Government, must get back to partnering with schools to improve students' lives. I am proud to say that this legislation takes a solid step in that direction, providing research that helps teachers and schools improve the student learning environment.

I urge my colleagues on both sides of the aisle to support this legislation. Again, I want to thank Mr. ROKITA for bringing this legislation to the floor.

Before I yield the floor, Mr. Speaker, I would like to take a moment of this debate time that has been allocated to pay tribute and say thank you to Jeremy Ayers of our staff, who will be leaving the committee at the end of this month.

This is Jeremy sitting right here, in case anybody didn't know who he was. Bring the cameras in a little closer.

Jeremy skillfully managed the negotiations on the bill before us today and led the committee work on education technology, accountability in elementary, and secondary education and oversight in the administration's waiver policy, among other issues.

Jeremy is a strong advocate of what is best in the interest of students and has always maintained a focus on equity and civil rights. His humor and quick wit were always a welcomed addition to what sometimes can be hard and tedious policy work.

Jeremy has been a valued policy adviser and member of our education team, and he will be missed by the committee members on both sides of the aisle and all of his colleagues.

Thank you, Jeremy, for all of your service to our committee and to our education establishment in this country.

I urge my colleagues to support this legislation.

I yield back the balance of my time.

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

I would also like to recognize Jeremy and thank him for his service and hope that I wasn't the subject of any of that quick wit during the time I was chairman.

I also thank Congressman MILLER for the work he has done on this bill and the bill yet to come tonight, as well as his general leadership on the committee. It is appreciated. From a newer guy on the other side of the aisle, he is someone who I respect and I am going to miss a lot.

I also want to thank Mrs. MCCARTHY for her work and leadership on elementary and secondary education issues generally and for her service on the committee. I know she cares about these issues, particularly improving education options for women.

She has been a joy to work with as ranking member on the subcommittee through the easy issues and, frankly, through some of the harder ones. As a newer member and, frankly, a green chairman, I would often rely on the honest comment and the kind smile of CAROLYN MCCARTHY and would simply say that if more of us did that, perhaps, Mr. Speaker, more work like the bill we are discussing right now would get done in Congress.

One of the top priorities of this Congress—certainly one of my top priorities is helping people to build better lives for themselves and their families, whether that is through more flexible work schedules, stronger job training programs, or smarter student loan terms, advancing commonsense policies that will make life work for more Americans is our primary goal.

The Strengthening Education through Research Act is part of this effort. In classrooms nationwide, teachers and school leaders need quality research to identify the best ways to raise student achievement and progress.

By passing the Strengthening Education through Research Act today, we can help these educators gain access to the timely and useful information necessary to raise student achievement levels across the board.

In closing, Mr. Speaker, I would simply say that I urge my colleagues to vote ''yes'' on H.R. 4366.

I yield back the balance of my time.

Mr. HOLT. Mr. Speaker, Education policy suffers because policy maker were all once students themselves. As a result, they think they know what works and how students learn. The best antidote for self-serving, self-centered policy makers is evidence. Evidence has a way of puncturing the statements and paradigms of misguided, but well-meaning policy makers. The Strengthening Education through Research Act (SETRA) would produce rigorous, relevant, and useful evidence. Rigorous in that it mandates education research uses good methodology and a peer review process. Relevant in that it speaks to today's education issues that teachers and students face in urban, suburban, and rural schools. Useful in that teachers, principals, schools, and states can use the research to improve instruction and student achievement.

Additionally, SETRA increases the emphasis school districts and states should place on longitudinal data systems as a way to improve instruction. Efforts to create P–20 data systems that link early learning with professional outcomes will help gather the data necessary to help teachers improve student learning and help states prioritize investments in impactful initiatives.

I strongly support SETRA and urge my colleagues to voice their support as well.

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentleman from Indiana (Mr. ROKITA) that the House suspend the rules and pass the bill, H.R. 4366, as amended.

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

A motion to reconsider was laid on the table.

SUCCESS AND OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS ACT

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 10.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 576 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. 10.

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

□ 1913

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. 10) to amend the Charter School Program under the Elementary and Secondary Education Act of 1965, with Mr. BISHOP of Utah 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 Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 45 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I yield myself such time as I may consume, and rise today in strong support of the Success and Opportunity through Quality Charter Schools Act, legislation that will support the growth and expansion of successful charter schools.

Mr. Chairman, for many children and their parents, charter schools are a beacon of hope for a better education and a better life. The schools are extraordinarily in demand.

Wait lists for charter schools have grown steadily in recent years, with more than 1 million students' names on wait lists for the 2013–2014 school year.

□ 1915

Charter schools have a proven track record of success, encouraging higher academic achievement in even the most troubled school districts.

I recently had the opportunity to visit two impressive charter schools in my home State of Minnesota. At both of the schools, without exception, students were engaged, excited, and eager to learn. I know firsthand this is not a trend unique to charter schools in Minnesota. In fact, each time I visit quality charter schools, whether here in Washington, D.C., or in Prairie Lake, Minnesota, or even Harlem, New York, I have been amazed by the creative curriculum, the outstanding educators,

and the students' incredible progress. Clearly, these institutions are a valuable part of a successful education system.

However, the Federal Charter Schools Program is in need of key reforms to enhance access and ensure continued educational quality. That is why I partnered with my colleague, the senior Democrat on the House Education and the Workforce Committee, Mr. MILLER, to advance the success and opportunity through the Quality Charter Schools Act. This bipartisan legislation will encourage more States and families to embrace charter schools, while also including several provisions to urge these schools to reach out to special populations, including at-risk students, children with disabilities, and English learners.

The bill will streamline the Federal Charter Schools Program, while ensuring these institutions remain accountable to families and taxpayers. The bill also expands the allowable use of Federal resources to support not just new charter schools, as under current law, but also replication and expansion of successful charter schools.

Additionally, H.R. 10 will direct charter schools to share best practices with traditional public schools, helping to ensure school leaders are working together to implement successful education practices throughout the community.

Mr. Chairman, as we work to help more students access a quality education, we must support charter schools as a valuable alternative to failing public schools and work together to encourage their growth. This act is a commonsense proposal that will improve educational opportunities for students across the board and provide families with additional school choice options.

I am very pleased that members of the Education and the Workforce Committee have put their differences aside and worked through a very bipartisan process to develop an exceptional piece of legislation. I would like to thank members and staff for these efforts.

I urge my colleagues on both sides of the aisle to join with us in supporting legislation that can have a hugely positive effect on children nationwide.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield myself 5 minutes.

Mr. Chairman, I rise in strong support of H.R. 10.

I want to thank the chairman of the committee for all of his cooperation so we could arrive at this legislation to bring to the floor. I want to thank the staff on both sides of the aisle for all of the time that they spent negotiating this legislation. I am delighted that we are here tonight to consider it.

The Success and Opportunity Through Quality Charter Schools Act, I urge my colleagues to support this legislation. I guess we will be voting tomorrow on it, to vote in support of the legislation.

My support of H.R. 10 is grounded in my commitment to our Nation's public schools and my firm belief that every child in every neighborhood deserves access to a high-quality public education.

This bipartisan legislation would take us one step closer to making the promise of quality public schools for every child a reality.

In many ways, the innovations coming out of the charter school sector are helping to disprove some of the false assumptions about kids who happen to be from the wrong ZIP Code. Charter schools continue to prove that all children, from any background, can succeed. H.R. 10 seeks to build on that success. It will expand opportunities for all children to benefit from charter school innovations.

Along with Chairman KLINE, I authored similar legislation last Congress. That legislation served as the basis for this bill which we are considering today and passed out of this Chamber with more than 360 votes.

I am pleased once again to collaborate with Chairman KLINE on this reauthorization of the Charter Schools Program. By working together, we have been able to produce a truly bipartisan bill that will bring much-needed improvements to the only Federal program that supports the startup of public charter schools.

This existing Federal program provides startup funding for public charter schools from States where the public charter schools are permitted that win a competitive grant.

While the Charter Schools Program is in a small, competitive funding stream that reaches a limited number of schools, the program can and should be used as a lever to ensure the quality within the charter school sector, drive collaboration between charter and noncharter public schools, improve State oversight of charter schools to make sure that every public school is equitably serving the most disadvantaged students.

H.R. 10 would refocus the Charter Schools Program to achieve these goals while recognizing and supporting the success of public charter schools. Much of that success comes from the autonomy and flexibility that charter schools have in implementing innovative curricula and instruction. The research is clear: Access to great schools, fantastic instruction, and a safe learning environment matters.

Thousands of public schools across the country, both charter and noncharter, are great schools supported by millions of wonderful educators. Unfortunately, some of our Nation's public schools, both charter and noncharter, fall short.

I have been working on this issue for a long time. For me, it isn't about the quantity of charter schools; it is about the quality of all public schools. Over the years, I have requested numerous GAO reports that examine activities of public charter schools to look at the quality of the services for students who are traditionally underserved, including those with disabilities and English language learners. The results have pointed to the flaws in the charter implementation that shortchanged disadvantaged students.

Our Federal investment in charters must help support and drive improvements in the charter sector. For example, in Denver, when the data showed a discrepancy in the charter school services for students with complex disabilities as compared to noncharters, the district leaders said, ''We can do better.'' Instead of pointing fingers and placing blame, the district leaders and charter leaders collaborated on bringing needed programs and support to students with complex disabilities to all Denver public schools, including the charter schools.

Federal dollars that support charter schools must incentivize this type of collaboration on behalf of our most vulnerable students. The improvements in the Charter Schools Program that are embodied in H.R. 10 would do just that. That is why groups such as National Council of Learning Disabilities and the Consortium of Citizens with Disabilities enthusiastically support this bill. No public school, charter or otherwise, gets a pass when it comes to serving all kids.

H.R. 10 would also ensure that our Federal investment in public charter schools supports only high-quality charters that are serving all students and have demonstrated that they are accountable to parents and communities.

H.R. 10 includes unprecedented quality controls and mechanisms to improve charter authorizing activity and oversight. It challenges States to support and transfer the best practices among all public schools in order to ensure that the benefits of charter schools are reaching all students, not just a few.

This isn't a debate about charter schools. Charter schools are here and they aren't going anywhere. This is about increasing the quality, the equity, and the transparency in the charter sector. The sector is vibrant, and it is now serving more than 2 million students in 42 States and the District of Columbia.

A ''yes'' vote on H.R. 10 is a vote for much-needed program improvements that will help ensure that the Federal dollars supporting public charter schools only flow to quality schools and that those schools live up to the promise of the equitable education of all students.

I urge you to join me, Mr. Chairman, in supporting this bill.

I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. ROKITA), the chairman of the Subcommittee on Early Childhood, Elementary, and Secondary Education, who has been doing yeoman's work not

only today in the furtherance of a better education for our Nation's children, but every day.

Mr. ROKITA. Mr. Chairman, I thank the chairman and the ranking member as well. Both the chairman and the ranking member have a great bill here, and it deserves the support of this entire body, in my humble opinion.

As chairman of the colloquially called K–12 Subcommittee on Education, it has been my high honor to travel throughout Indiana, and really across the country, to see our public school system, our public charter school system, and the entire framework of how our great American children are educated.

I have come to the conclusion early on, and it is the same one that the chairman and the ranking member have come to, that is, charter schools empower parents to play a more active role in their child's education. It opens doors for teachers to pioneer fresh teaching methods. Charter schools encourage State and local innovation. It helps students escape underperforming schools. The charter school program facilitates the establishment of high quality charter schools and it encourages choice, innovation, and excellence in education.

The current Charter Schools Program, however, does not support the funding for the replication and expansion of high-quality charter schools. The ranking member said it himself that charter schools are here to stay. And we are not about to have a debate over whether or not they should exist. They do. It is about the replication and expansion of them because they work.

This bill is a commonsense approach to updating the Charter Schools Program by streamlining multiple charter school programs, improving their quality, and promoting the growth of the charter schools sector at the State level. The bill also consolidates multiple funding streams and grant programs that support charter schools into the existing State grant program, eliminating a separate authorization for charter school facilities funding.

By consolidating the funding streams into the existing State charter school program, the bill removes authority from the Secretary of Education to pick winners and losers and control the growth of the charter school sector. This authority is placed largely in the hands of States, frankly, where it belongs in the first place.

The bill updates the Charter Schools Program to reflect the success and growth of the charter school movement. States are authorized to use funds under the program to support the replication and expansion of high-quality charter schools in addition to supporting new innovative charter school models.

Finally, Mr. Chair, I would say that this is not a new issue, in fact, this is not a new bill for us. This bill is very similar to charter school provisions included in H.R. 5, the Students Success Act, and to H.R. 2218, the Empowering Parents Through Quality Charter Schools Act, the latter of which passed the House by an overwhelmingly bipartisan vote 365–44.

So for all these reasons, I simply urge my colleagues to support H.R. 10.

Mr. GEORGE MILLER of California. Mr. Chair, I yield 5 minutes to the gentleman from Colorado (Mr. POLIS).

There is no more enthusiastic and informed advocate of public charter schools in this Congress than the gentleman from Colorado. I thank him for all of the work that he put in on both sides of the aisle, working with us to make the improvements in this legislation, and for his support of it.

Mr. POLIS. Mr. Chairman and Mr. Ranking Member, thank you for the kind words.

I want to thank Chairman KLINE and Ranking Member MILLER for their hard work. Particularly in a week where this body has been divided over issues like Benghazi and Lois Lerner, how wonderful that we can come together around our most underserved kids and families to help extend the hope and opportunity of a quality charter school to more families.

Most Members of this House have already voted for the provisions of this bill. Substantially, a nearly identical bill was included in the Republican ESEA reauthorization, H.R. 5. All but 12 Republicans voted for that bill. Almost identical language was included in the Democratic substitute for ESEA reauthorization as well. Only two Democrats voted against that bill. The vast majority, everybody in this body, except for 14 people in this session, this 113th Congress, have voted for the provisions of this bill.

Those bills, the Democrat substitute and ESEA reauthorization, have an enormous gap between where they were. Democrats and Republicans had a different vision for accountability, the role of the Federal Government, so many issues within that. So why not take language that is nearly identical in both of those bills with regard to reauthorization of the Federal Charter Schools Program and combine it into a standalone bill that can actually pass this body and pass the Senate.

We have done enough of these one-party bills. I know when we were in the majority we did them as well, where the House acts, and we yell at the Senate for not acting; they act, and they yell at us for not acting. Here is a bill, Mr. Chairman, that, with a strong vote on the floor of the House, can send a message to the Senate that while perhaps we cannot agree on the entirety of ESEA reauthorization, yes, we can agree on upgrading the Federal Charter Schools Program first conceived in 1994 to the 2.0 version.

What does that mean, Mr. Chairman? What do these improvements in this bill mean? They are commonsense improvements. They are neither Republican nor Democratic. They simply make the bill better to make sure that our very limited Federal investment that we have, the limited resources we have, is spent and invested in a way to have the maximum possible outcome in ensuring that kids across the country have access to a quality public charter school.

For instance, rather than just supporting the formation of entirely new charter schools that are innovative, under this bill we now allow the funds to be used for expansion and replication of successful models, models that we know work, schools that we know work, schools that are transforming lives and restoring hope to families across our country if only they can expand, if only we can have more to serve kids.

We have also heard from our constituents across the country complaints that some charter schools perhaps don't serve enough special ed students or enough English language learners or enough free and reduced lunch students.

□ 1930

Under the old language of this authorization that we still have, charter schools that receive these funds are actually prevented from remedying that. They are not allowed to have anything other than a pure lottery with regard to determining their student composition.

What we now allow with this bill is a weighted lottery to give charter schools, in concert with their authorizing entity, the ability to make sure that they can serve the most at-risk kids, pursuant to their mission; they can serve special-needs kids, commensurate with the district averages; they can serve English language learners, and make sure that they can fulfill their mission, rather than have some of those students squeezed out by those who are in a better position to exercise their school choice because they are better informed and better connected.

The underlying bill improves charter school access and services for all students. It truly will help ensure that the limited Federal investment we have makes the biggest single difference for families across our country.

Mr. Chairman, public charter schools are simply public schools with site-based governance. Public charter schools are free to innovate when it comes to scheduling the learning day, uniforms, staffing, curriculum, and yet they are accountable for student outcomes, and this bill adds additional layers of accountability and transparency to ensure that this Federal investment has the maximum possible effect.

I am proud that before I served in this body, Mr. Chairman, I founded two public charter schools—New America School in Colorado, and now New Mexico, and the Academy of Urban Learning in Denver. New American School works with 16- to 21-year-old new immigrants to help them learn the English language and even how to access a college education.

Mr. Chairman, absent a Federal charter school program I don't think I even could have started that charter school. Hundreds and thousands of charter schools that have benefited from this program across the country will tell you the same story.

The CHAIR. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Colorado.

Mr. POLIS. Before the State or district money for a public charter school begins, before the doors open, there are expenses. Principals and teachers have to be hired, classrooms have to be configured and outfitted. That is what this money allows. Coupled with strong support from the nonprofit sector and from foundations, we have helped give with this program life to the ideas that have existed in the minds of social entrepreneurs and that have been transformative in the lives of kids and families.

However, Mr. Chairman, not all public charter schools are high quality, just as all district schools are not high quality. That is why H.R. 10 adds strong protections to ensure that public charter schools are accountable that they serve low-income kids and English language learners and at-risk kids.

We invest in quality authorizing practices. What does that mean? Well, there are two possible thoughts in authorizing. An authorizing entity like a district can hand out charters. Too easy? Hand out them out like candy to every Tom, Dick, and Harry that comes in, including low quality providers who have no sense of how to put together a school budget. Or they can lack quality by never handing one out to anybody because they view them as competition with the district.

But a quality authorizing practice is if you have a great idea and evidence that it will work, sound budgetary policy, and a team that will make a public school work for kids, you should be able to receive that charter and operate that school. We raised the bar on authorizing practices, something on which the original authorization for this program was silent.

For those on my side of the aisle who are skeptical of public charter schools, this bill brings stronger protections for oversight, transparency, and accountability. This program, the Federal charter school program, will exist under the old authorization or the new authorization.

I implore my colleagues on my side of the aisle to support the new and better 2.0 version for all of the Democratic priorities. Whether you like charter schools or not, this program is simply better under this bill. This bill has gotten better through every phase of the process—better than the bill in last Congress, better than the bill as part of the ESEA reauthorization of the Republican bill, better than the Democratic substitute. And now as a standalone bill, we have the ability to send a message to the Senate and a bill to President Obama's desk.

Mr. KLINE. Mr. Chairman, I must say I so appreciate the depth of knowledge and the enthusiasm and the passion of the gentleman from Colorado. Always a pleasure.

Another great pleasure for me is to yield 4 minutes to the gentleman from Indiana (Mr. MESSER), another gentleman from Indiana who was traveling with me in my home State visiting charter schools only a few weeks ago.

Mr. MESSER. Mr. Chairman, I rise in support of H.R. 10, the Success and Opportunity Through Quality Charter Schools Act.

I want to commend Chairman KLINE and Ranking Member MILLER for coming together on this important bipartisan legislation.

I also want to thank my good friend from Indiana, TODD ROKITA, who chairs the Subcommittee on Elementary and Secondary Education, for his work on this bill, and thank the good Member POLIS for his comments as well, and appreciate the opportunity to work with him.

Every child deserves the opportunity to learn. But too many families in America today live in neighborhoods with struggling schools where their children don't have access to a high-quality education. That is why education choice matters.

Lots of kids live in communities with great schools, but too many don't. Parental choice is the ultimate local control. It allows parents to choose the best educational environment for their child, regardless of income, geographic location, or lot in life. The freedom provided by school choice levels the playing field and helps ensure all children have a chance to achieve success in life. As the founder and chairman of the Congressional School Choice Caucus, I am a proponent of all forms of educational choice, including magnet schools, online schools, private schools, home schooling, and traditional public schools.

Charter schools certainly play an integral role in expanding educational freedom. I am very encouraged by this bipartisan legislation which will update the charter school program to reflect the success and growth of successful charter models by supporting the replication, expansion, and opening of new, innovative, high-quality charter schools.

Encouraging the expansion of charter schools is important because they empower parents with another free public school option and are a driving force in creating classroom innovation.

Over the past couple of months, I have had the opportunity to visit several charter schools that are preparing students for success. Just this last month, as the chairman mentioned, I was fortunate enough to join Chairman KLINE on his trip to visit the Aspen Academy and the Global Academy charter schools in Minnesota. More recently, I toured the Inspire Academy of Muncie in my district, one of 74 charter schools in Indiana serving more than 28,000 Hoosier students. I was impressed with what I saw: a diverse group of students actively engaged in learning, teachers pioneering fresh teaching methods, and parents heavily involved in their child's education.

In the Declaration of Independence, our Founding Fathers wrote that all men are endowed by their creator with certain unalienable rights. Chief among those rights is the right to pursue happiness. In modern America, that pursuit begins with a high-quality education. We cannot rest until every child in America has that chance.

I urge my colleagues to support this bipartisan legislation.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in support of H.R. 10, the Success and Opportunity Through Quality Charter Schools Act, demonstrating that Congress can actually work together to get something done.

I want to thank Chairman KLINE and my good friend from California, Ranking Member GEORGE MILLER, for bringing this forward. I am still waiting for you guys to bring the ESEA to the floor, but I am really thrilled that we are making some critical improvements to the public charter school system.

Charter schools were never meant to replace our traditional public school system, but I have to tell you that they have grown over the last 20 years and I see several of them in my area, just down the street really, making a difference in my community—the Orange County High School of the Arts, for example, and an elementary school called El Sol—all doing great work just under a mile away from me.

It is really great for us to take a look at the Federal law and say: How can we make this even better? Because even though we have great schools, like the ones I just mentioned, there are also some charter schools that have failed or some charter schools that are actually failing our kids, they are not really getting the work done that we thought they would do or that the people who envisioned them thought would be done.

While charter schools work towards encouraging innovation in our public schools, we really need to take a look and see what these schools are doing. H.R. 10 is the first step in highlighting the need for charter schools that improve student outcomes while expanding those schools that are currently utilizing our best practices.

I am also pleased to see that the legislation requires greater charter authorizer accountability and even more pleased that we are finally addressing the under-enrollment of some of our most vulnerable students through the

weighted lotteries provision. This is incredibly important in the area where I live, as I have a very urban area.

We hold our traditional public schools accountable for the education of our future leaders, and we expect charter schools to involve the community in their efforts to improve the charter school system. That is why I am happy to have worked with both the majority and the minority on an amendment that I will have tomorrow which will hold public charter schools accountable in fostering and promoting community involvement. We all know that when people are involved, when they are involved in their school, when parents are involved, we see a mass difference in the students who come out of those schools.

Charter schools must be engaged with a local community to understand the students they teach, and my amendment will strengthen that role.

The CHAIR. The time of the gentlewoman has expired.

Mr. GEORGE MILLER of California. I yield an additional minute to the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. While it is not the final solution, H.R. 10 positively contributes to the promise of a quality education for every child in every neighborhood.

Mr. KLINE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Chairman, I thank the chairman for the time.

Mr. Chairman, as we celebrate National Teachers Week, I do rise in support of charter schools and the remarkable job they do in advancing high-quality education through innovative approaches in our classrooms across the country. With an increasingly competitive workforce, quality education is more important than ever, and charter schools play a valuable role in the education field.

Charter schools provide parents and students a choice for what best meets the child's needs, classrooms that offer more personalized education, and accountability if the school's achievement goals and metrics are not met.

When I was home over Easter, I had the opportunity to visit the Phoenix Charter School located in Greenville, Texas. Built in 1986, Phoenix Charter School serves over 600 students by providing a creative educational experience, one that integrates fine arts into a strong traditional curriculum.

During my visit, I talked with students who were excited to share their experiences at the school. They told me they were happy to receive a hands-on education in a place that makes them feel at home. More importantly, they are thankful to attend a school that meets their individual living needs. I walked around the campus and was able to see teachers interact with students, and you could see the students were fully engaged in the classroom.

Phoenix Charter School has been recognized by the National Alliance for Public Charter Schools for providing exceptional education to its students, and this recognition is well-deserved.

Parents and educators know best what their students need. If a student can benefit most from a charter school, that student should be able to have that access to that education. I encourage my colleagues to join me in efforts to provide students full access to charter schools and the innovative way they prepare our students for successful futures.

□ 1945

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, I want to discuss today some of the priorities that Democrats have, which are important to Members of my party, which are included in this bill.

I hope that those on my side of the aisle who are listening tonight—or the capable Education LAs who are listening tonight, who will hopefully advise their bosses to vote ''yes'' tomorrow—will listen to how so many of our Democratic priorities are in the bill.

First of all, this bill makes sure that charter schools do not have entrance requirements, that they don't charge tuition, are not religious, and don't discriminate against students on any basis.

We also make sure that low-performing or financially irresponsible charter schools are closed and that the authorizer intercedes. We also have language in here that gives public charter schools additional tools to make sure that they recruit and serve students with disabilities.

We also improve performance oversight and the management for public charter schools, new provisions about transparency, and evaluation practices. We make sure that each public charter school considers input from parents and community members with regard to the operation of the school.

The public charter schools abide by civil rights laws, in that they can't charge tuition. We make sure that public charter schools have the same audit requirements as traditional public schools, in order to prevent fiscal mismanagement and fraud.

These are some of the reasons, Mr. Chairman, that I encourage my colleagues on my side of the aisle to upgrade this authorization—to upgrade from the version passed in 1994—to a new and better version that incorporates almost two decades of learning about what works and doesn't work within the public charter school movement.

Those on my side of the aisle support good public schools, whether they are district schools, whether they are neighborhood schools, whether they are public magnet schools, whether they are public charter schools, whether they are schools of choice operated by the district. We want to make sure that every family has access to a good, high-quality public education.

Public charter schools are not the silver bullet alone. They are not going to fix everything that is wrong and that needs to be improved about public education in the country.

What they do offer are examples of hope and opportunity for the kids they serve. Too many families, Mr. Chairman—almost a million families across the country—are languishing on the waiting lists for public charter schools; and they are forced to attend worse schools because the capacity doesn't exist to serve them.

This bill will allow quality public charter schools to expand, to replicate, and to serve more children, in order to help reduce that number. It will make sure that other generations of Americans—particularly Americans in poverty—are not consigned to lives of reliance on government programs or on an inability to attend college, but to, instead, have every opportunity that this country can provide because they have had a good education.

In the 21st century, Mr. Chairman, a good education is more important than ever for one to be in the American middle class and to live the American Dream. At the very time that it is becoming more important than ever, we need to redouble our efforts to ensure that every family has access to a high-quality school. That is why I encourage my colleagues to vote ''yes'' on this bill.

Mr. KLINE. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana (Mr. SCALISE), a man who comes from a State that has learned a great deal about the value of charter schools in these few years.

Mr. SCALISE. I want to thank Chairman KLINE and Ranking Member MILLER for bringing this legislation to the floor, as it is so important when you talk about the things that we need to do to help give our children better opportunities.

Mr. Chairman, the charter school movement has literally transformed the public education system in New Orleans. If you look at what was happening in the city of New Orleans before Hurricane Katrina, it was the most failed and corrupt public school system in the country.

After Hurricane Katrina—I was in the legislature at the time—many of my colleagues came together, and we passed a charter system that empowered communities to get involved in the education of their children.

What we saw was revolutionary. What we saw were parents finally having options and choices to send their kids to schools that were competing for those children, schools that were actually providing better opportunities.

Before Hurricane Katrina, 75 percent of the students in New Orleans' public schools were attending failing schools, schools that were giving them no opportunity and no hope for their future.

What has happened since with this revolution of the charter school movement in New Orleans? What we have

seen is that, now, over 91 percent of the public school students in New Orleans attend charter schools.

What does that really mean for quality? That is ultimately what really matters. What kind of education are these children now being able to get?

As I said before, before Katrina, 75 percent of the students in the public schools in New Orleans were attending failing schools. Today, fewer than 15 percent of those students are attending schools with either a D or an F rating because, now, there is competition.

Parents have multiple options of where to send their kids, and those schools are competing for the students. I visited Hynes Elementary School last week in my district, in the Lakeview part of New Orleans. It is a charter school that is incredibly successful.

You see such enthusiasm from these young kids. They have an over 450-person waiting list to go to this charter school. It really is working, the fact that you have invoked this competition.

I want to applaud Majority Leader CANTOR. Majority Leader CANTOR actually came down and toured a number of the charter schools in New Orleans.

Of course, New Orleans is not the only place, but it is probably the place in which you have such a dramatic change—again, a revolution—that has literally served as the model for how you can transform failed public education systems that were denying students the opportunity to have a future, to achieve that American Dream.

When we talk about opportunities for children, this is not a Republican idea or a Democrat idea. This is our ability to pass on the franchise of the American Dream to our children.

Charter schools have helped expand that opportunity, and that is why it is so important that we pass H.R. 10, so as to help replicate those successful programs and to help highlight what is working with the charter school movement.

You can look to New Orleans and see just how it has transformed people's lives for the better. This is something we need to do. It is great that this is a bipartisan effort.

Again, I applaud Chairman KLINE for bringing this bill to the floor.

Mr. GEORGE MILLER of California. Mr. Chairman, I continue to reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I am now very pleased to yield 3 minutes to the gentleman from Minnesota (Mr. PAULSEN), my colleague from the State of Minnesota, which is where charter schools originated.

Mr. PAULSEN. I would like to thank both Chairman KLINE for his leadership, along with Ranking Member MILLER, and for their working together to bring this very important legislation to the floor today.

I also need to thank my colleague, Congressman POLIS, with whom I cochair the Charter Schools Caucus, for his leadership and passion on education issues.

Mr. Chairman, we need to pass this legislation. This is an opportunity to work together because H.R. 10 will ensure that students' ZIP codes do not determine the quality of their education.

There are too many students across the country who are trapped in failing schools, with little hope of ever escaping. Parents want the best for their children, but many parents are often left with only two options: either an expensive private school or a failing public school. Thankfully, many more families now have this third option of a high-quality charter school.

Recently, I had the chance to visit Beacon Preparatory School in Bloomington, Minnesota, which is in my district. While there, I saw students who were thriving in their classes. I saw dedicated teachers. I saw challenging academics.

Charter schools are not tied down by a lot of bureaucratic red tape or by outdated traditions. In fact, charter schools are creating very new and innovative ways of learning that can help grab students' attention and make them more excited to learn.

Mr. Chairman, in too many States, that debate has sometimes been public schools versus charter schools, but it does not have to be that way. Public schools and charter schools can coexist to make the system better.

As Chairman KLINE noted, in our home State of Minnesota, we were the pioneers for the charter school movement 22 years ago. It is an example of how this system can absolutely work, and we have a rich tradition of providing a world-class education to our students in both public schools and charter schools.

Charter schools are continuing to grow. In 2007, there were nearly 1.3 million students enrolled in charter schools around the country. As we debate this legislation today, there are 6,500 charter schools that are now enrolling 2.5 million students across the country, but here is the thing: there are 1 million students on waiting lists to enter into these charter schools.

The legislation before us today focuses on the expansion and replication of high-quality charter schools. It concentrates on charter school models that have had a proven record of success in order to raise the bar for everyone and to ensure that those who attend charter schools will receive the best education possible.

Mr. Chairman, this is an opportunity that we have today to show the American people we are committed at the Federal level in helping to produce the best educational opportunities for all students, so let's vote to make sure that a child's ZIP code does not determine the quality of his education.

Mr. GEORGE MILLER of California. Mr. Chairman, I continue to reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I am now pleased to yield 3 minutes to the gentleman from Tennessee, Dr. ROE, the chairman of the Subcommittee on Health, Employment, Labor, and Pensions.

Mr. ROE of Tennessee. I thank the chairman.

Mr. Chairman, I rise in strong support of H.R. 10, the Success and Opportunity through Quality Charter Schools Act, and I am going to sound like a recording because you are going to hear a lot of the same themes in this.

Today, there are an estimated 1 million students on waiting lists to attend public charter schools. These students and their families believe that their educational needs are not being met by their current schools.

While many of our public schools are doing a great job, too many others are failing our children. These kids deserve the opportunity to receive a top-notch education, and they cannot wait as we work to improve these underperforming schools. They don't have the time.

Public charter schools provide students with the opportunity to escape underperforming schools, while also giving parents more control over their children's education. To ensure more access to these innovative institutions, the Success and Opportunity through Quality Charter Schools Act supports the replication or expansion of existing high-quality charter schools.

H.R. 10 streamlines and modernizes our charter schools program, providing our Nation's public charter schools with the flexibility needed to encourage innovation at the State and local levels.

H.R. 10 supports the sharing of best practices between charter and traditional public schools. In this way, all public school students, not just charter school students, benefit from the innovation at these institutions.

I am proud of the educators and students in my home State of Tennessee and of their accomplishments in improving education in our State. Since 2003, Tennessee has increased its high school graduation rate by 17 points to 87 percent. This is commendable, but it is not enough. We can and should do more, and charter schools must be part of the discussion.

Since 2002, Tennessee has opened more than 45 charter schools, giving nearly 12,000 students the opportunity to attend these innovative institutions.

Tennessee's public charter schools serve 87 percent low-income and 96 percent minority students from economically disadvantaged areas, providing school choice to the students who need it the most.

Just like Tennessee, we, as a Nation, must fully embrace all of the tools available, including charter schools, to ensure our students' success.

Mr. Chairman, I spent 24 years in the public school system. I never attended a private school. The opportunity for students like me who are first generation students—college students—to be

able to get a great, basic public education is really the future of our country. I think our very future depends on that.

Also, while I am here, I want to thank both the chairman, Ranking Member MILLER, Mr. POLIS, and the rest of the committee for circling around this extremely important piece of legislation because students in the first or second or third grade cannot afford a failing school. They have to be allowed to go into a school where they can be successful.

With that, Mr. Chairman, I strongly urge my colleagues to support H.R. 10.

Mr. GEORGE MILLER of California. Mr. Chairman, I continue to reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I would now like to yield 3 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I thank the chairman.

Mr. Chairman, I rise in support of this bill.

I would just like to thank, indeed, the chairman and the members of the committee for their great work on it. At the end of the day, it represents expanded choice in education, and that whole notion of increasing and expanding the marketplace in education, I think, is vital for a couple of different reasons.

I think it is vital, one, because it is better for students. I think it is vital because the local control of education matters. Ultimately, I think it is vital from the standpoint of improving and increasing the level of innovation that we see in the educational marketplace. Let me expand on those thoughts just over a couple of minutes.

One is that it is vital for students because God makes every child different. When I was working in politics in South Carolina, we passed a rather major charter school bill.

We now have over 60 charter schools in South Carolina—right at 60 charter schools in South Carolina. What it did was it tailor-made for students applications that fit who they were.

□ 2000

So, in some cases, if they wanted to work on leadership, they could do so. In some cases, if they wanted to work on mathematics or English or technology or the arts, they had venues by which to specialize in that which God wired them to do.

So, one, this idea of increased choices for the students that are out there, I think it is vital.

Two, I think it is absolutely vital to the larger notion of local control.

People invest in things that they have a say in, that they have a voice in. What we saw in choice in South Carolina and expanded choices on the charter school front was that parents indeed got more deeply involved.

I have not just seen that in South Carolina. I have seen it in different spots across the country, whether that is KIPP Academy or whether that is the old Marva Collins School up toward Milwaukee. It is interesting to see the way in which parents would invest in their child's education when they had a little bit more control and a little bit more voice. That is true, again, at Bridges Academy in Beaufort, South Carolina, or KIPP Academy out toward Houston.

Finally, I would make this point. It is absolutely vital to innovation in education, because the old saying is, the definition of insanity is keep on doing the same thing and expect a different result.

This idea of changing the educational paradigm so that there are more choices for kids and parents out there is absolutely critical to competitiveness in this country.

Look at the numbers. I pulled some of them. We are behind Liechtenstein, Vietnam, and Iceland with regard to mathematics in global scores. We are behind Poland, Luxembourg, and Estonia with regard to reading scores in global scores.

We are behind Canada, we are behind the United Kingdom, we are behind Slovenia, we are behind France. We are behind a whole host of different places in scores on the science front.

And so if we are going to change that, if we are going to be competitive in this global competition for jobs, capital, and the way of life, it is vital that we have bills like this.

For that reason, I applaud the work of the committee.

Mr. GEORGE MILLER of California. Mr. Chair, I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I just want to say that it has been a pleasure to work on this legislation. We have heard compelling stories here today from around the country—compelling stories of transformation of entire cities and school systems, and lives being changed through the charter school system. And we have legislation here today and tomorrow which will make that Federal charter school law better and make the opportunities more available and give more kids a chance for success and opportunity.

This should be an easy vote for Republicans and Democrats. I urge my colleagues to lend their support to H.R. 10, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise to speak during House consideration of H.R. 10, the "Success and Opportunity through Quality Charter Schools Act."

JACKSON LEE AMENDMENTS TO H.R. 10

I have long supported the need for better data on the experiences of children that Congress could use when deliberating on legislative measures intended to benefit our youngest citizens.

Charter Schools are a new addition to education options available to parents and their children. It is important that Congress ensures that the benefit of a good free pre-K–12 education is available to all parents and children of this nation.

The Education and the Workforce Committee included language in the amendment in the form of a substitute for the bill that reflected an amendment I intended to offer. The language in the bill that adds rates of student attrition as a measure to be considered by charter school authorizers in monitoring the successes of schools is appreciated and will help gain additional insight into children's education.

Attrition data would help us better understand the impact of charter schools on student retention. It would also bring additional transparency regarding the drivers of attrition issues such as discipline, counseling, dropouts, bullying, as well as the impact of learning disabilities like dyslexia on student retention.

Although the data reporting is not mandatory, it is my hope that charter school districts and charter schools will take up the challenge of providing hard data to make the case for their approaches to education.

I offered two amendments for consideration by the House Rules Committee that would strengthen the legislative goals of H.R. 10.

The amendments were simple and were an important addition to this strong bipartisan effort from the Education and Workforce Committee to bring clarity and improve transparency of charter schools in communities around the nation.

JACKSON LEE AMENDMENT NO. 1

The Jackson Lee amendment made in order by the Rules Committee for debate of this bill directs State Education Agencies that award federally funded grants to charter schools under this bill to work with those schools so that they provide information on their websites regarding student recruitment, orientation materials, enrollment criteria, student discipline policies, behavior codes, and parent contract requirements, which should include any financial obligations such as fees for tutoring, and extra-circular activities.

This amendment will make it possible for parents to learn more about how schools deal with important education issues such as academic performance, enrichment programs, and quality of education life issues programs for children with learning disabilities like dyslexia are taught.

Many charter schools already provide this information, and the amendment would support this good transparency practice. This Jackson Lee amendment is good for parents and for charter schools because parents would have access to information that helps them make education decisions for their children; and charter schools would speak to a larger audience regarding their education programs.

JACKSON LEE AMENDMENT NO. 2

The second Jackson Lee amendment was a "Sense of the Congress" on the promotion of, and support for anti-bullying programs in charter schools, including those serving rural communities. I regret that this amendment was not made in order by the Rules Committee because the prevention of bullying is one of the most challenging problems facing school officials.

Bullying is not a new behavior. Kids have been exposed to bullying in school for generations. Now, however, bullying has taken on new heights and sometimes victims of bullies suffer severe and lasting consequences.

For victims of bullying, they go to school every day facing harassment, taunting, and

humiliation. Studies show that 25–35% of teens encountered some type of bullying in their lifetime. Bullying is a form of violent behavior that happens not only in the schools but everywhere.

The National Center for Educational Studies reports show that 14 percent of 12- to 18-year-olds surveyed report being victims of direct or indirect bullying. 1 out of 4 kids is bullied. The Department of Justice reports that 1 out of every 4 kids will be abused by another youth.

I introduced H.R. 2585, the Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act of 2013. This bill amends the Omnibus Crime Control and Safe Streets Act of 1968 by expanding the juvenile accountability block grant program with respect to programs for the prevention of bullying to include intervention programs. The bill's objective is to reduce and prevent bullying and establish best practices for all activities that are likely to help reduce bullying among young people.

This year a million children will be teased, taunted, and physically assaulted by their peers. Bullying the most common form of violence faced by our nation's youth.

The frequency and intensity of bullying that young people face are astounding: 1 in 7 Students in Grades K–12 is either a bully or a victim of bullying; 90% of 4th to 8th Grade Students report being victims of bullying of some type; 56% of students have personally witnessed some type of bullying at school; 71% of students report incidents of bullying as a problem at their school; 15% of all students who don't show up for school report it to being out of fear of being bullied while at school; 1 out of 20 students has seen a student with a gun at school; 282,000 students are physically attacked in secondary schools each month.

Consequences of bullying: 15% of all school absenteeism is directly related to fears of being bullied at school; according to bullying statistics, 1 out of every 10 students who drops out of school does so because of repeated bullying; suicides linked to bullying are the saddest statistic.

Statistics on Gun Violence: homicide is the 2nd leading cause of death for young people ages 15 to 24 years old; homicide is the leading cause of death for African Americans between ages 10 and 24; thirteen young people from ages 10–24 become victims of homicide every day; 82.8% of those youths were killed with a firearm; every 30 minutes, a child or teenager in America is injured by a gun; every 3 hours and 15 minutes, a child or teenager loses their life to a firearm; in 2010, 82 children under 5 years of age lost their lives due to guns; one of four high school males reportedly carry a weapon to school, with 8.6% of reportedly carry a gun; 87% of youth said shootings are motivated by a desire to ''get back at those who have hurt them, and 86% said, ''other kids picking on them, making fun of them or bullying them'' causes teenagers to turn to lethal violence in the schools; in 2011, over 707,000 young people, aged 10 to 24 years, had to be rushed to the emergency room as a result of physical assault injuries.

Victims of bullying often suffer in silence and parents are the last ones to know that their child is being bullied or may be a bully. What once was thought to be a childhood ritual has been proven by school psychologists, law enforcement officials, parents, and students to be much more serious.

Anti-bullying programs can help children understand the seriousness of bullying; and assist parents in learning the signs of bullying as well as learning how to speak to their children about the issue of bullying.

H.R. 10 will consolidate two existing federal charter school programs into one:

The Charter School Program, which supports grants for charter school developers to open new charter schools. The program also provides funds to disseminate best practices and provide state facilities aid to charter schools.

The Charter School Credit Enhancement Program assists charter schools in accessing better credit terms to acquire and renovate facilities to operate a charter school.

The rule will allow the consideration of the bill that will create a new federal charter schools program to promote high-quality charter schools at the state and local level; and allows states to use federal funds to start new charter schools as well as expand and replicate existing high-quality charter schools.

The bill adds a new component—a Charter Management Organization grant program to support the opening of additional charter schools nationwide.

H.R. 10 establishes a new Charter School Program that would consist of three parts:

Grants to support high-quality charter schools will be awarded to a State Educational Agency, the State Charter School Board, the Governor, or a Charter School Support Organization.

Facilities Aid will be awarded to continue credit enhancement activities and support state facilities aid for charter schools.

National Activities will allow the secretary of education to operate a grant competition for charter schools in states that did not win or compete for a state grant and a competition for high quality CMOs.

The legislation adds five new definitions: a ''charter management organization, a charter support organization'', a ''high-quality charter school''; the ''expansion of a high-quality charter school''; and a ''replicable, high-quality charter school model.''

H.R. 10 authorizes $300,000,000 for fiscal years 2015 through 2020. The bill permits state-determined weighted lotteries and allows students to continue in the school program of their choice by clarifying students in affiliated charter schools can attend the next immediate grade in that network's school.

I strongly believe that where our children are concerned, Congress is in a unique position to advocate on their behalf in an effective and forceful way. Letting children know by our actions that members of Congress consider the lives of children and their experience to be of the utmost importance would help them in countless ways.

We cannot gamble with our children's future, and ultimately the future of our nation. I am committed to finding ways to make sure that education is as valued as national defense—because education is crucial to our nation's global success in all areas.

Mr. MCCARTHY of California. Mr. Chair, education remains one of the greatest keys to success in our society, yet there are children across the nation without access to a good school.

There is no single cure. No child or community is the same. And often the educational solutions in one community won't fit those in another.

But there are local solutions already working across the nation.

Recently, I spoke with my friend, Barbara Grimm-Marshall, a successful businesswoman with their family company Grimmway Farms.

For years her family funded college scholarships for the children of her employees, but every year applications for that scholarship were low.

She found that when kids in Arvin, CA were old enough to go to college, most were not ready. Committed to the belief that every child should have a bright future, she took action.

That is why, in 2011, Barbara took it upon herself to offer children in the community the opportunity to achieve a successful. She opened a charter school.

She had never run a school herself, so she did what we are trying to promote today; she replicated a successful school, Rocketship Charter School in San Jose.

After only 3 years, Grimmway Academy was a California Distinguished School whose students had the highest test scores in the district. Grimmway Academy is proof that new ideas and innovation works to help our children.

Sadly, the lack of educational opportunity exists in too many towns. We have an obligation to expand educational opportunities and school choice so that every child has the chance to attend a successful school.

I applaud my colleagues JOHN KLINE and GEORGE MILLER for coming together and sponsoring this legislation.

Education transcends political boundaries, and this House will continue to work toward solutions to ensure the next generation, no matter their circumstance, is afforded every opportunity for a better life.

Mr. HINOJOSA. Mr. Chair, I rise today in strong support of H.R. 10, the ''Success and Opportunity Through Quality Charter Schools Act.''

Mr. Speaker, I support this bill because it strengthens the Federal Charter School Program (CSP) and promotes quality, accountability and equity for public charter schools participating in the Federal Charter School Program.

H.R. 10 requires public charter schools to be of ''high quality'' in order to receive Charter School Program funds to open, replicate or expand. Under this bill, ''high quality'' charter schools must show evidence of strong academic results for all students.

H.R. 10 promotes quality in charter school authorizing. This bill requires state entities to have in place or be working toward a charter school authorizing system that utilizes a process for approval, monitoring, re-approval or revocation of authority of public charter school authorizers in the state, based on performance of the schools authorized by the agency.

Mr. Speaker, the underlying bill prioritizes equity of access and services for disadvantaged students, including english learners and students with disabilities.

H.R. 10, for example, allows grantees to utilize weighted lotteries, when permitted by state law, to preference admissions for educationally disadvantaged students.

Along the same lines, this legislation requires that state entities receiving a CSP grant provide technical assistance to any charter schools receiving funds to ensure they fully understand federal requirements for serving underserved student populations.

Finally, I am pleased that the underlying bill requires that state entities receiving a Charter School Program grant describe how they will ensure that all charter schools receiving CSP funds through its grant will meet the educational needs of students with disabilities and english language learners.

In my view, these improvements to the Federal Charter School Program enhance quality, accountability, and equity for charter schools participating in the federal CSP program and ensure that only states with strong oversight will receive CSP federal dollars.

In my congressional district, public charter schools like IDEA public schools are transforming lives. Under the extraordinary leadership of Tom Torkelson and JoAnn Gama, IDEA public schools are closing achievement gaps, increasing high school graduation rates, and preparing students for college and careers. At this time, I personally want to thank them for their outstanding work in the Río Grande Valley of South Texas.

In closing, I commend Chairman KLINE and ranking member MILLER for their tremendous leadership on this bipartisan bill and urge my colleagues on both sides of the aisle to support the passage of H.R. 10.

Mrs. MCMORRIS RODGERS. Mr. Chair, I rise in strong support for H.R. 10, the Student Success and Opportunity through Quality Charter Schools Act, and the promise that charter schools hold to ensure that all students are able to reach their full potential.

Let me also take this opportunity to congratulate Washington State and the eight charter schools that have been certified to open in the state within the next two years, including PRIDE Prep Charter School in Spokane. Washington State has made significant reforms to its educational system and should be recognized for its efforts.

Charter schools are about empowerment and opportunity. Giving parents the ability to meet the needs of their children, particularly those students who are disadvantaged, have special needs, or are English Language Learners.

I know firsthand the benefits of a charter school education. My own son, Cole, was enrolled in Apple Tree charter school here in DC and he flourished. Apple Tree was able to provide him with an innovative education that was targeted to meet his needs. All parents should have this choice and opportunity for their children.

H.R. 10 moves us in that direction by encouraging states to expand and replicate high performing charter schools. It gives security to states and school boards that space will be available to build schools or rehabilitate them. Finally, H.R. 10 encourages the distribution of best of practices to ensure all schools have access to critical information.

No one in this Chamber would argue that a strong education system is foundational to keeping our nation competitive and a leader in the 21st century and beyond. And, no one will argue that a strong, quality education for our children is integral for their growth, their development and their success for whatever path they choose. H.R. 10 takes us toward that goal.

I encourage my colleagues to support H.R. 10.

The Acting CHAIR. All time for general debate has expired.

Mr. KLINE. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MASSIE) having assumed the chair, Mr. BISHOP of Utah, 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. 10) to amend the charter school program under the Elementary and Secondary Education Act of 1965, had come to no resolution thereon.

CANCER RESEARCH

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

Mr. LANCE. Mr. Speaker, tonight, my colleagues and I rise to discuss a matter that has touched virtually every family America and is one of the great public health challenges of our time—or indeed, of any time—and that is the challenge of cancer, the diagnosis no person wants to hear and the battle no one should face alone.

From those in treatment to those working toward prevention to friends and family dealing with the terrible illness of a loved one, everyone knows someone who has been afflicted with cancer. Cancer has been the great health menace of the last century.

But now, here in the 21st century, medical advancement, innovative treatments, and the genius of many scientists and medical doctors are everyday bringing us closer to a cure.

We await the advent of new technologies and of work here in Congress to deliver the tools and resources both to public and to private industry to spur the research and collaborations that will change the health of the world.

It is my judgment that the United States is really the medical center of the entire world and that its brilliant medical doctors and scientists here in this country will lead the charge in the new century.

Clinical oncologists are on the cutting edge of that research and are responsible for many of the advances in cancer care that are improving the lives and prognoses for many cancer patients.

This year marks the 50th anniversary of the American Society of Clinical Oncology, a group which represents nearly 35,000 oncology professionals across the world.

When ASCO was founded in 1964, it dedicated itself to a challenging mission: a commitment to conquer cancer through research, education, prevention, and the delivery of high-quality patient care.

When ASCO was founded, cancer was widely regarded as an untreatable disease, with fewer than one-half of patients alive 5 years after diagnosis. There was an undeniable stigma associated with a cancer diagnosis that left many patients to suffer in silence, with minimal support, and worse, few effective therapies.

But because of the work of passionate advocates and tireless champions, the expertise of talented medical professionals, including those at the American Society of Clinical Oncology, today the survival rate is higher than two-thirds.

Better cancer prevention and detection, improved care coordination, and the use of palliative care have proven to improve patients' quality of life dramatically and to increase survival rates dramatically.

ASCO has put forward new technologies such as nanotechnology, medical imaging, and health information technology that are leading to entirely new ways to develop therapies. If these advances are fully realized, people with cancer will be able to receive more personalized and more effective treatment.

In my work on the Energy and Commerce Committee, and particularly on its Health Subcommittee, I am sure that the wave of the future is personalized medical care. In a coordinated capacity, the members of the committee, and particularly of the subcommittee, are working together to create that new wave of the future regarding personalized medicine.

Federal investments in cancer research have also resulted in a massive increase in the number and the quality of treatments available to cancer patients.

I have the highest confidence in Dr. Francis Collins and his team at the National Institutes of Health. I have toured NIH's magnificent facility in Bethesda, the best of its kind on the face of the Earth. I can report that some of the best doctors, the greatest intellects, and dedicated professionals are working every day to course the future of medicine and tackle this terrible disease.

We must continue our Nation's commitment to NIH to keep the United States as the global center of medical innovation.

Yesterday, Mr. Speaker, the chairman of the Energy and Commerce Committee, Mr. UPTON of Michigan, convened a roundtable with many of the most brilliant doctors regarding issues affecting the NIH. We were privileged that Dr. Collins joined us.

But the work will not be done alone by public entities such as the Federal Government and NIH. In fact, great minds from across this Nation and around the world have brought their desire to rid the world of cancer to some of the finest companies on the forefront of this research.

I am honored to say that many of these life science leaders in the medical and biopharmaceutical research and development field call the district I serve and the State I serve, New Jersey, home. There is work on cancer solutions every day in labs I have the honor of representing.

The district I serve, Mr. Speaker, has more pharmaceutical and medical device employees than any other district in the United States. But that is not to say we are alone. There are magnificent facilities across this country. They will be described, I believe, by colleagues of mine this evening.

I know there is great interest and commitment in the House of Representatives, as demonstrated by the participation this evening of distinguished Members, including Mr. HIGGINS of western New York. And certainly, without a doubt, Buffalo is one of the leading centers not only in this Nation but across the globe in medical technology and medical research, and extremely high-quality institutions of medical care.

Of course, there is the work of the House Energy and Commerce Committee. Our committee has broad jurisdiction over Federal agencies and policies important to health care, to medical research, and to the life sciences sectors.

I also have the honor of serving as the Republican chair of the Rare Disease Caucus, another mantle by which we discuss needs and ideas in the cancer support community. I am joined in that caucus with the Democratic chair, Congressman CROWLEY of the great city of New York.

One of the major endeavors of the Energy and Commerce Committee will be to pursue an initiative of Chairman UPTON's that he has titled, ''The 21st Century Cures,'' an effort that aims to accelerate the pace of cures and medical breakthroughs here in the United States.

For the first time, Congress will take a comprehensive look at the full arc of accelerating cures, from the discovery of clues in basic science to streamlining the drug and device development process to unleashing the power of medicine in the treatment delivery phase.

□ 2015

In one of the inaugural hearings this week, the incredible advancements in cancer research were discussed, and the great opportunities presented to advance new cures and treatments for other diseases were discussed.

The committee will focus on the cycle of discovery, development, and delivery that saves lives. We, in Congress, want to work effectively and efficiently and ensure that there is no gap between 20th century science and the Washington regulatory process.

ASCO is well-positioned for the type of 21st century science the committee is working to facilitate: accelerating the pace of clinical cancer research, establishing a new approach to therapeutic development and new technologies to obtain a greater understanding of cancer biology, and the needs that Congress and the administration are willing to work together for solutions to the market.

Let me say, Mr. Speaker, that we are anxious to work with the administration, and we want to be a partner with the executive branch, making sure that we work as effectively as possible in fighting cancer.

This is, by no means, a partisan matter; and, indeed, it goes beyond being a bipartisan matter. It is really nonpartisan in nature.

Besides providing better outcomes for patients, benefits of more rigorous trial designs include the ability to design smaller and smarter clinical trials that can be conducted faster than larger trials that aim for smaller benefits for patients.

These steps represent significant new momentum toward a 21st century research system that realizes the potential of precision medicine. As we personalize medicine in this country, it is based, in no small measure, on precision medicine; and this, again, is the wave of the future.

On these critical public health issues, the public and private sector have worked together to make a difference in improving the highest quality of health care, the highest quality that the American people deserve.

Congress is contributing by giving public research the 21st century tools to compete on the global stage and empowering private innovators to solve these great complexities in American laboratories. This is how Congress should work, together, on issues that make a lasting difference.

Too often, Mr. Speaker, we are viewed as divisive, as overly partisan, as not coming together on the great issues confronting the American Nation. Let me make as clear as possible, on the fight against cancer, we are working closely together; and we are working with our partners in the nonprofit sector and our partners in the private sector.

This is a three-legged stool. One of those legs—indispensable—is the involvement of the Federal Government, particularly through NIH, but through other agencies as well and through our oversight capacity here in Congress, making sure that drugs are brought to market as quickly as possible with, of course, recognizing that paramount is the safety of those drugs brought to market.

ASCO and those of us in the Congress and leaders in the life science industries renew our commitment to the millions of patients and their families who will benefit from more timely access to innovative medical technologies.

More than 40 years ago, President Nixon declared a war on cancer, and tremendous advances have been made from that initial declaration of war; but the war has not yet been fully won, and it is our responsibility, in our generation, to make sure we do as much as possible so that that war will be won.

While we do not know the cure for all cancers, we do know that awareness is the best protection, and well-rounded care during and after treatment is the best therapy.

These burdens often fall on loved ones. I am thankful for the families and the advocates whose challenges we may never understand fully, but whose commitment to loved ones is unyielding and inspiring.

To ASCO and the other heroes of cancer care, I thank you for all that you have done and all that you will continue to do. We are here, in Congress, in a bipartisan capacity, to help give you the tools you need to succeed in the fight against cancer.

Mr. Speaker, I yield to the distinguished gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. Mr. Speaker, I want to thank my colleague from New Jersey for his leadership on this issue, for his eloquent opening, and I want to echo his sentiments in congratulating the American Society of Clinical Oncology.

As my colleague has said, we have made major advancements in cancer research in this country. Thirty years ago, less than 50 percent of those who were diagnosed with cancer lived beyond 5 years of their diagnosis. Today, it is over 65 percent for adults and over 80 percent for children.

Historically, you had, really, three options with cancer. You could burn it out through radiation, you could cut it out through surgery, or you could poison the fast-growing cancer cells; but the problem is you were also killing healthy cells, as well, through chemotherapy.

Today, because of medical research, we now have smart drugs, drugs that will attack fast-growing cancer cells, without attacking fast-growing healthy cells.

We also have a number of clinical trials going on, including right in Buffalo, New York, at Roswell Park Cancer Institute, clinical trials for vaccines that treat the body's dendritic cells toward the goal of helping the body naturally fight cancer.

We have made major progress, but as my friend from New Jersey has said, we still have much further to go.

People realize that early detection is very, very important in effectively treating cancer. Less than 10 percent of cancer deaths occur from the original tumor.

It is when cancer metastasizes, when it grows, when it advances to a vital organ that we need, is when cancer becomes lethal. That is why it is important for early detection, which will dramatically increase the survival rate of cancer patients.

As the gentleman from New Jersey also indicated, Buffalo and western New York is home to Roswell Park Cancer Institute, the first comprehensive cancer center in the entire Nation.

Roswell Park gave the Nation and the world chemotherapy in 1904. It gave the Nation and the world the prostate-specific antigen test, the PSA test, to detect prostate cancer; and it also did groundbreaking work in the link between tobacco use and smoking and cancer.

One of every three women in this Nation will develop invasive cancer in their lifetime. One of every two men, during their lifetime, will develop invasive cancer. The incidence is higher for men because they smoke more.

We have a long way to go. We have made major progress. The gentleman had said Richard Nixon had declared a war on cancer in 1971, and that was a major, major initiative on the part of the Federal Government.

What we know also, from cancer research, is the only failure in that research is when you quit or you are forced to quit because of lack of funding.

A lot of these new drugs that are coming to market today have been in various phases of discovery for the past 20 years, so to sustain cancer research is to produce promising new therapies, but to also encourage young researchers to stay in the field.

That is our obligation, as Democrats and Republicans of this body, in recognizing that we must fully fund the National Institutes of Health and the National Cancer Institute.

Mr. LANCE. I thank the gentleman.

Mr. Speaker, I now yield to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Mr. Speaker, to my distinguished colleagues from New Jersey and from New York, I thank both of you all for addressing this issue, which is of national importance.

What both of my colleagues have said, Mr. Speaker, is correct. Cancer is a hideous disease, and we need a national commitment to beat this horrific disease.

I want to talk tonight to the American people about a personal experience that I had with cancer. At the same time, I want to also, as my distinguished colleagues did, honor the American Society of Clinical Oncology for their efforts to fight cancer.

When I was 9 years old, my mother developed breast cancer. I was more worried about playing baseball, being a kid; and I can remember vividly the doctor saying: your mother has cancer.

My parents were from the World War II generation. My mother was born in 1922, my dad in 1925, and they did not have a formal education; but I knew something was very wrong that night, and I knew my mother was going to have breast cancer surgery, but I didn't know what cancer was.

We had hoped and prayed that she would get better. Well, about 2 years later, unfortunately, that cancer did metastasize. At the time, my father was working away several hundred miles to keep a job, and I was an only child, and I can remember my mother waking up screaming in pain.

Actually, I didn't realize the cancer had come back, and actually, I called my dad, at that time, who was working in Pittsburgh; and basically, he called the surgeon, and the surgeon said: bring her on in, but I think the cancer is back.

Unfortunately, despite some chemotherapy and treatment, she lost that battle to cancer when I was 13 years old. I was a freshman in high school. That so impacted my life, my father's life, our entire outlook about cancer.

My father came from a generation where a cancer diagnosis was a death sentence, sadly. I can remember him crying when my mother was first diagnosed. He was crying uncontrollably, and I didn't understand why.

He said: no, no, no, this is going to be awful.

Sadly, it was. Interestingly enough, my father did live to the ripe old age of 87½, but I was before my subcommittee—and for the people watching tonight, I serve on the House Appropriations Committee, and one of my subcommittees is the Labor, Education, and Health and Human Services Committee, which actually funds the National Institutes of Health and the National Cancer Institute.

So for those watching—and I applaud my colleague from New Jersey when he was talking about all the other committees, but this committee actually funds research, and it is so, so critically important.

I was actually talking to the head of the NIH at that day and went outside and got a call from my father's doctor. He indicated that my father had an esophageal cancer.

Again, despite the fact that I was almost 50 years old and had a law degree, I didn't understand the gravity of that.

Fortunately, in this great body, in the House of Representatives, I serve with some very fine doctors, men and women who are outstanding doctors. I sat down with some of them, and they told me the gravity of the situation.

Sadly, my father lost that battle to esophageal cancer in 3 months. I went with him to the doctor, and I saw him through that process, and it was a sad process.

□ 2030

What we all know, this story that I have shared and that I have experienced has been experienced by millions of Americans. And sadly, the statistics show that cancer is on the rise, the incidence of cancer is on the rise.

Again, my colleagues alluded to the fact that President Nixon declared war on cancer many years ago. Well, this is a war that is ongoing, and this is a fight that we cannot lose. America ought to lead the way.

In this body, we control spending. We should control the spending. But I think sometimes about all of the waste, fraud, and abuse, duplicative programs and the like where we could actually show a great resolve—not as Republicans, not as Democrats, but as Americans—to beat this hideous disease. And I do want to commend the men and women who are oncologists who fight this fight every day.

In my district, the Third District of Tennessee, I have some very fine cities. One of those cities is Oak Ridge. And in Oak Ridge is the Oak Ridge National Laboratory, and that laboratory is doing groundbreaking cancer research. So there is a Federal component to this. Our great universities are fighting this great fight.

And when I have young men and women come to me and say, ''What should I do when I grow up?'' I suggest medicine. It is a noble profession. It still is.

I feel sorry for a lot of the folks who are doctors today because they are facing a lot of challenges, and I think this body ought to resolve to help that profession so that profession, including the oncologists, can continue to provide the health care necessary to fight cancer and other diseases.

But as we move forward as a nation, I would just hope that we would stop and think about the magnitude of the effect of this horrific disease. Cancer one is not cancer two. There is no question about that. We have made tremendous strides toward several cancers, and that is great. We need to defeat breast cancer, but we need to defeat all cancers.

I was so sad to learn that the fight against so many cancers has still been futile. There are so many cancers out there that the success or survival rate is still so low. And I have learned that, actually, as a Congressman.

For those watching, I know our popularity and our numbers in this body sometimes are not that high, but I want to assure the American people that one of the things I do best and I think my colleagues do best is we get educated. People come from around the world, from around the country, constituents, oncologists, doctors, scientists, and they educate us, Mr. Speaker. They educate us about the progress being made on cancer or, sadly, in some cases, the lack of progress being made.

So it is my commitment not only to my constituents, but to all Americans. And I am proud to serve in this body. This is the people's House. This is a wonderful, wonderful body. Our Founding Fathers gave us this body, and our men and women who are fighting to preserve our freedoms in uniform every day allow us to have the great debates that go on in this Chamber.

But there must be a resolve, Mr. Speaker, to defeat cancer. We can do it. The cure for cancer is out there. The strides are being made. And as we work together as Americans, I sincerely hope that we can beat this hideous disease and help the men and women who are going through this and their families. The toll on families is horrific. I saw that as a young boy. I saw it as an adult man.

So, again, I want to thank the oncologists for fighting the good fight. I want to thank my colleagues for allowing me to address this issue tonight. And it is my fervent hope and prayer that we address this, as Americans, and defeat this hideous disease.

Mr. LANCE. Mr. Speaker, I yield to the distinguished gentlelady from Texas.

Ms. JACKSON LEE. I thank the distinguished Congressman from New Jersey, Congressman LANCE, for having this very special Special Order this evening and my friends, Congressmen BRIAN HIGGINS, CHUCK FLEISCHMANN, and JOHN CARNEY, for sponsoring this evening's Special Order to recognize the 50th anniversary of the American Society of Clinical Oncology.

One would wonder what seven physicians were doing some 50 years ago. And I am glad that they came together to recognize the vibrance and the vitality of their specialty and the importance of gathering together. They had their first real meeting with 51 physicians in November of 1964. And I am glad that they organized because, as we watch the progression of research and care in the treatment of cancer, we owe a great deal to them. Let me tell you why: because when they founded this organization in 1964, cancer was perceived as largely untreatable. In fact, even today, we still have the remnants of that fear when you get that diagnosis.

Many people call it the big C. There is trepidation and fear. And I would say to you that when those physicians organized in 1964, they understood the awesome and ominous task that they had. Only a handful of hard-to-tolerate and mostly ineffective therapies were even available. And they organized to provide for physicians with proper professional educational background material and the opportunity to come together to facilitate their own improved management of patients with neoplastic diseases, supporting collaborations in medical and research organizations, and initiating and coordinating and cooperating on projects of investigation.

So I am glad to celebrate them today because, in the cancer hospitals across America—and I have the privilege of having in my community MD Anderson. And among the work that MD Anderson does, it collaborates with our local clinics and other hospitals because everyone knows that everyone cannot get into a specific cancer hospital, but they may be in a general hospital in which there is a cancer unit. Those oncologists collaborate with the oncologists in the major cancer centers of America.

And I simply want to thank my colleagues here because MD Anderson has benefited from your understanding of the need for cancer research dollars.

The NIH is an entity that we should fully fund, and I am on record to have that funding. $32 billion is what will put that entity in a position to do its work.

I was interested to listen to the gentleman who spoke of both his mother and his father. And I believe when Members come to the floor and speak of their personal and human experiences, it draws us closer to our constituents and to our colleagues who have walked some of the similar territories.

So as I have listened to his story, mine is different, for I heard that diagnosis—cancer, breast cancer. And I didn't hear it quickly, because when I suspected that my physician was calling to say that, all of a sudden, my phone didn't work, and it was quite difficult to reach me. I was on an airplane. I was in a meeting.

And even in this era of new research, to hear that is a startling and overwhelming experience. But the good news is that oncologists have grown in their research, working with the NIH over these 50 years, and they have been able to give families and children not 100 percent, maybe not even 90 percent, but they have been able to cut the mortality rate of pediatric cancer. All of us know how heart-wrenching that is, how difficult it is to see a child suffer with cancer.

There was a story in my local newspaper. I talked with one of my neighbors a distance away from my community who, sadly, lost their 3-year-old. The community gave that 3-year-old a princess parade some months ago; and, sadly, she lost her life. It is heart-wrenching to see a family member suffer without relief.

But yet, through the oncologists and their research and the work that we are doing here in the United States Congress to support that research, we have been able to impact pediatric cancer. We have been able to work to impact breast cancer. And I have continued to work to highlight the idea that cancer, in all of its forms, can ultimately be cured.

I would like to cite the physicians at MD Anderson. I visited with one today who talked about the new attitude that they have and wanting to get woven into care a large sector of preventative care because they realize that we are living longer. And by living longer, that is a plus, but they are recognizing that more elderly are now susceptible to cancer in their older years and, therefore, we need research, preventative care to be able to get in front of that so that the cost of saving their life can be the amount needed to do so, but that we can put a stop to them losing their life because we have engaged in preventative care.

So I have offered amendments on something called the triple-negative breast cancer. It is one of the most deadly aspects of breast cancer. It impacts minority women, African American and Hispanics, white women and Asians, all women.

I remember being in a breast cancer walk, and a young woman came up to me who, I guess, had been reading everything about it. She hugged me and said, ''I am here to walk for my mother. I saw what you are doing for triple-negative''—a Hispanic young woman. ''She did not make it, but thank you.''

That is how families are. They are so grateful for any recognition of the pain that they went through, that even if they lost their loved one, they are so happy that maybe you are doing something to help others. So I am glad that we are here tonight to be able to acknowledge oncologists who are the very ones who would come and bring forward these new ideas.

Might I just briefly say these few points: one, with respect to triple-negative breast cancer, between 10 and 17 percent of female breast cancer patients have triple-negative. It is three times more likely to cause death than the most common form of breast cancer. Seventy percent of women with metastatic triple-negative breast cancer do not live more than 5 years after being diagnosed. There is no targeted treatment available. The American Cancer Society calls this particular strain of breast cancer ''an aggressive subtype associated with lower survival rates.''

But the good news is that in my conversations with MD Anderson, among the many finite research areas that they are doing, they have included triple-negative breast cancer. I know that those oncologists are going to give us a new day.

So Congressman LANCE, I thank you for honoring now 50 years of oncologists working to ensure that there is a cure. And I want to acknowledge Dr. DePinho, who is the new CEO of MD Anderson, his wife and the amazing research that she is doing, and all of the oncologists there.

But as I close, I would like to recognize a dear friend, MD Anderson oncologist Dr. John Mendelsohn, who served as the CEO for any number of years. Many of my colleagues here in the United States Congress know him well. I call John a friend. He will be honored by the American Society of Clinical Oncology for its 50th anniversary through the organization's Oncology Luminary series. He is an oncologist, as we know. He served as president of MD Anderson through an incredibly productive period of nearly 15 years. The institution doubled in size during his tenure and aimed at higher excellence. He has an international reputation. And he and his collaborators in California produced monoclonal antibody 225, which inhibits human cancer cell proliferation by blocking the signal and pathways that are activated by the receptors for epidermal growth factor.

There are many whom we can cite tonight, but I simply want to celebrate that there is a specialty called oncology that could cause more of us to answer that phone call when we are called and to receive that diagnosis in a way that we know there is hope and that family members will know there is hope and other family members who are now facing a diagnosis of cancer of their loved one will have hope.

Oncologists have given us that hope as they continue to research, and I stand ready with my colleagues to provide the right kind of research and

funding for them to continue to look to save lives.

I thank the gentleman for yielding.

Mr. Speaker, I want to thank my colleagues Congressmen LEONARD LANCE, BRIAN HIGGINS, CHUCK FLEISHMANN, and JOHN CARNEY for sponsoring this evening's special order to recognize the 50th anniversary of the American Society of Clinical Oncology.

On April 9, 1964, the American Society of Clinical Oncology held its first organizational meeting when 7 physicians who are known as the founders of the organization.

Fifty-one physicians attended the first meeting of the American Society of Clinical Oncology in Chicago in November of 1964.

The ASOC supports oncologists by: providing physicians with proper professional educational background material and the opportunity to facilitate their own improved management of patients with neoplastic diseases; supporting collaborations with other medical and research organizations, national and otherwise, with a view of enhancing professional education in the area of diagnosis and treatment of patients with neoplastic diseases; and initiating, coordinating and cooperating in projects of investigation of human neoplastic disease.

At the time ASCO was established in 1964, cancer was largely untreatable. Only a handful of hard-to-tolerate and mostly ineffective therapies were available.

I want to thank and recognize the Oncologists who serve the residents of the City of Houston for their work and dedication in providing treatment and care to cancer patients.

CONGRESSWOMAN JACKSON LEE'S WORK ON WOMEN'S HEALTH AND SAFETY

I introduced H.R. 80, the Triple-Negative Breast Cancer Research and Education Act.

The bill requires the Director of the National Institutes of Health (NIH) to expand, intensify, and coordinate programs for the conduct and support of research on triple-negative breast cancer (breast cancers whose cells are negative for estrogen receptors, progesterone receptors, and the HER2 protein on their sources).

Directs the Secretary of Health and Human Services (HHS), acting through the Director of the Centers for Disease Control and Prevention (CDC), to develop and disseminate to the public information regarding triple-negative breast cancer, including information on: (1) the incidence and prevalence of such breast cancer among women, (2) the elevated risk for minority women, and (3) the availability of a range of treatment options.

Requires the Secretary, acting through the Administrator of the Health Resources and Services Administration (HRSA), to develop and disseminate information on triple-negative breast cancer to health care providers.

Last year, I offered an amendment that was added to the House of Representatives' Department of Defense Authorization bill that directs the Department of Defense Office of Health to collaborate with the National Institutes of Health to provide resources to identify specific genetic and molecular targets and biomarkers for TNBC.

TRIPLE NEGATIVE BREAST CANCER (TNBC)

Triple-negative breast cancer (TNBC) is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the "HER2" protein on their cell membrane of tumor cells.

Between 10–17% of female breast cancer patients have the triple negative subtype.

Three times more likely to cause death than the most common form of breast cancer, 70% of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

There is no targeted treatment available for TNBC. The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates."

Triple Negative Breast Cancer (TNBC) cells are usually of a higher grade and size; Onset at a younger age; More aggressive; and more likely to metastasize

TNBC is in fact a heterogeneous group of cancers with varying differences in prognosis and survival rate between various subtypes. This has led to a lot of confusion amongst both physicians and patients.

Apart from surgery, cytotoxic chemotherapy is the only available treatment; targeted molecular treatments while being investigated are not accepted treatment.

POPULATIONS AFFECTED BY TNBC

TNBC disproportionately impacts younger women, African American women, Hispanic/Latina women, and women with a "BRCA1" genetic mutation, which is prevalent in Jewish women.

TNBC usually affects women under 50 years of age.

More than 30% of all breast cancer diagnoses in African American women are of the triple negative variety. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

Women with TNBC are more likely to have distance metastases in the brain and lung and more common subtypes of breast cancer.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

HOUSTON IS HOME TO MD ANDERSON

I would like recognize MD Anderson Oncologist Dr. John Mendelsohn who will be honored by the American Society of Clinical Oncology for its 50th anniversary through the organization's "Oncology Luminaries" series.

Dr. Mendelsohn is an Oncologist at MD Anderson, which is located in the city of Houston Texas.

Dr. Mendelsohn served as president of MD Anderson through an incredibly productive period of nearly 15 years. The institution more than doubled in size during his tenure, while aiming for even higher excellence in patient care and research.

Dr. Mendelsohn brought to MD Anderson an international reputation for his research on how the binding of growth factors to receptors on the surface of cells regulates cell functions.

He and his collaborators in California produced monoclonal antibody 225, which inhibits human cancer cell proliferation by blocking the signaling pathways that are activated by the receptors for epidermal growth factor.

His subsequent research in the laboratory and the clinic pioneered the universally adopted concept of anti-receptor therapy that targets key cell signaling pathways as a new form of cancer treatment.

I join my colleagues in honoring and recognizing the important contribution to advances in cancer treatment made possible by the American Society of Clinical Oncology.

Mr. LANCE. Mr. Speaker, I think the impassioned remarks of my distinguished colleague from Texas are an indication of her tremendous advocacy on behalf of this issue, not only for her constituents, not only for all of the residents of the great State of Texas, but, indeed, for the entire American people.

□ 2045

Mr. Speaker, my distinguished colleague from Texas spoke movingly about breast cancer. Yesterday, I spoke to a group of advocates dedicated to the treatment of breast cancer and working to ensure that women are educated about breast reconstruction surgery and care options following cancer treatments.

These advocates, working out of love for their mothers, daughters, sisters, and wives, have championed the Breast Cancer Patient Education Act, which will take an educational approach to breast cancer treatment and allow women to have full access to their options.

Since 1998, health care plans that offer breast cancer coverage have been required to provide breast reconstruction surgery and prostheses. Surprisingly, however, Mr. Speaker, recent studies report that up to 70 percent of women eligible for breast reconstruction following cancer treatment are not fully informed of their reconstruction and care options by their general surgeon, and this is particularly true in minority communities.

Many of these advocates have been through great challenges personally, and I have heard both here in Washington and in my offices in New Jersey the stories of fear and insecurity that come with the diagnosis, as the distinguished gentlelady from Texas has indicated, and the despair of having so many questions and too few answers. I hope that at an early date the Congress will pass the Breast Cancer Patient Education Act to work to change that.

In another area of cancer that we have not mentioned this evening, I have worked with colleagues on both sides of the aisle regarding pancreatic cancer, and I know oncologists are fighting hard against this very virulent form of cancer. The survival rate for pancreatic cancer, Mr. Speaker, unfortunately, has not increased in 40 years, and the 5-year survival rate, as I understand it, is 7 percent.

It is incumbent upon those of us here in Congress to ensure that NIH and those involved in cancer research at the Federal level do as good a job as possible regarding pancreatic cancer. I acknowledge this evening all of those who are working in that area, as well. The ASCO founded 50 years ago has a great, great history over these last five decades, but much more needs to be done, and we will do it together.

I conclude this evening, Mr. Speaker, on a personal note. I have a twin brother, and we lost our mother to breast

cancer when we were 12 years old. Now, this was almost 50 years ago. Just think of the tremendous progress that has been made in the last 50 years, certainly with the leadership of the ASCO. But more progress needs to be made. And to all of us who have been affected, either personally or familially, based upon our family, regarding the issue of cancer, we stand here on the floor of the House to work together in this bipartisan capacity—and might I suggest nonpartisan capacity—to make sure that as we move forward we move forward together in what I know will be a successful fight.

We will win the war against cancer. We will win it working together in the best traditions of the American Nation. Mr. Speaker, I yield back the balance of my time.

RECOGNIZING CHALLENGE ENTERPRISES AND THE ABILITYONE PROGRAM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Florida (Mr. YOHO) for 17 minutes as the designee of the majority leader.

Mr. YOHO. Mr. Speaker, I rise today to recognize Challenge Enterprises of north Florida and the AbilityOne program.

Challenge Enterprises employs more than 300 citizens in my district alone, 179 of whom are disabled persons employed on projects acquired directly as a result of the AbilityOne program. This program has been of great assistance in helping our disabled citizens achieve meaningful employment.

Challenge Enterprises' motto is ''The power of people and possibilities.'' I have visited their facilities to meet their staff, workers, and the wounded warriors to learn what they do and saw firsthand how the AbilityOne program enhances the quality of their lives.

Therefore, Mr. Speaker, it is with pleasure that I thank the staff, the workers, and the volunteers of Challenge Enterprises and the AbilityOne program for helping disabled citizens of my district and of north central Florida become productive, self-reliant citizens of their community and of the Third Congressional District.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COTTON (at the request of Mr. CANTOR) for today and the balance of the week on account of the funeral of a friend.

Mr. MCALLISTER (at the request of Mr. CANTOR) for today and the balance of the week on account of a death in the family.

Mr. PALAZZO (at the request of Mr. CANTOR) for the balance of the week on account of the death of a close friend.

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today and May 9.

Mr. RUSH (at the request of Ms. PELOSI) for today.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of he following title which was thereupon signed by the Speaker:

H.R. 3627. An act to require the Attorney General to report on State law penalties for certain child abusers and for other purposes.

ADJOURNMENT

Mr. YOHO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Friday, May 9, 2014, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5594. A letter from the Director, Issuances Staff, Department of Agriculture, transmitting the Department's final rule — Eligibility of the Republic of Korea To Export Poultry Products to the United States [Docket No.: FSIS-2012-0019] (RIN: 0583-AD49) received April 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5595. A letter from the Associate Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Hispanic-Serving Agricultural Colleges and Universities (RIN: 0524-AA39) received April 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5596. A letter from the Under Secretary, Department of Defense, transmitting the 2014 Major Automated Information System (MAIS) Annual Reports (MARs); to the Committee on Armed Services.

5597. A letter from the Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDS) in accordance with section 11(a) of the Strategic and Critical Materials Stock Piling Act as amended (50 U.S.C. 98 et seq.) detailing NDS operations during FY 2013; to the Committee on Armed Services.

5598. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John F. Mulholland, Jr., United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

5599. A letter from the Under Secretary, Department of Defense, transmitting Report to Congress on Corrosion Policy and Oversight Budget Materials for FY 2015; to the Committee on Armed Services.

5600. A letter from the Secretary, Department of Health and Human Services, transmitting the 2013 Actuarial Report on the Financial Outlook for Medicaid; to the Committee on Energy and Commerce.

5601. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5602. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, ''Advancing Freedom and Democracy''; to the Committee on Foreign Affairs.

5603. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled ''Report to Congress on Iran-Related Multilateral Sanctions Regime Efforts'' covering the period from August 7, 2013 to February 6, 2014; to the Committee on Foreign Affairs.

5604. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report for the period ending January 15, 2014 on the activities of the Multinational Force and Observers (MFO) and U.S. participation in that organization; to the Committee on Foreign Affairs.

5605. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5606. A letter from the Acting Director, Office of National Drug Control Policy, transmitting Report to Congress on High Intensity Drug Trafficking Areas (HIDTA) Program Funds to Address Methamphetamine Trafficking; to the Committee on the Judiciary.

5607. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0331; Directorate Identifier 2011-NM-170-AD; Amendment 39-17792; AD 2014-05-19] (RIN: 2120-AA64) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5608. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0089; Directorate Identifier 2012-NM-166-AD; Amendment 39-17806; AD 2014-06-02](RIN: 2120-AA64) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5609. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airway V-625, Arizona [Docket No.: FAA-2014-0093; Airspace Docket No. 14-AWP-1] (RIN: 2120-AA66) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5610. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; British Aerospace Regional Aircraft Airplanes [Docket No.: FAA-2013-1012; Directorate Identifier 2013-CE-037-AD; Amendment 39-17807; AD 2014-06-03] (RIN: 2120-AA64) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5611. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rockwell Collins, Inc. Transponders [Docket No.: FAA-2013-0966; Directorate Identifier 2013- CE-040-AD; Amendment 39-17799; AD 2014-05-27] (RIN: 2120-AA64) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5612. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Airplanes

[Docket No.: FAA-2013-1019; Directorate Identifier 2013-CE-038-AD; Amendment 39-17810; AD 2014-06-06] (RIN: 2120-AA64) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5613. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1253; Directorate Identifier 2011-NM-079-AD; Amendment 39-17723; AD 2013-26-14] (RIN: 2120-AA64) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5614. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights Within the Tripoli Flight Information Region (FIR); Extension of Expiration Date [Docket No.: FAA-2011-0246; Amendment No. 91-321A; SFAR No. 112] (RIN: 2120-AJ93) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5615. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Requirements for Chemical Oxygen Generations Installed on Transport Category Airplanes [Docket No.: FAA-2012-0812; Amendment No. 25-138] (RIN: 2120-AK36) received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5616. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30945; Amdt. No. 3579] received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5617. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30946; Amdt. No. 3580] received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5618. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30947; Amdt. No. 3581] received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5619. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30948; Amdt. No. 3582] received April 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5620. A letter from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting the 2013 report on Security Clearance Determinations; to the Committee on Intelligence (Permanent Select).

5621. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Medicare National Coverage Determinations for Fiscal Year 2013"; jointly to the Committees on Energy and Commerce and Ways and Means.

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 Mrs. ELLMERS (for herself and Mr. MORAN):

H.R. 4605. A bill to amend title XIX of the Social Security Act to provide States an option to cover a children's program of all-inclusive coordinated care (ChiPACC) under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself, Mr. RAHALL, and Mrs. CAPITO):

H.R. 4606. A bill to provide an additional authorization of appropriations for the Brookwood-Sago Mine Safety Grants to be used specifically to fund programs that provide hands-on mine safety skills training and certification in mine rescue and mine emergency response; to the Committee on Education and the Workforce.

By Mr. MCKINLEY (for himself, Mr. CARTWRIGHT, and Mr. NUGENT):

H.R. 4607. A bill to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mr. BROUN of Georgia, Ms. SLAUGHTER, Mr. MASSIE, Mr. HASTINGS of Florida, Mr. GARAMENDI, Mr. STOCKMAN, Mr. YOHO, Mr. JONES, Mr. AMASH, Mr. POSEY, Mr. CONYERS, and Mr. ELLISON):

H.R. 4608. A bill to repeal the Authorization for Use of Military Force, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 4609. A bill to amend SAFETEA-LU to ensure that projects that assist the establishment of aerotropolis transportation systems are eligible for certain grants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COHEN:

H.R. 4610. A bill to direct the Secretary of Transportation to establish a grant program to assist the development of aerotropolis transportation systems, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COURTNEY (for himself, Mr. PAYNE, Mr. GEORGE MILLER of California, Mr. TIERNEY, and Mr. BISHOP of New York):

H.R. 4611. A bill to amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESANTIS (for himself, Mr. SALMON, Mr. POSEY, and Mr. BENTIVOLIO):

H.R. 4612. A bill to amend the eligibility requirements for funding under title IV of the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. GARCIA (for himself and Mr. RODNEY DAVIS of Illinois):

H.R. 4613. A bill to authorize the Small Business Administrator to establish a grant program to empower encore entrepreneurs; to the Committee on Small Business.

By Mr. HUFFMAN (for himself and Mrs. LUMMIS):

H.R. 4614. A bill to enhance and clarify the ability of the National Park Service to work cooperatively with Park Partners to better use philanthropic and other non-Federal investments to achieve common objectives, public purposes and benefits, and for other purposes; to the Committee on Natural Resources.

By Mr. KING of New York (for himself, Mr. PERLMUTTER, Mr. MCKINLEY, Mr. WELCH, and Mr. PETERS of California):

H.R. 4615. A bill to improve the accuracy of mortgage underwriting used by Federal mortgage agencies by ensuring that energy costs are included in the underwriting process, to reduce the amount of energy consumed by homes, to facilitate the creation of energy efficiency retrofit and construction jobs, and for other purposes; to the Committee on Financial Services.

By Mr. O'ROURKE (for himself and Mr. COOK):

H.R. 4616. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide veterans the option of using an alternative appeals process to more quickly determine claims for disability compensation; to the Committee on Veterans' Affairs.

By Mr. REED (for himself, Mr. NUNES, Mr. KELLY of Pennsylvania, Mrs. BLACK, Mr. REICHERT, Mr. GRIFFIN of Arkansas, and Mr. YOUNG of Indiana):

H.R. 4617. A bill to condition the eligiblity of disabled children aged 16 or 17 for supplemental security income benefits on school attendance; to the Committee on Ways and Means.

By Mr. RICHMOND (for himself, Mr. CONYERS, Mr. RANGEL, Mr. DANNY K. DAVIS of Illinois, Mr. GRIJALVA, Mr. CÁRDENAS, Mr. ELLISON, Ms. KAPTUR, Ms. BASS, Ms. KELLY of Illinois, Mr. POLIS, Mr. HASTINGS of Florida, Ms. MOORE, Ms. WILSON of Florida, Ms. JACKSON LEE, Ms. NORTON, Mr. HONDA, and Mr. THOMPSON of Mississippi):

H.R. 4618. A bill to develop and implement national standards for the use of solitary confinement in the Nation's prisons, jails, and juvenile detention facilities; to the Committee on the Judiciary.

By Mr. SCHOCK (for himself and Mr. BLUMENAUER):

H.R. 4619. A bill to amend the Internal Revenue Code of 1986 to make permanent the rule allowing certain tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Ways and Means.

By Mr. SMITH of Washington (for himself, Ms. DELBENE, Mr. DEUTCH, Mr. FOSTER, Mr. LARSEN of Washington, Mr. POLIS, Mr. QUIGLEY, and Mr. VELA):

H.R. 4620. A bill to ensure the humane treatment of persons detained pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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. WITTMAN (for himself, Mr. CONNOLLY, and Mr. WOLF):

H.R. 4621. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain combat zone compensation of civilian employees of the United States; to the Committee on Ways and Means.

By Ms. BASS (for herself, Mrs. BACHMANN, Mr. CRAMER, Mr. BARLETTA, Mr. CUMMINGS, Mr. BENTIVOLIO, Mr. DANNY K. DAVIS of Illinois, Mr. BISHOP of Georgia, Mrs. DAVIS of California, Ms. BONAMICI, Mr. DEFAZIO, Mr. BRALEY of Iowa, Ms. DEGETTE, Ms. BROWN of Florida, Ms. DELAURO, Ms. BROWNLEY of California, Mr. DEUTCH, Mrs. BUSTOS, Mr. DOGGETT, Mrs. CAPPS, Ms. EDWARDS, Mr. CÁRDENAS, Mr. ELLISON, Mr. CARSON of Indiana, Ms. FRANKEL of Florida, Mrs. CHRISTENSEN, Mr. FRANKS of Arizona, Ms. CHU, Ms. FUDGE, Mr. CICILLINE, Mr. AL GREEN of Texas, Ms. CLARKE of New York, Mr. GRIJALVA, Mr. CLAY, Ms. HAHN, Mr. CLEAVER, Mrs. HARTZLER, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. COOK, Mr. HECK of Washington, Mr. COOPER, Mr. HIMES, Ms. JACKSON LEE, Mr. HONDA, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KEATING, Ms. KELLY of Illinois, Mr. KILDEE, Mr. KILMER, Ms. KUSTER, Mr. LANGEVIN, Mr. LATHAM, Ms. LEE of California, Mr. LEWIS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SEAN PATRICK MALONEY of New York, Mr. MARINO, Mr. MATHESON, Ms. MATSUI, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MESSER, Mr. MURPHY of Florida, Ms. NORTON, Mr. NUNNELEE, Mr. O'ROURKE, Mr. PALLONE, Mr. PAYNE, Mr. PETERS of California, Mr. PETERSON, Mr. PIERLUISI, Mr. POCAN, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. REICHERT, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SIRES, Ms. SPEIER, Mr. STOCKMAN, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Ms. TITUS, Ms. TSONGAS, Mr. VARGAS, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. HOLT, and Mr. VEASEY):

H. Res. 577. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policy to improve the lives of children in the foster care system; to the Committee on Ways and Means.

By Mr. SABLAN:

H. Res. 578. A resolution expressing support for designation of the week of May 11, 2014, through May 17, 2014, as ''National Police Week''; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

199. The SPEAKER presented a memorial of the Legislature of the State of Nebraska, relative to Legislative Resolution 440 urging the Congress to reauthorize federally provided terrorism reinsurance for insurers in order to maintain stability in the insurance and reinsurance markets; to the Committee on Financial Services.

200. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Memorial 2001 urging the Congress to restore the presumption of a service connection between Agent Orange exposure and subsequent illnesses to United States Vietnam War veterans; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. ELLMERS:

H.R. 4605.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. MCKINLEY:

H.R. 4606.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 1 of the Constitution: the Congress shall have the power to provide for the general welfare of the United States.

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. MCKINLEY:

H.R. 4607.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 9 and Section 1 of Article 3 of the Constitution to create and regulate Federal Courts.

By Ms. LEE of California:

H.R. 4608.

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 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. COHEN:

H.R. 4609.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. COHEN:

H.R. 4610.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. COURTNEY:

H.R. 4611.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced under the powers granted to Congress under Article 1 of the Constitution.

By Mr. DESANTIS:

H.R. 4612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. GARCIA:

H.R. 4613.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to clause 3 of section 8 of article 1 of the U.S. Constitution and clause 18 of section 8 of article 1 of the U.S. constitution.

By Mr. HUFFMAN:

H.R. 4614.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: ''The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.''

By Mr. KING of New York:

H.R. 4615.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. O'ROURKE:

H.R. 4616.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution, ''To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. REED:

H.R. 4617.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. RICHMOND:

H.R. 4618.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this bill stems from Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4619.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Mr. SMITH of Washington:

H.R. 4620.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. WITTMAN:

H.R. 4621.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Ms. LOFGREN.

H.R. 274: Ms. SHEA-PORTER, Mr. DOYLE, Mr. PETERSON, Mr. DAVID SCOTT of Georgia, and Mr. JOHNSON of Georgia.

H.R. 455: Mrs. LOWEY.

H.R. 494: Ms. KELLY of Illinois, Mr. BROOKS of Alabama, and Ms. ESTY.

H.R. 523: Ms. BROWNLEY of California.

H.R. 543: Mr. BISHOP of Utah and Ms. WASSERMAN SCHULTZ.

H.R. 647: Mr. RENACCI.

H.R. 721: Mr. NUNNELEE.

H.R. 831: Mr. MCDERMOTT, Mr. WELCH, and Ms. KAPTUR.

H.R. 958: Mr. VAN HOLLEN.
H. R. 962: Mr. POCAN.
H.R. 1008: Ms. KELLY of Illinois and Mr. KILMER.
H.R. 1020: Mr. PETERS of Michigan.
H.R. 1129: Mr. CICILLINE.
H.R. 1146: Mr. KILMER.
H.R. 1148: Mr. KILMER.
H.R. 1250: Mr. RICE of South Carolina and Mr. ELLISON.
H.R. 1354: Mr. RUNYAN.
H.R. 1373: Mr. POCAN.
H.R. 1427: Mr. COBLE.
H.R. 1449: Mrs. BACHMANN.
H.R. 1461: Mr. MILLER of Florida.
H.R. 1462: Mr. MILLER of Florida, Mr. DIAZ-BALART, and Mr. DEFAZIO.
H.R. 1518: Mr. SALMON.
H.R. 1528: Ms. CLARK of Massachusetts and Mr. SIMPSON.
H.R. 1573: Mr. POE of Texas.
H.R. 1601: Mr. SCHIFF.
H.R. 1717: Ms. BROWN of Florida.
H.R. 1761: Ms. DUCKWORTH.
H.R. 1801: Mrs. DAVIS of California and Ms. NORTON.
H.R. 1840: Mr. MCGOVERN.
H.R. 1843: Ms. CLARK of Massachusetts.
H.R. 1878: Mr. LOBIONDO.
H.R. 2146: Mr. LIPINSKI and Mr. CARTWRIGHT.
H.R. 2315: Mr. MURPHY of Pennsylvania.
H.R. 2415: Mr. BILIRAKIS and Ms. NORTON.
H.R. 2429: Ms. FOXX and Mrs. MCMORRIS RODGERS.
H.R. 2484: Mr. VEASEY.
H.R. 2495: Mr. KILMER.
H.R. 2500: Mr. ROSS, Mr. PETERSON, Mr. BERA of California, and Mr. FARR.
H.R. 2520: Mr. CONNOLLY, Mr. HORSFORD, Mr. LARSON of Connecticut, and Mr. THOMPSON of California.
H.R. 2536: Mr. FARENTHOLD.
H.R. 2607: Mr. BISHOP of Georgia.
H.R. 2647: Mr. LOBIONDO.
H.R. 2692: Ms. MATSUI.
H.R. 2744: Mrs. BACHMANN and Ms. BROWNLEY of California.
H.R. 2807: Mr. GIBBS and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2827: Mr. KING of New York and Mr. HASTINGS of Florida.
H.R. 2870: Mr. FOSTER.
H.R. 2969: Mr. KING of Iowa.
H.R. 3077: Mr. PETERSON.
H.R. 3118: Ms. PINGREE of Maine.
H.R. 3184: Mr. STIVERS.
H.R. 3279: Mr. BYRNE.
H.R. 3320: Mr. GRIFFIN of Arkansas.
H.R. 3339: Mrs. BACHMANN.
H.R. 3344: Mr. HUIZENGA of Michigan.
H.R. 3395: Mrs. BUSTOS.
H.R. 3398: Mr. DELANEY, Ms. SPEIER, Ms. ROS-LEHTINEN, Mr. SCHOCK, Mr. SIRES, and Mr. HASTINGS of Florida.
H.R. 3407: Mr. MCGOVERN.
H.R. 3510: Ms. LOFGREN, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. DEFAZIO, and Mr. COHEN.
H.R. 3530: Mr. PETERS of California, Mrs. BACHMANN, Mr. FRELINGHUYSEN, Mr. PEARCE, and Mr. HUDSON.
H.R. 3543: Mr. POCAN.
H.R. 3548: Mr. MORAN, Mr. PETERSON, Ms. JENKINS, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3610: Mr. PETERS of California, Mr. FRELINGHUYSEN, Mrs. BACHMANN, and Ms. WILSON of Florida.
H.R. 3649: Ms. KELLY of Illinois.
H.R. 3698: Mr. RICE of South Carolina.
H.R. 3708: Ms. ESTY and Mr. YOHO.
H.R. 3723: Mr. BILIRAKIS, Mr. JOHNSON of Ohio, and Mr. BUCSHON.
H.R. 3742: Mr. BILIRAKIS.
H.R. 3747: Mr. NOLAN and Mr. KELLY of Pennsylvania.
H.R. 3749: Mr. DOYLE.
H.R. 3782: Mr. GRIJALVA.
H.R. 3852: Ms. DELAURO.
H.R. 3877: Mr. YOHO.
H.R. 3905: Ms. BROWNLEY of California.
H.R. 3930: Mr. YODER and Mr. DAINES.
H.R. 3969: Mr. OLSON.
H.R. 3988: Mr. BERA of California, Ms. LOFGREN, and Mr. CARTWRIGHT.
H.R. 4008: Mrs. BACHMANN.
H.R. 4067: Mr. LOEBSACK.
H.R. 4068: Mr. GARAMENDI and Mr. BACHUS.
H.R. 4119: Mr. HASTINGS of Florida.
H.R. 4143: Mr. WILLIAMS.
H.R. 4158: Mr. CONAWAY.
H.R. 4190: Mr. COURTNEY.
H.R. 4216: Mr. HONDA.
H.R. 4221: Ms. LOFGREN.
H.R. 4225: Mr. PETERS of California.
H.R. 4232: Mr. MCGOVERN and Ms. BORDALLO.
H.R. 4234: Mr. VISCLOSKY and Ms. TITUS.
H.R. 4237: Mr. KING of New York.
H.R. 4261: Ms. CLARK of Massachusetts.
H.R. 4265: Mr. HUFFMAN and Mr. FALEOMAVAEGA.
H.R. 4351: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4370: Mrs. ELLMERS.
H.R. 4374: Mrs. ELLMERS.
H.R. 4382: Mr. SCALISE.
H.R. 4383: Mr. STIVERS, Mr. KILMER, Mr. PERLMUTTER, and Mr. HULTGREN.
H.R. 4395: Mrs. CHRISTENSEN, and Mr. RAHALL.
H.R. 4411: Mr. BERA of California, Mr. CICILLINE, Mr. CRAMER, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, Mr. GENE GREEN of Texas, Mr. KILMER, Mr. MESSER, Mr. MULVANEY, Mr. RIBBLE, Mr. SCHIFF, Mr. VALADAO, Mr. NOLAN, Mr. YOUNG of Indiana, Mr. STOCKMAN, Mr. JOYCE, and Mr. GARCIA.
H.R. 4426: Ms. ESHOO.
H.R. 4430: Mr. DUNCAN of South Carolina, Mr. LONG, Mr. MATHESON, Mrs. MCMORRIS RODGERS, and Mr. KINZINGER of Illinois.
H.R. 4436: Mr. BUCSHON.
H.R. 4440: Mr. SIRES, Mrs. LOWEY, and Mr. MCNERNEY.
H.R. 4443: Mr. TONKO, Mr. HIGGINS, Ms. VELÁZQUEZ, Ms. MENG, and Mr. KING of New York.
H.R. 4447: Mr. AUSTIN SCOTT of Georgia, Mr. MEADOWS, Mr. WEBER of Texas, and Mr. FINCHER.
H.R. 4450: Ms. MCCOLLUM, Mr. BARBER, and Ms. DUCKWORTH.
H.R. 4459: Mr. DEUTCH.
H.R. 4460: Mr. VEASEY and Mr. MCNERNEY.
H.R. 4461: Ms. LEE of California, Mr. HOLT, Mr. GRIJALVA, Ms. NORTON, Mrs. CHRISTENSEN, Mr. LOWENTHAL, Mr. HUFFMAN, Mr. NADLER, Mr. CARTWRIGHT, Mr. MCNERNEY, Ms. WILSON of Florida, and Mr. MCGOVERN.
H.R. 4489: Ms. JACKSON LEE, Mr. PRICE of North Carolina, Mr. DANNY K. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Mr. LUETKEMEYER, Mrs. WAGNER, Ms. FUDGE, Ms. KELLY of Illinois, and Ms. CLARKE of New York.
H.R. 4491: Mr. SCHOCK, Mr. ROONEY, Mr. TERRY, Mr. MILLER of Florida, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. BOUSTANY, Mr. CHABOT, Mrs. BLACK, and Mr. BILIRAKIS.
H.R. 4509: Mr. CÁRDENAS.
H.R. 4510: Mr. WESTMORELAND, Mr. LUETKEMEYER, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 4515: Mr. LANGEVIN, Mr. HONDA, Mr. HASTINGS of Florida, Mr. HOLT, and Mrs. NEGRETE MCLEOD.
H.R. 4522: Mr. MORAN, Mr. CARTWRIGHT, and Mr. COURTNEY.
H.R. 4523: Mr. VELA and Mr. HINOJOSA.
H.R. 4531: Mrs. HARTZLER.
H.R. 4544: Mr. COSTA, Ms. BASS, Mr. LOWENTHAL, Mr. ELLISON, and Mr. HUFFMAN.
H.R. 4547: Mr. BROUN of Georgia.
H.R. 4552: Mrs. LOWEY.
H.R. 4557: Mr. SHERMAN.
H.R. 4567: Mr. KILMER.
H.R. 4578: Mr. HASTINGS of Florida and Ms. MCCOLLUM.
H.R. 4587: Mr. DESANTIS, Mr. MCCAUL, Ms. WASSERMAN SCHULTZ, Mr. GRIMM, Mr. GRAYSON, and Mr. BILIRAKIS.
H.R. 4604: Mr. ROKITA, Mr. DUNCAN of South Carolina, Mr. GOSAR, and Mr. PRICE of Georgia.
H.J. Res. 20: Ms. SPEIER.
H. Con. Res. 87: Mr. JONES and Ms. MCCOLLUM.
H. Res. 98: Mr. GENE GREEN of Texas.
H. Res. 221: Mr. ELLISON.
H. Res. 231: Mr. ROHRABACHER, Mr. YOUNG of Alaska, Mr. JORDAN, and Ms. SHEA-PORTER.
H. Res. 329: Mr. GOWDY.
H. Res. 440: Mr. GRAYSON, Mr. DAVID SCOTT of Georgia, Mr. BOUSTANY, and Mr. RENACCI.
H. Res. 540: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 562: Mr. DIAZ-BALART.
H. Res. 571: Mr. LOBIONDO, Mr. FITZPATRICK, and Mr. MURPHY of Pennsylvania.
H. Res. 573: Ms. MCCOLLUM, Ms. DELAURO, Mr. HINOJOSA, Mr. CONYERS, Ms. KUSTER, Ms. KAPTUR, Mr. SCHIFF, Ms. ESTY, Mr. RUSH, Ms. WASSERMAN SCHULTZ, Mr. PETERS of Michigan, Mr. LARSON of Connecticut, Ms. TITUS, Mr. HIGGINS, Mr. SARBANES, Mr. DINGELL, Mr. PAULSEN, Mrs. LUMMIS, Mr. HOYER, Mrs. CAROLYN B. MALONEY of New York, Mr. WAXMAN, Mr. VEASEY, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. DANNY K. DAVIS of Illinois, Mrs. ELLMERS, Mr. SHERMAN, Mr. PRICE of North Carolina, Ms. CASTOR of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCGOVERN, Mr. MCDERMOTT, Ms. TSONGAS, Mr. GARAMENDI, Ms. MATSUI, Mr. CONNOLLY, Mr. MCCAUL, Mr. COOK, Mr. KEATING, Mr. GRAYSON, Mr. COLLINS of Georgia, Mr. STOCKMAN, Mr. KENNEDY, Ms. MENG, and Mr. ISRAEL.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, THURSDAY, MAY 8, 2014 No. 69

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by Trevor Barton, Pastor of Hawk Creek Baptist Church in London, KY.

The guest Chaplain offered the following prayer:

Let us pray:

Gracious Lord, as the most high God who alone is sovereign over the Kingdoms of this world, we stand in awe of You. We stand in awe of Your faithfulness to this great Nation, whose history itself gives witness to Your gracious providence.

We are grateful to know that You are the author of our storied past, and we are confidently optimistic to know that You are the architect of our blessed future. So as we move toward that which You have prepared for us, we pray for all of those who will lead us toward that better tomorrow.

We pray that this Senate and our national leaders would have unparalleled wisdom as they navigate the complexities ever before them. Enable them to know what is best and to do what is best.

May they serve always with the most noble of intentions and be forever found to be the epitome and essence of heroic statesmen as they exchange and debate the most important ideas of their day.

Give our leaders a compelling vision for America's future—a future that is full of what could be and, more importantly, a future of what should be. May the authority entrusted to them always be leveraged for the good of others.

May all of our leaders and every individual who calls this Republic their home live their lives by the most profound but simplistic of ethics: To love our neighbors as ourselves. Continue to preserve and protect this great democracy. And may the motives and methods of this United States Senate and the United States of America always be to please thee.

In Your holy, loving Name, Jesus, I pray. 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, May 8, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WALSH thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

HIRE MORE HEROES ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 332, H.R. 3474.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 332, H.R. 3474, 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.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate time until 11:15 a.m. will be equally divided and controlled.

There will be a series of votes beginning at 11:15 today and another series of votes at 1:45. This is to confirm a number of nominations. There could be as many as nine votes. We will see what happens as the day goes on.

Yesterday I filed cloture on S. 2262, the energy efficiency bill. As a result, the filing deadline for all first degree amendments is today at 1 p.m.

OBSTRUCTIONISM

Mr. REID. Mr. President, anyone who watches the Senate on C–SPAN knows that the desks in the Senate Chamber are split between Democrats and Republicans. But when I come to the Senate Chamber anymore, we shouldn't have just Democrats and Republicans; we should have obstructionists.

With the Democrats, there are 55 of us. With the Republicans, anymore, there are six or seven on a good day. There are obstructionists of about 40, for sure, on any day.

The legislators—Republicans who, like Senate Democrats, are tired of all the useless obstruction, who want to get things done for Americans, and the obstructionists—the guardians of gridlock, as the Republican leader has proudly called himself—are playing politics and constantly grinding the wheels of the Senate to a standstill, a stop.

Over the last few months, I have spoken with Republicans who are fed up with obstructionism in this body. I

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

have spoken with them in my office when they come to see me, on the Senate floor, and in various places. So these Republicans always have the same message from me: We came to the Senate to get things done, so let's work together. I am happy to work with them, as we did a few months ago with the Child Care and Development Block Grant. That is who I have always been in this Chamber. When I was the whip, my Republican colleagues knew I was someone they could talk to and work with to get things done.

It is a shame the Republican leader has decided that being the ''proud guardian of gridlock''—his words, not mine—is more important than working with us to get things done for the American people.

The Shaheen-Portman energy efficiency bill before the Senate is a perfect example. They brought their bipartisan legislation to the floor last September. Regrettably, a Republican Senator on a one-man crusade against health benefits for Senate staffers filibustered the bill. But Senators SHAHEEN and PORTMAN didn't give up. Instead, they worked with Democrats and Republicans for seven months to strengthen the bill, gaining more bipartisan support along the way.

This legislation will give our country more energy independence, protect our environment, and save American families money on their energy bills. It also creates 200,000 jobs that can't be exported.

When the legislation was finalized, Senators SHAHEEN and PORTMAN were ready to bring the bill to the Senate floor. In anticipation of the bill's consideration, Republicans who worked on this bill came to speak with me prior to the Easter recess. They told me the bill, which now includes 10 Republican-supported amendments, was ready for passage. They requested that I fill the legislative tree to ensure the bill would pass.

I repeat: Republican Senators wanting to pass this bipartisan bill asked me to bring the bill to a vote as soon as possible—as is.

And that is what I did.

For those Republicans acting in good faith, passage of the energy efficiency legislation was most important. Unfortunately, the obstructionist wing of the Republican caucus has decided once again to block this bill. But this time it is not the junior Senator from Louisiana bringing a bipartisan bill to a screeching halt; it is the guardian of gridlock himself, my friend, the Republican leader.

Senators PORTMAN, AYOTTE, COLLINS, HOEVEN, ISAKSON, MURKOWSKI, and WICKER have done good work on this legislation. What a shame they will see their efforts scrapped by my friend the Republican leader.

This isn't the first time he has steamrolled members of his own caucus. For example, the Senate considered a bipartisan transportation bill. Subcommittee Chairwoman PATTY MURRAY and Ranking Member SUSAN COLLINS worked for months on that legislation. Notwithstanding the bipartisan support for the bill or Senator COLLINS' hard work, the Republican leader single-handedly dismantled the bill.

There are many other examples.

After the legislation was blocked, the senior Senator from Maine was quoted as saying that she had never seen the Republican leader work so hard to defeat a member of his own caucus.

If my Republican counterpart wants to keep blocking his own Senators' bipartisan efforts, go ahead. But it is not good for the country.

Eventually, members of his caucus will break from the gridlock to get their constituents the help they need, just as a handful of Republicans did with the extension of unemployment benefits.

Let me just say this. I am pleading to Republicans to help us work. Let's get things done. This is a good bill that deserves to pass. I invite my friend the Republican leader to listen to Members of his own caucus who worked so hard on this legislation.

I know back home in Kentucky the Republican leader said it wasn't his job to create jobs, but most of us around here disagree with him and want to work to create jobs. In this bill 200,000 jobs will be created.

So I say to my friend from Kentucky, honor your Members' efforts and the bipartisan compromise that created this legislation and allow us to vote on Shaheen-Portman. Bring this unnecessary obstruction to an end today and pass this energy efficiency legislation. It is what Democrats want. It is what Republicans want. More importantly, it is what the American people want and need.

MEASURES PLACED ON THE CALENDAR—H.R. 2824 AND H.R. 3826

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 a second time.

The assistant legislative clerk read as follows:

A bill (H.R. 2824) to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes.

A 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. REID. I object to further proceedings with respect to these bills.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. MCCONNELL. Mr. President, we are all pleased today to welcome Pastor Trevor Barton to the Senate as he delivered the opening prayer.

Pastor Trevor, as everyone calls him, serves as lead pastor at Hawk Creek Church in London, KY. He is a laid-back guy, not big on fancy titles—the kind of pastor who would rather be preaching in blue jeans than a suit.

But under his leadership, Hawk Creek has exploded from a tiny fellowship to a congregation of well over 1,000 souls. I hear some parishioners drive all the way from Tennessee and Virginia just to listen to his sermons. Apparently, Pastor Trevor's parishioners aren't the only ones who have had a long commute to Hawk Creek. I hear the pastor sometimes drove in from almost an hour and a half away in Lexington. He did it so he could be close to his two young sons Shepherd and Greyson and to his wife Allison as she worked on a residency at UK Hospital.

Still, Pastor Trevor has developed important ties with the community in and around London. Hawk Creek does a lot of work with the Appalachian Children's Home. His church also has an important partnership with the local jail. Pastor Trevor's sermons are piped in live and loud every Sunday for the inmates to hear. One of my staffers told me she heard of Hawk Creek performing a baptism for about 70 inmates in a parking lot of that jail.

I think that says a lot about Hawk Creek Church, and it underscores something today's guest Chaplain once said: Whether ''you've messed up in the past, present, future, you are welcome'' in his church.

So I am proud to introduce Pastor Trevor today. We have been pleased to have him here as he dignified our proceedings with a prayer.

Earlier this week, the Supreme Court did the right thing by affirming his right to do so. I am delighted to welcome this fellow Kentuckian as he carries out this proud American tradition

SENATE DEBATE

Mr. President, the American people sent us to Washington to debate serious issues. They expect us to take our jobs seriously, to develop effective solutions to the issues that matter to them. That is our charge. Throughout our Nation's history, the Senate has been the place where the weightiest issues have been discussed and debated and, in many cases, resolved.

It is where we wrestle with whether to go to war. It is where we pass landmark bipartisan legislation such as the Civil Rights Act, the GI bill, and the Welfare Reform Act. But over the past several years, and very vividly in the past several months, that proud history has started to erode.

Instead of a forum for debate and resolution of the most pressing domestic and international issues facing our Nation, it has become fodder for late-night TV. When the American people turn on C–SPAN these days they do not

often see a majority party driving serious debate on the issues of the day. They hear bizarre monologues about greased pigs and a couple of Kansans the majority leader seems to be thinking about all the time. They see a daily display of absurd political theater that has almost no relevance at all to their daily lives.

It is quite disgraceful. But it is no surprise either since the Democratic majority clearly ran out of ideas a long time ago. Their refusal to engage in serious debate is just another symptom of that. Senate Democrats are afraid to expose their party's empty playbook, so they play games instead. They fill the time with aimless diatribes against private citizens and legislative theatrics that are more about satisfying their liberal patrons than addressing the real concerns and anxieties of the American middle class.

It is all about revving up the far left for them, so they will show up in November and save the President's Senate majority. That is the hope, at least.

But the larger point is this: As Washington Democrats seek to preserve their hold on power, they are becoming increasingly untethered from the daily concerns of average Americans.

That is why you are seeing the Senate lose its sense of purpose. That is why you are not seeing any real debates. Instead of listening to the needs of the middle class, they dance to the tune of the left. That is why you see Senate Democrats pushing legislation that would cost up to 1 million jobs—at a time when the middle class is practically begging us to create jobs. That is why you see Senate Democrats basically boasting that their legislative agenda was drafted by campaign staffers—with no shame at all. And that is why you see Senate Democrats killing job creation bills the House sends us, without even so much as a vote.

No wonder the American people are so disgusted with Washington. Wouldn't you be? The majority's antics this week were particularly shameful. They shook their fists and declared that global warming was the most important issue of our age—that to stand in the way of their preferred solutions would be, at best, immoral. They shouted it from the rooftops and, presumably, sent emails to leftwing supporters to let them know just how serious they were and how Republicans were somehow holding things up.

What they did not tell their supporters was that the Democrats' own majority leader, who also spoke forcefully on the issue yesterday, has been blocking the Senate from voting on global warming for years. Why? Because he does not want his fellow Senate Democrats to have to take a tough vote and because he knows it would never pass a Chamber Democrats control anyway.

As I said, almost everything has become a show in the Senate now. The needs of the middle class are simply lost in the shuffle, and the institution itself is trivialized, it is diminished. The Senate used to be a place where we would discuss the pressing issues of the day. We would be able to do so again if the Senate floor were not being used as a campaign studio.

On Iran, Republicans have tried for months to debate and vote on additional sanctions to put an end to its nuclear program. We know a huge bipartisan majority would vote for increased sanctions if the majority leader would only allow the bill to come to the floor. But he will not. Just as he stopped us from voting to approve the Keystone XL Pipeline yesterday, resulting in headlines such as this one from the AP: ''Democratic leader blocks Senate vote on Keystone.''

''Democratic leader blocks Senate vote on Keystone.''

In fact, at a time when we should have been debating energy, the majority leader refused to allow a single Republican amendment on energy this week—not a one. As I have noted in recent days, the Republican-led House has offered Democrats 125 rollcall votes on their amendments since last July. Here in the Senate, the majority leader has allowed us nine—nine—rollcall votes on Republican amendments since July.

But let me put a finer point on that. Democrats in the House have received more than twice as many rollcall votes on energy-related amendments alone as we have received on all amendments since July. That is not the way this body was meant to function. It is disrespectful to the millions of American citizens represented on the Republican side of the aisle. They deserve a chance to be heard.

The way the Senate operates these days is a travesty—no real debate, no amendments, no respect for the millions of Americans represented by the minority party. It has become an arm of the Democratic Senatorial Campaign Committee. We owe the American people so much more than that.

It is time to focus on the middle class again—to let go of the obsession with the far left and the next election. It is time for the Senate to be the Senate again.

HONORING OUR ARMED FORCES

SERGEANT JEREMY R. SUMMERS

Mr. President, I want to speak today about a brave young U.S. Army soldier from my home State of Kentucky who was lost in battle. SGT Jeremy R. Summers, of Brooksville, KY, perished on July 14, 2011, from wounds suffered when the enemy attacked his unit with small-arms fire in the Paktika Province of Afghanistan. He was 27 years old.

For his service in uniform, Sergeant Summers received many awards, medals, and decorations, including the Bronze Star Medal, the Purple Heart Medal, two Army Commendation Medals, the Army Achievement Medal, the Army Good Conduct Medal, the National Defense Service Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, three Overseas Service Ribbons, the NATO Medal, and the Combat Action Badge.

Kenneth Michael Summers, Jeremy's father, says this about his son:

> He never hesitated to make a new soldier feel welcome into the unit. There was one soldier who said he was so scared because he was a newbie, but Jeremy stepped up and helped him. [The other soldier] said for that, he was so thankful and would never forget Jeremy. That was a common story when soldiers told us about their experiences with Jeremy.

Jeremy was not only thoughtful and willing to help others, he was also a dedicated and committed servicemember, and I am sure it was due in part to his following the example that was set for him. Both Jeremy's father and mother, Laura Jo Summers, served in the Army. Jeremy, who graduated from Bracken County High School in Brooksville in 2002, enlisted in the Army in March of 2005 and served for 6 years.

At the time of his deployment to Afghanistan, he was serving as a U.S. Army forward scout observer and was assigned to Headquarters and Headquarters Company, 2nd Battalion, 506th Infantry Regiment, 101st Airborne Division, based out of Fort Campbell, KY. Previously Jeremy had deployed to both Iraq and Korea.

Jeremy was a voracious reader and loved to watch scary movies. He was known to indulge in a practical joke or two to scare his friends. Jeremy was also a bright student in school, who earned a degree in computer engineering after his first tour of duty. Jeremy asked his parents for advice about reenlisting and decided to continue serving his country in uniform.

Sergeant Summers has followed not only the tradition of his parents but also the tradition of service of so many brave Kentucky men and women who have worn our country's uniform.

''He felt more comfortable in the military lifestyle than he did as a civilian,'' Jeremy's father recalls. ''I reckon it was only fitting . . . since he started life as a military brat and ended as an honorable soldier.''

Speaking for his family, Jeremy's father continues on to say this:

> Jeremy was a good listener, a great friend, an awesome brother and a terrific son. I wish all of you could have known him like we did. He is still one of our hearts' greatest treasures.

Mr. President, we are thinking of Sergeant Summers' family today after the loss of one of their hearts' greatest treasures. These include his parents, Kenneth Michael and Laura Jo Summers; his grandparents Joyce Wagoner and Mary Fowler, his siblings Austin Hunter and Jessica Elizabeth Summers, and many other beloved family members and friends.

My colleagues and I here in the Senate extend our greatest sympathies and

condolences to the Summers family for the loss of their son, brother, grandson, and friend Jeremy. We are proud of him for following the example set by his parents and volunteering to wear an American patriot's uniform.

We are deeply humbled and honored to be the beneficiaries of his life of service and his ultimate sacrifice. Without the bravery of men such as SGT Jeremy R. Summers, our Nation would not be free.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, the time until 11:15 a.m. will be equally divided between the two leaders or their designees.

The Senator from Iowa.

BARRON NOMINATION

Mr. GRASSLEY. Mr. President, I come to the Senate floor to discuss a pending nomination, that of Harvard Law School Professor David Barron to a seat on the First Circuit Court of Appeals.

This nomination is exceptionally controversial and was voted out of our committee, the Judiciary Committee, on a 10-to-8 vote. Even a cursory look at Professor Barron's record reveals views on the Constitution and on federalism that are well outside the mainstream. But I want to put all those views aside and speak about this nomination from another point of view.

So today I discuss Professor Barron's service as Acting Assistant Attorney General for the Office of Legal Counsel in 2009 and 2010.

According to multiple media sources, while heading up the Office of Legal Counsel, Professor Barron was instrumental in formulating the legal arguments that this administration used to justify the targeted killing of American citizens by drone strikes.

According to press reports, Professor Barron wrote at least two legal opinions laying out those arguments. We also know the Department of Justice relied on the legal arguments Professor Barron formulated to justify the targeted killing of an American citizen in a tribal region of Yemen in September 2011.

In a May 2013 letter to the chairman of our Judiciary Committee, the Attorney General wrote that ''since 2009, the United States, in the conduct of U.S. counterterrorism operations against Al-Qaeda and its associated forces outside of areas of active hostilities, has specifically targeted and killed one U.S. citizen.''

According to press reports, that individual was the first American citizen placed on the CIA's disposition matrix, better known as the kill list. However, the Attorney General conceded that three additional Americans located outside the United States have been killed by drone strikes since 2011.

According to the Attorney General's letter, these Americans were killed even though they ''were not specifically targeted by the United States'' as part of a counterterrorism operation.

But today I am not debating Professor Barron's legal arguments related to the drone strikes. The fact is that Senators aren't in a position to make an informed judgment about the nominee because of the way this administration has handled the issue, so I wish to address our constitutional duty with respect to the nomination.

Article II, Section 2, instructs us to give advice and consent on the President's judicial nominees. That is not a procedural technicality, it is a constitutional imperative. These happen to be lifetime appointments, and the men and women we confirm to the Federal bench play a vital role in the life of our Republic.

It is my view this body cannot, as things stand today, fully and appropriately discharge its constitutional duty to advise and consent with respect to this nominee. I will briefly address some recent developments in the courts that lead me to that conclusion.

On April 21 of this year, the Second Circuit issued an opinion in a Freedom of Information Act lawsuit brought by two New York Times reporters and the American Civil Liberties Union against the Department of Justice, the Department of Defense, and the CIA. That lawsuit began in December 2011 after the administration denied a Freedom of Information Act request from the New York Times for documents on the administration's targeted killing of American citizens outside this country. Specifically, the Times requested ''a copy of all Office of Legal Counsel memorandums analyzing the circumstances under which it would be lawful for United States armed forces or intelligence community assets to target for killing a United States citizen who is deemed to be a terrorist.''

The administration refused to provide anything in response to that request by the New York Times. In fact, initially the administration wouldn't even acknowledge that any responsive documents even existed, but as the litigation developed, the Department of Justice identified a single document but claimed it was exempt from disclosure under FOIA. That document is the so-called OLC-DOD memorandum.

Essentially, according to the Second Circuit, that is Professor Barron's memo providing the legal justification for targeted killing of American citizens abroad with drones. Basically, the court reasoned that because the administration had leaked and then officially released the so-called Department of Justice White Paper on the drone program, the administration then waived any basis for withholding the Barron drone memo under the Freedom of Information Act. Therefore, the Second Circuit ordered the administration to produce a redacted copy of this Barron drone memo to the New York Times.

The Second Circuit's opinion confirms that Professor Barron wrote this drone memo. However, according to press reports going as far back as September 2010, Professor Barron had written at least one other drone memo on the targeted killing of Americans while he was at the Office of Legal Counsel. That second memo wasn't addressed by the Second Circuit's opinion and hasn't been disclosed publicly.

We also don't know whether Professor Barron wrote or was involved in producing other materials related to the drone program that have yet to be provided to the full Senate. For example, the Second Circuit has identified two additional memos from the Office of Legal Counsel that it ruled were not subject to disclosure under the Freedom of Information Act. Moreover, according to some media reports, there are quite a few additional memos on the drone program. In fact, the Second Circuit opinion repeats the ACLU's contention that there may be as many as 11 total memos related to this drone program.

This fact didn't escape the Second Circuit. In sending the case back to the district court for further litigation, the circuit left open the possibility that there might be other documents subject to disclosure down the road. The court said, after giving the government another chance to submit additional reasons for withholding the documents: ''The district court may, as appropriate, order the release of any documents that are not properly withheld.''

Let me be very clear. My colleagues should be on notice that more of these documents very well may be made public down the road. In my view, that is all the more reason for the full Senate to receive all materials on the drone program, written by and related to Professor Barron, from the Office of Legal Counsel and do it now before Members decide and are held accountable for their vote on this nominee.

It is impossible to overstate the importance of these materials to our consideration of Professor Barron's nomination. The memos and whatever other materials Professor Barron drafted as the acting head of the Office of Legal Counsel provides the legal framework for the administration's policies related to killing American citizens abroad. We know this because the administration itself has said so. In testimony before the Senate Select Committee on Intelligence, CIA Director Brennan testified that advice from the Office of Legal Counsel on the drone program ''establishes the legal boundaries in which we can operate.''

Once again, let me be clear. The Senate cannot properly discharge its duty to advise and consent on this nomination without having a full picture of this nominee's legal philosophy. A very legitimate question is, How can the Senate predict what kind of a judge he will be if we don't know what kind of a lawyer he has been?

The Senate simply cannot evaluate whether this nominee is fit for a lifetime appointment to one of the Nation's most important courts without

complete access to his writings. It is even more important now that we know some of those writings concern perhaps some of the most controversial issues the Office of Legal Counsel has addressed in recent years; that is, the use of drones to kill American citizens abroad.

Time and again this President and even this Attorney General have promised transparency. They have made these promises to us. They have made promises to the American people. We all know in our oversight capacity of trying to get information out of this administration that they haven't delivered on these promises.

In that letter from the Department of Justice to Chairman LEAHY that I mentioned just a few minutes ago, the Attorney General claimed this administration ''has provided an unprecedented level of transparency as to how sensitive counterterrorism operations are conducted.'' The Attorney General also wrote that the administration was taking all steps to ensure that congressional committees ''are fully informed of the legal basis'' for targeted killings of American citizens.

Again, those assertions aren't accurate when it comes to this nominee's track record at the Department of Justice. If press reports are accurate, this administration hasn't made all the relevant materials available to all Members of this body yet. I am not the first Member of this body to point this out.

I give several of my Democrat colleagues credit for publicly drawing attention to this administration's shortcomings in respect to this administration sufficiently giving us information. I agree with them that this nomination cannot go forward until this body, every Member of this body, is given access to any and all secret legal opinions this nominee wrote on this critical issue of the constitutional basis for the President subjecting an American to killing by drone without trial. Every legal opinion this nominee wrote related to this issue ought to be made available. I wholeheartedly concur in the sentiment of my colleagues, some of them Democrats, on this issue.

Again, I think all Senators should bear in mind that these documents may very well become public in the future. Are Senators who are up for reelection in a few short months ready to vote on this nominee without knowing the full extent of his writings on a topic as serious as the killing of an American citizen by a drone? Are those Senators ready to go home to face their constituents and explain that they cast a vote on that nominee without knowing all of the facts?

On Tuesday the administration announced it will provide the full Senate access to the Barron drone memo that it was ordered to make public by the Second Circuit.

Is this what the most transparent administration in American history looks like, disclosing a memo that a court has already ordered it to disclose?

Keep in mind this administration agreed to the disclosure only after the Second Circuit order and a threat from the American Civil Liberties Union. Is that transparency?

In fact, I am having a bit of a flashback to a statement I made before this body just last week about another judicial nominee. That nominee led the administration's effort to stonewall congressional oversight into the murder of four Americans at our diplomatic mission in Benghazi. That nominee refused to comply with congressional subpoenas and assisted the administration's unlawful withholding of documents from Congress. The Benghazi documents that should have been turned over years ago weren't released until a judge forced the administration to turn over those documents by issuing a court order in a Freedom of Information Act lawsuit.

Just like the memos I have been talking about today, I am starting to see a pattern, and I am starting to understand what this administration means by the word ''transparency.'' It means ''show me a court order first.''

Incidentally, I have been for more transparency at the Office of Legal Counsel for years, and even more so since January, when President Obama threatened to aggressively use Executive orders to circumvent Congress. It is the job of the Office of Legal Counsel to ensure that Executive orders are constitutional.

On January 31 I wrote the Attorney General to ask him to disclose the Office of Legal Counsel's work related to Executive orders issued by the President. I still haven't received a response.

I will also note that Professor Barron himself has gone on record publicly and urged increased transparency at his former workplace, the Office of Legal Counsel, and for that we ought to give him due credit.

In fact, the nominee said this about the OLC—the Office of Legal Counsel:

> OLC should follow a presumption in favor of timely publication of its written legal opinions. Such disclosure helps to ensure executive branch adherence to the rule of law and guard against excessive claims of executive authority.

It couldn't be said any better by me in regard to the letter I wrote on January 31. He went on to say:

> . . . transparency also promotes confidence in the lawfulness of government action.

That is a very admirable standard. I would like to call it the Barron standard, and I hope the administration follows the Barron standard with respect to informing the full Senate about this nominee's work in the Office of Legal Counsel. The administration's offer to disclose the memo it was already ordered to make public by a court isn't good enough, and it shouldn't be good enough for the other 99 Senators, because this is already their legal obligation.

The administration must turn over not only the memo addressed by the Second Circuit, but every legal opinion from the Office of Legal Counsel written by and related to Professor Barron on this issue. Given the lack of clarity thus far, I call on the White House to provide every Senator with access to all Barron materials related to the administration's drone program.

I am also calling on the White House to comply with the Second Circuit's order and release to the public—not just to Senators—a redacted copy of the Barron drone memo that it addressed in its opinion. This is the administration's legal obligation.

Our obligation, as Senators, is to ensure our constituents have full access to information a Federal Court has ordered to be made public before we vote on the nomination. Without full disclosure to the full Senate of all materials on this nominee's involvement in the legal case for the administration's drone program, this nomination should not proceed.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. 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.

ENERGY SAVINGS

Mr. REED. Mr. President, I rise today to express my support for the Energy Savings and Industrial Competitiveness Act.

While there is much more to be done on energy issues, we have an opportunity with this bill to make strides in increasing energy efficiency across many sectors of our economy—from schools and homes to commercial buildings, industry, and manufacturing.

I commend my colleagues, Senators SHAHEEN and PORTMAN, for their tireless efforts to craft a bipartisan energy efficiency bill that has the support of a diverse range of businesses and environmental and labor groups. This demonstrates the broad consensus that being smarter about how we use energy will help strengthen our economy, create jobs, improve our energy security, and protect our environment. Investing in a cleaner, more efficient energy system is one of the fastest, most cost-effective ways to increase our global competitiveness, support job growth, and save families and businesses money through improved efficiency and reduced energy consumption.

I have been particularly focused on addressing the burden of high energy costs on families and businesses in my home State of Rhode Island. One of the most pressing, far-reaching, and complex challenges we face in Rhode Island is the high cost of energy to power and heat homes and businesses. Rhode Island and the New England region face significant energy transmission and distribution challenges, which results

in consumers and businesses in the region experiencing some of the highest, most volatile energy costs in the country. These high energy costs are hurting Rhode Island families and businesses, threatening the growth of our economy, and reducing our competitiveness.

After paying their monthly home energy bills, Rhode Island families, who have been hit particularly hard during this period of high unemployment, are left with few resources to meet other basic needs. High energy costs also place Rhode Island businesses, manufactures, and industrial users at a competitive disadvantage. To revitalize Rhode Island's rich manufacturing history, we must find ways to lower energy costs.

These were among the issues explored when I welcomed Secretary Moniz to Providence last month as part of the Administration's outreach on the Quadrennial Energy Review. Secretary Moniz had the opportunity to hear directly from Rhode Islanders impacted by high energy costs and engage in a dialogue of potential solutions.

While I continue working with my New England colleagues to find long-term solutions to ensure an affordable, cleaner, and more reliable energy system for the region, one of the things we can do to help families and businesses in our States right now is to pass the Shaheen-Portman energy efficiency bill.

Addressing the existing energy infrastructure constraints in New England is just one piece of the puzzle. Energy efficiency will also be an important tool in reducing demand, lowering energy costs, and addressing and maintaining the reliability of our energy system.

Improved efficiency not only saves families and businesses directly on their energy bills, but by also reducing demand, it helps to alleviate stress on the power system and can help mitigate volatile price spikes in the New England region, as we witnessed over the last several months.

I would also like to take a moment to speak about an amendment I have joined Senators COONS and COLLINS in filing to this bill to reauthorize the Weatherization Assistance Program. I, along with Senator COLLINS, yearly lead the fight in the Senate for funding for the Weatherization and State Energy Programs. This amendment would reauthorize and enhance these two well-established, cost-effective energy programs that support jobs, contribute to the Nation's economic recovery, and help meet important goals, such as improving energy efficiency and lowering energy costs.

I know that we have many supporters of the Weatherization and State Energy Programs here in the Senate, and I look forward to continuing to work with each of you to ensure that these important programs remain successful in improving energy efficiency, creating jobs, and reducing the overall cost of heating and powering our homes and businesses.

While we should certainly do much more to advance our national energy policy—and I hope that we can take greater steps very soon—I urge my colleagues to join me now in supporting the Shaheen-Portman energy efficiency bill.

I once again commend those two Senators for their extraordinarily thoughtful, conscientious, and determined leadership. Now we must follow their example and pass this legislation.

BARRON NOMINATION

Mr. LEAHY. Mr. President, earlier today, the ranking member requested that the administration provide materials relating to Anwar Al-Awlaki so that all Senators would be able to properly evaluate Mr. Barron's nomination. The administration has now made available unredacted copies of any memo issued by Mr. Barron regarding the potential use of lethal force against Anwar Al-Awlaki. I hope and expect that all Senators will review these materials today.

Mr. President, I yield the floor, and I would note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

Mr. LEAHY. Mr. President, today, we are again voting to overcome Republican filibusters of four highly qualified judicial nominees. The nominees are Judge Robin Rosenbaum to fill an emergency vacancy on the U.S. Court of Appeals for the Eleventh Circuit; Indira Talwani to fill a vacancy on the U.S. District Court for the District of Massachusetts; James Peterson to fill an emergency vacancy on the U.S. District Court for the Western District of Wisconsin; and Nancy Rosenstengel to fill an emergency vacancy on the U.S. District Court for the Southern District of Illinois.

Before proceeding with the qualifications of these four judicial nominees, I would like to address some questions regarding the nomination of David Barron. Mr. Barron has been nominated to fill a vacancy on the U.S. Court of Appeals for the First Circuit. There have been press accounts that Senate Republicans are placing a hold on Mr. BARRON's nomination because they are seeking access to a Justice Department memorandum regarding Anwar Al-Awlaki, an Al Qaeda leader who was killed by a U.S. drone strike in Yemen.

Since Senate Republicans have blocked every single judicial nominee this year from receiving an up-or-down vote, it comes as no surprise that they would attempt to block Mr. Barron as well. This is nothing new. As for the Justice Department memo, the majority leader and I have urged the administration to make the memo available to all Senators, and the administration has agreed. All Senators can review it for themselves. All members of the Judiciary Committee were previously able to review this memo, and now that his nomination is before the full Senate, it makes sense that all Senators will have that opportunity.

I am confident that once we proceed with Mr. Barron's nomination, Senators will vote to confirm him. He is brilliant nominee who is currently a professor at Harvard Law School. He is a nationally recognized expert on constitutional law, the separation of powers, administrative law, and federalism. He clerked on the U.S. Supreme Court for Justice John Paul Stevens. Justice Stevens has such high regard for Mr. Barron that the Justice attended his nomination hearing.

Mr. Barron has been an outstanding law professor and public servant. He has the credentials, expertise, and temperament to make an outstanding judge. As the acting head of the Department of Justice's Office of Legal Counsel in the beginning of the Obama administration, one of Mr. Barron's first actions was to withdraw several of the torture memos that OLC issued during the Bush administration that found ''enhanced interrogation techniques'' lawful, including sleep deprivation, stress positions, and waterboarding.

Mr. Barron has stood up for the rights of gay and lesbian students. In 2005, he coauthored amici briefs in the case Rumsfeld v. FAIR, which challenged the Solomon Amendment. The Solomon Amendment provided that if an institution of higher education denies military recruiters or ROTC programs access to campus, the entire institution would lose certain Federal funds. Until 2011, the Department of Defense discriminated based on sexual orientation, and many universities did not permit discrimination on campus. In response to a question for the record from Senator GRASSLEY on the issue, Mr. Barron said: ''With respect to my participation along with other faculty members and my dean as amici in Rumsfeld v. FAIR, I believed it was important as a faculty member at Harvard Law School to help in the effort to ensure that gay and lesbian students at my institution continued to have equal opportunities to seek legal employment.''

Mr. Barron is truly an outstanding nominee, and I hope all Senators will support his nomination when it comes up.

Today, we will vote to end the filibusters of four other very highly qualified nominees.

Judge Robin Rosenbaum has been nominated to fill an emergency vacancy on the U.S. Court of Appeals for the Eleventh Circuit. She has served since 2012 as a U.S. district judge in the Southern District of Florida, where she was previously a U.S. magistrate judge. Prior to her judicial service, she served as an assistant U.S. attorney in the Southern District of Florida from 1998 to 2007. Judge Rosenbaum has previously practiced at Holland & Knight, LLP, and as a trial attorney in the U.S. Department of Justice, Civil Division. In 1998, she served as a law clerk to Judge Stanley Marcus of the U.S. Eleventh Circuit Court of Appeals. She has the bipartisan support of her home state senators, Senator NELSON and Senator RUBIO. The Judiciary Committee reported her nomination by voice vote to the full Senate on March 6, 2014.

Indira Talwani has been nominated to fill a vacancy on the U.S. District Court for the District of Massachusetts. She has worked in private practice at Segal Roitman, LLP, since 1999 and has been a partner at the firm since 2003. She has previously practiced at the law firm of Altshuler Berzon LLP, where she was also a partner. After graduating from law school, Ms. Talwani served as law clerk to Judge Stanley Weigel of the U.S. District Court for the Northern District of California. She has the support of her home State senators, Senator WARREN and Senator MARKEY. The Judiciary Committee reported her favorably to the full Senate by voice vote on February 6, 2014.

James Peterson has been nominated to fill an emergency vacancy on the U.S. District Court for the Western District of Wisconsin. He has worked in private practice at Godfrey & Kahn, S.C., since 1999, where he has been a shareholder since 2007. Mr. Peterson has served as lead counsel on at least 15 civil cases that have been litigated to judgment. He has also actively participated in nine jury trials, three of which he was lead counsel. Mr. Peterson has briefed and argued civil appeals at the U.S. Court of Appeals for the Seventh Circuit, the Federal Circuit, and the Wisconsin Supreme Court. He has also authored two amicus briefs at the U.S. Supreme Court. In addition to his legal practice, Mr. Peterson has served as an adjunct instructor at the University of Wisconsin Law School. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Peterson ''well qualified'' to serve on the Western District of Wisconsin Court, its highest rating. He has the bipartisan support of his home State senators, Senator JOHNSON and Senator BALDWIN. The Judiciary Committee reported him favorably to the full Senate by voice vote on February 6, 2014.

Nancy Rosenstengel has been nominated to fill an emergency vacancy on the U.S. District Court for the Southern District of Illinois. She has served since 2009 as the clerk of court to the U.S. District Court for the Southern District of Illinois. She previously served for 11 years as a career law clerk to Judge G. Patrick Murphy of the U.S. District Court of the Southern District of Illinois. As a career law clerk, she assisted Judge Murphy in hundreds of civil and criminal cases. She also worked in private practice at Sandberg, Phoenix, & von Gontard as an associate from 1993 to 1998. She earned her B.A. cum laude from the University of Illinois in 1990. She earned her J.D. with honors from the Southern Illinois University Law School in 1993, where she was as an editor on the Southern Illinois University Law Journal. She has the bipartisan support of her home State senators, Senator DURBIN and Senator KIRK. The Judiciary Committee reported her nomination by voice vote to the full Senate on March 6, 2014.

Each of these nominees has the experience, judgment, and legal acumen to be good judges in our Federal courts. I thank the majority leader for filing cloture petitions, and I hope my fellow Senators will join me today to end these filibusters so that these nominees can get working on behalf of the American people.

Mrs. SHAHEEN. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Harry Reid, Patrick J. Leahy, Mazie K. Hirono, Dianne Feinstein, Al Franken, Jack Reed, Amy Klobuchar, Robert P. Casey, Jr., Sheldon Whitehouse, Benjamin L. Cardin, Tom Harkin, Barbara Boxer, Richard Blumenthal, Edward J. Markey, Richard J. Durbin, Charles E. Schumer, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, is it the sense of the Senate that debate on the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 41, as follows:

[Rollcall Vote No. 134 Ex.]

YEAS—55

Ayotte	Harkin	Nelson
Baldwin	Heinrich	Reed
Begich	Heitkamp	Reid
Bennet	Hirono	Rockefeller
Blumenthal	Johnson (SD)	Sanders
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Landrieu	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Levin	Tester
Carper	Manchin	Udall (CO)
Casey	Markey	Udall (NM)
Collins	McCaskill	Walsh
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden
Gillibrand	Murphy	
Hagan	Murray	

NAYS—41

Alexander	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker
Fischer	McConnell	

NOT VOTING—4

Boozman	Klobuchar
Franken	Pryor

The PRESIDING OFFICER. On this vote the yeas are 55, the nays are 41.

The motion is agreed to.

The majority leader.

Mr. REID. Mr. President, the last vote was about 10 minutes over time. We waited patiently for everyone. For the next two votes, at the end of the time we are going to cut it off. We have a lot of things going on during lunchtime.

If you are not here, you are not going to be counted. We can't be waiting because it is impolite and unfair to everybody else. We have two more votes.

I yield back the time on the two judges.

We are going to have a third vote that will be by voice vote.

Ms. LANDRIEU. Mr. President, could this be a 10-minute vote?

Mr. REID. It is.

The PRESIDING OFFICER. Without objection, all time is yielded back.

NOMINATION OF INDIRA TALWANI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

Harry Reid, Patrick J. Leahy, Mazie K. Hirono, Dianne Feinstein, Al Franken, Jack Reed, Amy Klobuchar, Robert P. Casey, Jr., Sheldon Whitehouse, Benjamin L. Cardin, Tom Harkin, Barbara Boxer, Richard Blumenthal, Edward J. Markey, Richard J. Durbin, Charles E. Schumer, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the nomination of James D. Peterson, of Wisconsin, to the United States District Judge for the Western District of Wisconsin, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 40, as follows:

[Rollcall Vote No. 135 Ex.]

YEAS—56

Ayotte	Harkin	Murray
Baldwin	Heinrich	Nelson
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Johnson (WI)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Collins	Markey	Udall (NM)
Coons	McCaskill	Walsh
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden
Hagan	Murphy	

NAYS—40

Alexander	Chambliss	Corker
Barrasso	Coats	Cornyn
Blunt	Coburn	Crapo
Burr	Cochran	Cruz
Enzi	Johanns	Rubio
Fischer	Kirk	Scott
Flake	Lee	Sessions
Graham	McCain	Shelby
Grassley	McConnell	Thune
Hatch	Moran	Toomey
Heller	Paul	Vitter
Hoeven	Portman	Wicker
Inhofe	Risch	
Isakson	Roberts	

NOT VOTING—4

Boozman	Klobuchar
Franken	Pryor

The PRESIDING OFFICER. On this vote the ayes are 56, the nays are 40. The motion is agreed to.

NOMINATION OF JAMES D. PETERSON TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois.

Harry Reid, Patrick J. Leahy, Mazie K. Hirono, Dianne Feinstein, Al Franken, Jack Reed, Amy Klobuchar, Robert P. Casey, Jr., Sheldon Whitehouse, Benjamin L. Cardin, Tom Harkin, Barbara Boxer, Richard Blumenthal, Edward J. Markey, Richard J. Durbin, Charles E. Schumer, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 42, as follows:

[Rollcall Vote No. 136 Ex.]

YEAS—54

Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Collins	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Walsh
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Gillibrand	Murkowski	Whitehouse
Hagan	Murphy	Wyden

NAYS—42

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

NOT VOTING—4

Boozman	Klobuchar
Franken	Pryor

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 42. The motion is agreed to.

NOMINATION OF NANCY J. ROSENSTENGEL TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois.

NOMINATION OF PAMELA K. HAMAMOTO TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR

The PRESIDING OFFICER. Under the previous order, the clerk will report the Hamamoto nomination.

The bill clerk read the nomination of Pamela K. Hamamoto, of Hawaii, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Madam President, I ask unanimous consent that all 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

Pamela K. Hamamoto, of Hawaii, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent that the time until 1:45 p.m. be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CASEY. Madam President, the Senator from Kansas will speak and then I will follow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas.

Mr. MORAN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO CHARLOTTE LINSNER

Mr. MORAN. Madam President, I am here this afternoon to pay tribute to an exceptional woman in my hometown. She is retiring from a career of aiding victims of domestic violence across Northwest Kansas. Charlotte Linsner in Hays, KS, is concluding more than 25 years of service to Options Domestic and Sexual Violence Services with half of her time in the role as its executive director.

Back home, especially in the rural parts of our State where doors are left unlocked and most people know everyone else, we often think that domestic violence doesn't occur on our streets or in our homes or to people in families that we know. Unfortunately, that is not the reality, and the evidence clearly indicates that is not the case.

Since Options opened its doors 30 years ago under the name of Northwest Kansas Sexual and Domestic Violence Services, 18,000 Kansans in 18 northwest counties have been assisted in seeking a safe environment. There are locations in Hays and Colby, and in addition to providing direct assistance, Options has been instrumental in raising awareness of domestic and sexual violence in our corner of the State.

Almost from the very beginning Charlotte was there working to help those in need. She has offered compassion and strength and hope to those who walked through Options' doors or called the hotline. Her coworkers use words to describe her such as ''passion'' and ''spunkiness'' and ''one of the nicest people.'' From my time living in Hays and visiting Options, I can attest to those attributes. These characteristics are what make Charlotte so very effective in her job. Those who come to Options are bruised physically and emotionally, and they find among the staff at Options understanding and expertise. Effective leadership has made this an effective organization.

Last year our State's attorney general presented Options with the Outstanding Victims Service Organization for 2013, an award at its 16th Annual Crimes Victims' Rights Conference. Mindful that domestic and sexual violence is a scourge not just throughout Northwest Kansas but throughout our State and society, Charlotte told the audience:

> Options accepts this award in honor of all advocates and domestic/sexual programs across the State. Advocates go to work each day to find safety for victims.

Charlotte would be the first to say that great things cannot happen through one person's work alone. So I also wish to commend all who staff Options, who sit on its board of directors, who raise money, and the outside groups and individuals who tirelessly work to protect the vulnerable in our communities. I also want to acknowledge her husband Larry and her four children, who have supported her as she has devoted so much of her life and so much of her time to helping other families.

Charlotte is retiring but not until July 1, and for as long as she is on the job she is hard at work to solidify her agency's mission. She will lead a capital campaign with the goal of $250,000, and once the day comes, she will mentor the new executive director. Not only that but she plans to still work once a month at the shelter house as an advocate, which is how she started her career.

Charlotte leaves huge shoes to fill for the next executive director, but with the foundation that Charlotte and others have laid throughout the community in community partnerships and generous benefactors, Options will be helping those in need—our neighbors, our friends, sometimes even our relatives—for years to come.

Thank you, Charlotte. Best wishes. I am glad you live your life in a way that is committed to helping others.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, with regard to the Hamamoto nomination, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senator from Pennsylvania.

SYRIAN ATROCITIES

Mr. CASEY. Thank you, Madam President.

Madam President, I rise this afternoon to discuss the recent events in Syria and the United States' response to the crisis.

Yesterday I had the opportunity to meet with President Ahmad Jarba of the Syrian National Coalition to hear firsthand about the Assad regime's intolerable violations of international law and human rights norms. I will begin by reviewing the situation as it stands today.

More than 3 years since the fighting first began, the conflict in Syria rages on. The fighting has driven more than 2.4 million refugees out of the country and displaced 6.5 million more Syrians inside of Syria itself. The violence is so terrible that the United Nations has stopped estimating the death toll. According to the Syrian Observatory for Human Rights, at least 150,000 Syrians have been killed. This conflict has had a disproportionate effect on children in Syria. A Save the Children report indicates that at least 1.2 million children have fled to neighboring countries while about 10,000 have died in the violence.

The Assad regime has used every available tactic to terrorize the Syrian people. Some civilians have resorted to eating grass as desperately needed humanitarian and food aid has been withheld from besieged communities. The whir of helicopter blades above portends barrel bomb strikes that we have heard so much about that could easily land on a school, a hospital or an apartment block. For example, on April 30, Assad's air force dropped a barrel bomb on an elementary school in Aleppo. This attack killed 25 children. This kind of activity by the Assad regime is, in a word, intolerable.

Yesterday the remaining opposition fighters in Homs, once an opposition stronghold, were evacuated under U.N. supervision. If my colleagues here in the Senate have not yet seen the images of Homs, I would urge each of them to take a look at them. The ancient city of Homs is absolutely destroyed. In the midst of this, Mr. Assad declared his candidacy for reelection. Although presidential elections in Syria have never been free and fair, this one that he has declared his candidacy for is a farce, and we can add other words to that as well. This is an attempt by Mr. Assad to legitimize the extension of his brutal rule.

Bashar al-Assad lost his legitimacy a long time ago. What concerns me and so many others is this: Assad believes he is winning. He believes he can starve, bomb, and terrorize the Syrian people into submission. In light of all this it is incumbent upon the United States to take action to change or at least to help to change the momentum on the battlefield. Our national security interests are clear and have become even more clear in recent days. First, the Iranian regime's status as the world's leading state sponsor of terrorism is well established, and its proxies have perpetrated attacks against the United States, Israel, and our allies. Emboldened by the Iranian regime's support, Hezbollah has conducted attacks against U.S. targets and western interests. The Assad regime has been an important conduit between Iran and Hezbollah. As such, they are fighting side-by-side with the regime forces in Syria and providing the regime much needed supplies and financial assistance.

It is also abundantly clear that Russia simply does not share our interests in the region. I guess that is an understatement. Russia has continued to back the regime. It has consistently

blocked U.S. actions in the U.N. Security Council, including efforts to invoke chapter VII authorization to enforce existing Security Council resolutions 2118 and 2139. Russia continues to provide the regime materiel assistance, including ammunition, weapons, airplanes, and spare parts that are keeping the regime afloat. From Syria to Ukraine, it is clear that President Putin's approach to foreign policy is rooted in old Cold War regrets.

The administration has taken steps to respond to the protracted conflict in Syria. Let me outline a few. First, on chemical weapons: The agreement negotiated last fall has led to the vast majority of the Syrian regime's declared chemical weapons stockpiles being removed from Syria. Taking most of these dangerous weapons off the table was a great step forward. However, I remain concerned about reports that the regime could keep the remaining 8 percent of those chemical weapons as an insurance policy.

Equally, if not more, concerning are indications that the Assad regime retains secret stockpiles of chemical weapons that we cannot account for. Further, the regime's use of chlorine gas attacks to terrorize Syrian civilians demonstrates categorically that Assad will never abide by the spirit of that agreement—even an agreement that has led to that 92-percent removal. Here is what he won't fully agree to: to stop using chemical weapons against his own people in clear violation of international law.

Second, on humanitarian assistance, the administration has supported increasing efforts to reduce the suffering. The State Department and USAID must be commended for mobilizing a tremendous aid effort. American taxpayers have contributed over $1.7 billion in humanitarian assistance both inside of Syria and in its neighborhood. This important assistance has fed, clothed, vaccinated, and sheltered Syrians displaced by the fighting. However, the humanitarian crisis remains, as David Milliband put it, ''a defining humanitarian emergency of this century.'' So much more remains to be done just on the humanitarian challenge in and of itself.

Since the beginning of this conflict I have been calling for a more robust response by the United States. Yesterday I met with Mr. Jarba, the president of the Syrian National Coalition. While we discussed the situation in Syria and while we know this situation is terribly complicated, his bottom line message to me—and I am sure he will be addressing this with other American officials as well—and his message was very clear: Without significant support from the United States of America, the fighting will continue and a political solution will not be reached.''

We must act to change the battle's momentum and to fundamentally shift Mr. Assad's calculus. As long as he believes that there are no real consequences for his actions, he will continue to defy the U.N. Security Council. Consequently, I have sent a letter to President Obama today which asks him to consider some next steps.

Madam President, I ask unanimous consent that my letter to the President dated today be printed in the RECORD.

UNITED STATES SENATE,
Washington, DC, May 8, 2014.

Hon. BARACK OBAMA,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT, In recent weeks, Bashar al-Assad's reign of terror has intensified. His forces have used starvation as a war tactic by refusing to deliver desperately-needed food assistance to opposition-controlled areas, bombed an elementary school in Northern Aleppo killing 17 children, rained barrel bombs on residential areas in violation of UN Security Resolution 2139, and regained the former opposition-stronghold of Homs. Meanwhile, he has declared his intention to run for President. The United States has clear national security interests in Syria, in stabilizing the region, ending Assad's slaughter of civilians, and confronting the Iranian regime and Hezbollah. [However, Assad clearly believes he has the upper hand on the battlefield.

First, I commend the work you and your administration have already done to help the people of Syria, a country that journalist Nicholas Kristof called the ''world capital of human suffering.'' The State Department and USAID have mobilized a remarkable humanitarian aid effort thus far. American taxpayers have provided substantial assistance to help those suffering in Syria and the refugee communities in the region. Your administration's agreement with Russia to destroy Syria's chemical weapons has since resulted in the removal of 92.5 percent of Syria's declared stockpile. However, the humanitarian crisis is only expanding as the conflict rages on, and Assad has been deploying chlorine gas to terrorize Syrian civilians and circumvent the chemical weapons agreement.

The U.S. State Department recently highlighted Syria's critical importance to the United States' strategic, long-term interests in its 2013 Country Reports on Terrorism. The State Department's findings that civilians in Syria were primarily the target of terrorist violence are deeply troubling. The report found that Iran and Hezbollah provided critical support to Assad's regime by radically boosting Assad's capabilities and exacerbating the conflict. The report also noted that the Syrian conflict ''empowered ISIL [the Islamic State of Iraq and the Levant] to expand its cross-border operations in Syria, and dramatically increase attacks against Iraqi civilians and government targets in 2013.''

I remain firmly convinced that a more robust U.S. strategy is needed to change the balance of power on the ground and prevent either of two scenarios from occurring. First, that Bashar al-Assad could bomb and starve out any opposition and thus retain his grip on power in Syria.

Second, as members of your administration have warned, that terrorist organizations could take advantage of the chaos in Syria to establish a new safe haven, like a new Pakistani FATA, from which to launch attacks against U.S. interests.

Yesterday, I met with President Ahmad Jarba, to hear firsthand about the situation on the ground. I urge your administration to continue efforts to help the Syrian opposition bring Assad's tyrannical rule to an end and to stave off extremist influence. The State Department's commitment of $27 million in non-lethal assistance should be expanded to include additional assistance for the opposition Assistance Coordination Unit and local councils, which are the face of the opposition for Syrian civilians. With U.S. assistance, the opposition can ramp up its efforts to deliver humanitarian assistance and basic services to communities inside Syria.

I am aware of reports that American-made anti-tank rocket systems have made their way to a group of moderate Syrian rebels. Whatever the origin of these systems, I believe their provision can help change the momentum on the ground. However, to take down Assad's helicopters and bombers, the opposition forces need anti-aircraft weapons. If your Administration judges that there are sufficient safeguards available to track and disable such weapons remotely, I would support their deployment to trusted, vetted Free Syria Army commanders. I fully understand the risks of introducing more of these weapons to the region. However, as long as the regime enjoys control of the skies over Syria, its aircraft will continue regularly and indiscriminately raining bombs and killing Syrian civilians en masse. Little else would have such a profound impact on the balance of power on the battlefield.

The international community has clear interests in stabilizing the region and preventing future atrocities. UN Security Council Resolution 2139 requires that ''all parties immediately cease all attacks against civilians, as well as the indiscriminate employment of weapons in populated areas, including shelling and aerial bombardment, such as the use of barrel bombs. . . .'' Since the resolution's adoption on February 22, Human Rights Watch has documented at least 85 barrel bomb strikes in Aleppo alone. This is intolerable.

I ask that your Administration resume its advocacy for an invocation of Chapter 7 of the UN Charter. Assad continues to violate Security Council Resolution 2139 by deploying barrel bombs against civilians. A tailored and conditional Chapter 7 resolution to respond to the regime's willful disregard of the UN Security Council and the laws of war would not only hold Assad accountable but would also force Russia to take a stand on Assad's continued attacks on civilians.

The Senate has repeatedly voiced its concern regarding the deepening conflict in Syria. In July 2013, the Senate Foreign Relations Committee reported out S. 960, the Syria Transition Support Act, which authorized lethal assistance to vetted elements of the Syrian opposition. In the bill's findings, the Committee noted that it was vital to the United States' national security interests to limit the threat posed by extremist groups in Syria. Last month the full Senate agreed to S. Res. 384, which expressed the Senate's condemnation of the Syrian humanitarian crisis.

The sheer scale of war crimes, human rights abuses, and regional destabilization in the Syrian crisis is, as David Miliband of the International Rescue Committee put it, ''a defining humanitarian emergency of this century.'' As such, it deserves the United States' attention and carefully-considered action. I thank you for your leadership on this important issue and stand ready to help bring this conflict to an end.

Sincerely,

ROBERT P. CASEY, JR.,
United States Senator.

Mr. CASEY. I thank the Chair.

Let me outline some of what I set forth in the letter. First, I asked that the President seriously consider allowing the deployment of lethal assistance to the moderate military opposition. A serious effort to help narrow the gulf between the moderate opposition and

the better-trained and better-equipped extremist fighters would not only boost morale in the Free Syrian Army but could actually change the momentum of the battle. Yesterday President Jarba expressed his commitment to continuing to fight extremist forces. He made that commitment to me, and I am sure he would reiterate it to others. There is no question that there are risks here, but the greater risk is allowing Syria to fall into the hands of extremists and to allow the regime to murder thousands more Syrians and prevail in this conflict. If the administration judges that it has the confidence in Mr. Jarba's pledges and that we have conducted sufficient vetting of key opposition commanders, it should either consider allowing our partners in the region to supply lethal aid or consider providing such weapons ourselves.

I have not and will not advocate for American boots on the ground in this conflict, but giving moderate opposition forces the assistance they need to stem Assad's reign of terror and drive back foreign extremist fighters is in our national interest.

Second, my letter urges President Obama to resume the push for a chapter 7 authorization in the United Nations. Getting Russia to agree to U.N. Security Council resolutions 2118 and 2139 was a difficult task, far more difficult than it should have been considering international law is clear about the deployment of chemical weapons and the use of humanitarian assistance as a tool of war. Enforcement of these resolutions is critical. If Assad does not make good on his commitment to turn over 100 percent—not 92 percent—100 percent of his chemical weapons caches, there should be consequences. If he continues to starve and barrel bomb Syrian children, there must be consequences.

Pressing for a chapter 7 authorization would help us hold both Mr. Putin and Mr. Assad to their commitments. It would also pave the way for the United Nations to ramp up its cross-border humanitarian assistance, which is desperately needed inside of Syria.

When we met yesterday, President Jarba was clear: There will be no momentum behind a political solution until the momentum on the battlefield changes. I have believed that for a long time. The United States has an opportunity not only to help end the suffering in Syria but to send a strong message to those who support the Assad regime, including Russia, Iran, and Hezbollah.

I strongly urge the administration to consider the high stakes of allowing this conflict to continue unabated, and I ask that the administration strongly consider supporting a more substantial effort to properly train and equip the moderate Syrian opposition so they can reject extremist forces, defeat the regime, and begin to rebuild Syria.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS on the Introduction of S. 2307 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

PETERSON NOMINATION

Mr. JOHNSON of Wisconsin. Madam President, I am pleased to recommend to the Senate James D. Peterson to be the U.S. district judge for the Western District of Wisconsin.

Jim has deep roots in Wisconsin, having earned a bachelor's, master's, and Ph.D. from the University of Wisconsin-Madison before his first career as an associate professor of film studies at Notre Dame University. After a number of productive and successful years of academic life, his restlessness for intellectual challenge was energized when his wife Sue Collins interested him in the law as she was teaching legal writing at Valparaiso University Law School. They both returned to Wisconsin, where they each obtained their law degrees from the university.

Jim is currently the leader of the law firm Godfrey & Kahn's Intellectual Property Litigation Working Group and has handled a wide variety of commercial and constitutional disputes. He has served as a local counsel in two dozen patent disputes in the Western District of Wisconsin. In addition, he has appeared before the Wisconsin Supreme Court, the Seventh Circuit Court of Appeals, and the Court of Appeals for the Federal Circuit, which hears appeals of patent cases from district courts across the country.

This experience is important for the Western District of Wisconsin, which oversees many complex intellectual property cases. Since 2007 the Western District of Wisconsin has ranked among the top 25 most popular for patent litigation, largely due to the court's speed—commonly referred to as the ''rocket docket.''

Jim is also the author of numerous academic publications, many of which I had an opportunity to review during his application process. Right after law school he saw firsthand the challenges and requirements associated with being a judge when he served as a law clerk to Hon. David G. Deininger of the Wisconsin Court of Appeals. He has had a challenging and successful career as a legal practitioner. I have no doubt that he will, as a Federal district court judge, excel in yet another career for which he is well suited.

Jim has my full support, and I am happy to recommend him to the Senate for swift confirmation.

I would like to conclude by thanking my colleague Senator BALDWIN for the bipartisan process that resulted in the selection of this well-qualified jurist who will serve Wisconsin's Western District well.

The Western District is currently facing a judicial emergency. U.S. district judge Barbara Crabb has continued to serve on the bench despite retiring 4 years ago, and I sincerely appreciate her dedication in the State of Wisconsin during this vacancy.

I have full confidence that with Jim's expertise and experience, he will now be able to fill this void.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Wisconsin.

PETERSON NOMINATION

Ms. BALDWIN. Madam President, I rise this afternoon to urge my colleagues to confirm James Peterson for the United States District Court of the Western District of Wisconsin.

I will start where my colleague left off, which is to state that I am proud to have worked with Senator JOHNSON to put in place a nonpartisan Federal Nominating Commission and a process for moving judicial nominations forward, because the people of Wisconsin deserve to have experienced and highly qualified judges working for them, and they deserve to have judicial vacancies filled on a timely basis.

Addressing vacant Federal judgeships in Wisconsin has been a top priority of mine since I was sworn into the Senate last year. I thank Senator JOHNSON for working to find common ground with me on this very important issue for Wisconsin.

Together, we believe James Peterson will be an outstanding Federal district judge, and his experience, qualifications, and expertise will serve the Western District of Wisconsin and our Nation very well.

James Peterson was among those recommended by our nominating commission, and together Senator JOHNSON and I submitted his name to the White House for consideration. I am so pleased President Obama nominated him to serve and that his nomination was reported out of the Senate Judiciary Committee.

For the last 14 years Jim's professional life has been devoted to the practice for the firm Godfrey & Kahn in Madison, WI, where he is the leader of the firm's intellectual property litigation working group. His work on behalf of his firm's national clients has been substantially before the U.S. District Court for the Western District of Wisconsin.

Outside of his practice Jim is a leader in the Western District Bar Association, the mission of which is to work with attorneys, the court, and the public to facilitate the just, speedy, respectful, and efficient resolution of all matters before the court—qualities that have been the hallmarks of the Western District of Wisconsin. In an effort to foster the next generation of great lawyers, Jim is a member of the adjunct faculty of the University of Wisconsin Law School where he has taught copyright law and public speaking workshops.

I am proud to join Senator JOHNSON in supporting this nomination, and I

am proud to come before my colleagues and ask my colleagues to confirm this judgeship. Mr. PETERSON's confirmation today will end a vacancy that has lasted for more than 5 years and has been declared a judicial emergency. We are most grateful for the tireless commitment of soon-to-be really retired Judge Barbara Crabb who has filled in during this vacancy, and we are very grateful for her commitment.

Senator JOHNSON and I agree on this nomination to the U.S. District Court for the Western District of Wisconsin, and our joint support should send a strong message to the entire Senate that he is the right choice for this judgeship. I urge my colleagues to confirm James D. Peterson so he can serve the people of Wisconsin and our Nation.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY EFFICIENCY AMENDMENT

Mr. ENZI. Madam President, I rise to offer an amendment to S. 2262 that would prevent the Environmental Protection Agency from a massive regulatory outreach. I understand under current procedure we are not allowed to do that, but I will explain it so when I can bring this amendment up, people will already know about it and join me in voting for it. It is similar to an amendment I offered last September to the energy efficiency bill. Unfortunately, the Senate majority leader blocked amendments from being considered. I am hoping that doesn't happen this time.

My amendment is simple and straightforward. It promotes the right of each State to deal with its own problems. It returns the regulation of regional haze to where it properly belongs: in the hands of State officials who are more familiar with the problem and know the best way to address it. I hope my colleagues will support my effort.

The Environmental Protection Agency's move to partially disapprove of the State of Wyoming's regional haze will create an economic and bureaucratic nightmare that will have a devastating impact on western economies. The decision by the EPA ignores more than a decade's worth of work on this subject by officials in my home State and seems to be more designed to regulate coal out of existence than to regulate haze. The haze we most need to regulate, in fact, seems to be the one that is clouding the vision of the EPA as it promotes a plan that would impose onerous regulations on powerplants that will, in turn, pass those increased costs in the form of higher energy prices on to consumers. These are the middle-class folks we keep talking about. It will also increase the cost for manufacturers, and that will drive them overseas, so that will eliminate jobs. So we are talking about a lot of impact.

That tells me the EPA's purpose is to ensure that no opportunity to impose its chosen agenda on the Nation is wasted. It doesn't seem to matter to them that their proposed rule flies directly in the face of the State's traditional and legal role in addressing air quality issues.

When Congress passed the 1977 amendments to the Clean Air Act to regulate regional haze, it very clearly gave the States the lead authority. Now the EPA has tossed them in the backseat and grabbed the steering wheel to head this effort in its own previously determined direction. That isn't the kind of teamwork and cooperation Congress intended.

The goal of regulating regional haze is to improve visibility in our national parks and wilderness areas. The stated legislative purpose for that authority is purely for aesthetic value and not to regulate public health. Most importantly, the EPA shouldn't be using regulations to pick winners and losers in our national energy market. The cost for this rule is in the billions, and the bureaucratic evaluation says it will still have little or no actual effect. Why would we force the spending of billions for little or no actual effect?

This is a State issue, and Congress recognized that States would know how to determine what the best regulatory approach would be to find and implement a solution to the problem. The courts then reaffirmed this position by ruling in favor of the States' primacy on regional haze several times. The EPA ignored all of that clear precedent and, instead, handed a top-down approach that ignored the will and expertise of the State of Wyoming and other States.

This inexplicable position flies in the face of Wyoming's strong and commonsense approach to addressing regional haze in a reasonable and cost-effective manner.

I invite everybody to come to Wyoming. We have the clear skies. People can see more miles there than people can see here. Of course, a lot of it out here is humidity, I think. But we do not have the regional haze they are talking about. The EPA's approach will be much more costly and have a tremendous impact on the economy and the quality of life not only in Wyoming but in neighboring States as well. Clearly, we cannot allow this to happen.

Every family knows when the price of energy goes up, it is their economic security—costing more—as well as their hopes and dreams for the future that are threatened and all too often destroyed.

The EPA's determination to take such an approach would be understandable if it would create better results than the State plan. It does not. That is another reason why it makes no sense for the EPA to overstep its authority under the Clean Air Act to force Wyoming to comply with an all-too-costly plan that in the end will provide the people of Wyoming and America with no real benefits.

The plan does not even take into account other sources of haze in Wyoming such as wildfires. Wildfires are a problem on Wyoming's plains and mountains every year. It is a major cause of haze in the West. It makes no sense for the EPA to draft a plan that fails to take into consideration the biggest natural cause of the very problem they are supposed to be solving.

The Forest Service could do a lot of prevention if forest plans did not get delayed.

The State of Wyoming has spent over a decade producing an air quality plan that is reasonable, productive, cost-effective, and focused on the problem at hand. The EPA has taken an unnecessary and unreasonable approach that violates the legislatively granted job of State regulators to address this issue. We cannot afford to increase the cost of energy to families, schools, and vital public services by implementing an EPA plan that will not adequately address the issue of regional haze.

I know my colleagues will see the importance of this matter and support my amendment that will stop the EPA in its tracks and end its interference with Wyoming's efforts to address this issue. It only makes sense to me that Wyoming's plan be given a chance to work. It is more than a 10-year effort, and it will make a difference, and not at the cost that will be imposed.

It is only fair, and it is the right thing to do. I ask for the support of my colleagues.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELECTION SPENDING

Mr. SANDERS. Madam President, as I think most Americans know, about 4 years ago the Supreme Court rendered a decision, which I happen to believe is one of the worst in the history of the Supreme Court, and that is their decision regarding Citizens United. As a result of that decision, what they said is corporations are people and individuals could spend an unlimited—unlimited—sum of money in elections. By ''unlimited,'' I mean hundreds and hundreds of millions of dollars, if not billions of dollars—quite as much as they want through independent expenditures.

I think many Americans observed the repercussions of that decision just last month. A gentleman named Sheldon Adelson, one of the wealthiest people

in this country, worth many billions, held what was called the Adelson primary in Nevada. What he did was invite prospective Republican candidates for President to come to Nevada to chat with him, to tell him their views; and if he decides to support one of those candidates, they will end up receiving, in all likelihood, hundreds of millions of dollars.

But it is not just Sheldon Adelson. Probably even more significantly, when we talk about the impact of Citizens United and we talk about the flood of money coming in from the billionaire class to the political process, it is important to talk about the Koch brothers.

I understand there has been a lot of criticism of Majority Leader REID because he has talked about the Koch brothers, but I think the majority leader is exactly right. The issue is not personal. I don't know if the Koch brothers are nice guys or not nice guys; that is not the issue.

The issue is the impact this billionaire family, the second wealthiest family in America, is having on the political process; and, second of all, and even more importantly, what do they stand for? Who are they? Why are they pouring hundreds of millions of dollars into the political process?

I have a problem, to tell you the truth—whether somebody is a right-winger or leftwinger—I have a real problem with these rich guys spending huge sums of money.

But at the end of the day what is important to understand is what do they want? Why are they spending so much money in politics? Why are they supporting candidates throughout this country, running for the Senate, running for the House? Clearly they will be heavily involved in the next Presidential election. What do they stand for? That is the issue.

It disturbs me very much, by the way, that the media hasn't been talking about that. What do these guys stand for? What do they want?

Many Americans know the Koch brothers provided the main source of funding for the creation of the tea party—that is fine—and many Americans know the Koch brothers want to repeal the Affordable Care Act. They have run a lot of ads supporting candidates who want to repeal the Affordable Care Act. That is their view, and that is fine as well.

But what I think most Americans don't know is the Koch brothers want to repeal virtually every major piece of legislation that has been passed in the past 80 years to help the middle class, to help working families, to help the elderly, to help the children, to help low-income people. Their view, their ideological view, is that we should eliminate or substantially cut back on all of those programs.

In 1980, David Koch, one of the Koch brothers, was the vice presidential candidate of the Libertarian Party. In fact, he helped fund the Libertarian Party in that year. I want to read to you and discuss with you a few of the excerpts from the 1980 Libertarian Party platform that David Koch ran on. People may think: Well, that was back in 1980. But do you know what. It is my impression their views haven't changed one iota; that they are funding many organizations all over this country that essentially espouse those very view views David Koch ran on in 1980.

This is the first quote that was in the 1980 Libertarian Party platform David Koch ran on as a vice presidential candidate and helped fund. He said: ''We favor the repeal of the fraudulent, virtually bankrupt, and increasingly oppressive Social Security system.''

That is their view. That shouldn't surprise anybody. These guys do not believe government should be involved in health care, in retirement security. It is totally consistent with what they believe.

But when Americans see ads on television paid for by David Koch, I hope they understand these guys eventually want to see—probably not tomorrow—the repeal of Social Security. They want to privatize it, they don't want it to exist.

What is the reality? The reality is the overwhelming majority of the American people disagree with the Koch brothers. The reality is Social Security is probably the most successful Federal program in the history of our country. For more than 78 years, in good times and in bad, Social Security has provided every single benefit owed to every eligible American without delay. That is in good times, bad times, recession, boom, whatever it was. Before Social Security was created, nearly half of seniors lived in poverty. Today, while still too high, that number is 9.1 percent. We have gone from 50 percent down to 9.1 percent largely because of Social Security.

The main point is according to virtually every poll I have seen, including the latest National Journal poll on the subject, 76 percent of the American people do not want to cut Social Security at all, an issue you and I were involved in. They do not want to cut Social Security. They sure as heck do not want to repeal Social Security.

So when you see the ads on television being paid for by the Koch brothers, understand where they are coming from in terms of Social Security.

Let me give another quote, and this is an exact quote from the 1980 platform of the Libertarian Party, David Koch, vice presidential candidate: ''We favor the abolition of Medicare and Medicaid programs.''

Abolition, what does that mean? It means if you are a senior citizen, 70 years of age, you are not feeling well, you go to the doctor, the doctor diagnoses you with cancer, you are not going to have Medicare there for you. If you don't have a lot of money, how are you going to get the health care you need? Well, you know what. You may not, because according to the Koch brothers, the Federal Government should not be involved in public health insurance programs such as Medicare and Medicaid.

What happens if you are a low-income person? What happens if your kid is on the Children's Health Insurance Program, called Dr. Dynasaur in Vermont—I don't know what it is called in Hawaii—but it covers all of the States in this country. Millions of kids are getting their health insurance through the Children's Health Insurance Program. What is the Koch brothers' view? We should eliminate it. The Federal Government should not be involved in health insurance.

According to the latest polls I have seen on this subject, 81 percent of the American people do not want to cut Medicare benefits at all and 60 percent of the American people don't want to cut Medicaid benefits at all, because they understand that in these tough times it is terribly important that we have guaranteed health care programs for our people. Yet the view of the Koch brothers is we should end Medicare and Medicaid.

So, again, when you see ads on television, understand who is paying for them.

We have been discussing the minimum wage bill. The Presiding Officer and I agree it is absolutely imperative that we raise the minimum wage. I think $10.10, the bill we had on the floor last week, is a start. I would go farther, but I think most Americans understand a family breadwinner and a family who is making all of $7.25 an hour or $14,000 or $15,000 a year is not a wage upon which anyone can live.

Yet when you read the platform David Koch ran on—and again, their success has been that where their ideas were thought to be pretty crazy and kooky in 1980—he got 1 percent of the vote and ran because they thought Ronald Reagan was much too liberal in 1980—today these ideas are increasingly becoming mainstream. They are in the Ryan budget passed by the Republican House. They are reflected by actions in the Senate by my Republican Senate colleagues.

One example is when we talk about the minimum wage, some of us think we have to raise it. Their view, what the Koch brothers said in 1980, and I believe it is their view today:

> We support repeal of all laws which impede the ability of any person to find employment, such as minimum wage laws.

So this is not a debate about whether you raise the minimum wage to $10.10. You do what they are doing in Seattle, WA, over a period of time raising it to $15 an hour, whether you raise it to $9 an hour, that is not their debate. Their debate is we should repeal the concept of the minimum wage.

What does that mean in real terms? It means that in high-unemployment areas of this country where workers are desperate for jobs, if an employer says: I am going to give you 3 bucks an hour, and you say: I can't live on 3

bucks, and the employer says: Well, I have 20 other people who are prepared to take the job, that is their goal. They do not believe the Federal Government should be involved in providing at least a minimum wage for the workers of this country.

They believe, among other things, that we should abolish the U.S. Postal Service, and I want to get into that. Their view is, again, the Postal Service, a Federal Government program—not a question of having a debate, how do you strengthen the Postal Service, what do you do, and what do you not do—they want to abolish the U.S. Postal Service.

Let me go to another quote from David Koch, which I think maybe is the most interesting of all. This is where they are coming from. This is their philosophy:

> We oppose all government welfare, relief projects, and ''aid to the poor'' programs. All these government programs are privacy-invading, paternalistic, demeaning, and inefficient. The proper source of help for such persons is the voluntary efforts of private groups and individuals.

I want to put into English what they say. What they are saying is they want to get rid of food stamps, they want to get rid of all nutrition programs, all affordable housing programs, Meals On Wheels Programs, which help vulnerable seniors, congregate meal programs, Head Start—which obviously are important to millions of working families and their children.

So you ask: Well, what happens if I am hungry and there is no food stamp program because they want to get rid of all of these programs, because they think the Federal Government should not be involved in these issues? What do we do when people are hungry when they can't find jobs?

Well, they can go to their local church, they can go to their local charity. Maybe they will get some help, maybe they won't. In other words, we are back to the days of Charles Dickens. We are back to the days of Charles Dickens where ordinary people and lower income people have no rights and no benefits. The only way they get help is if some charity is there to dole out some money.

I don't believe that is where the American people are, and I don't believe that is what the American people want.

Back In 1980, the Libertarian Party had a rather bold proposal, and they said: ''We support the eventual repeal of all taxation.''

Essentially what they are saying is no more government. That is it. No more government.

There is going to be a vote in a few minutes, and I am going to seesaw, and I will be back on this issue. But I wanted to point out to what degree these folks, who are worth at least $80 billion, whose wealth increased last year by $12 billion, who have indicated they are prepared to spend as much as it takes to elect people who to some degree or another—I am not sure all of the candidates they support agree with everything they say, but they know what they are doing. They are smart.

They are spending huge sums of money to create an America in which the wealthiest people will get huge tax breaks while working families, the middle class, the elderly, the children, and the sick will be left out on the street all by themselves. That is not the vision of America the American people believe in. I doubt there are 5 or 10 percent of the American people who believe in that vision, maybe less than that.

But when you have $80 billion, and you are worth that much and can spend unlimited sums of money, you will have a huge impact on the political process, and you will have candidates who talk about this perspective, who defend this point of view, because that is where their money or campaigns comes from, rather than talking about the needs of working families or ordinary Americans.

Let me make this last point, and that is this: It was 34 years ago the Koch brothers said:

> We urge the repeal of Federal campaign finance laws, and the immediate abolition of the despotic Federal Election Commission.

They have come so far in 34 years that that is now the position of a number of Republicans, including, as I understand it, the chairman of the National Republican Party.

What does that mean? It means if you repeal all campaign finance laws, the Koch brothers and other billionaires will not just be able to spend as much as they want on independent campaign expenditures, they will be able to give money directly to the candidates of their choice.

The PRESIDING OFFICER. All time for debate has expired.

Mr. SANDERS. Let me conclude by saying: I hope everybody pays attention to what the Koch brothers stand for.

With that, I yield the floor.

NOMINATION OF INDIRA TALWANI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS—Continued

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Talwani nomination.

Mr. SANDERS. Madam President, I ask unanimous consent to yield back all remaining time on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts?

Mr. SANDERS. 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 Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) 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 94, nays 0, as follows:

[Rollcall Vote No. 137 Ex.]

YEAS—94

Alexander	Grassley	Murray
Ayotte	Hagan	Nelson
Baldwin	Harkin	Paul
Barrasso	Hatch	Portman
Bennet	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Levin	Toomey
Crapo	Manchin	Udall (CO)
Cruz	Markey	Udall (NM)
Donnelly	McCain	Vitter
Durbin	McCaskill	Walsh
Enzi	McConnell	Warner
Feinstein	Menendez	Warren
Fischer	Merkley	Whitehouse
Flake	Mikulski	Wicker
Franken	Moran	Wyden
Gillibrand	Murkowski	
Graham	Murphy	

NOT VOTING—6

Begich	Boozman	Landrieu
Blumenthal	Coburn	Pryor

The nomination was confirmed.

VOTE EXPLANATION

Mr. BLUMENTHAL. Madam President, I was unavoidably detained and unable to participate in the vote to confirm Indira Talwani to be U.S. district judge for the District of Massachusetts. Had I been present, I would have voted aye.

NOMINATION OF JAMES D. PETERSON TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, what is the next matter before the Senate?

The PRESIDING OFFICER. The next vote is to occur on the Peterson nomination.

Mr. REID. I yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin?

Mr. GRAHAM. 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), the Senator from Delaware (Mr. COONS), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) 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 70, nays 24, as follows:

[Rollcall Vote No. 138 Ex.]

YEAS—70

Alexander	Gillibrand	Mikulski
Ayotte	Graham	Murkowski
Baldwin	Grassley	Murphy
Bennet	Hagan	Murray
Blumenthal	Harkin	Nelson
Blunt	Hatch	Reed
Booker	Heinrich	Reid
Boxer	Heitkamp	Rockefeller
Brown	Hirono	Sanders
Burr	Isakson	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Shaheen
Carper	Kaine	Stabenow
Casey	King	Tester
Chambliss	Kirk	Udall (CO)
Coats	Klobuchar	Udall (NM)
Collins	Leahy	Vitter
Corker	Levin	Walsh
Cornyn	Manchin	Warner
Donnelly	Markey	Warren
Durbin	McCain	Whitehouse
Feinstein	McCaskill	Wyden
Flake	Menendez	
Franken	Merkley	

NAYS—24

Barrasso	Inhofe	Roberts
Cochran	Johanns	Rubio
Crapo	Lee	Scott
Cruz	McConnell	Sessions
Enzi	Moran	Shelby
Fischer	Paul	Thune
Heller	Portman	Toomey
Hoeven	Risch	Wicker

NOT VOTING—6

Begich	Coburn	Landrieu
Boozman	Coons	Pryor

The nomination was confirmed.

NOMINATION OF NANCY J. ROSENSTENGEL TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS—Continued

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Rosenstengel nomination.

Mr. DURBIN. Madam President, I rise to speak in support of Nancy Rosenstengel's nomination to serve as a District Court judge in the Southern District of Illinois.

Ms. Rosenstengel has the experience, integrity and judgment to be an outstanding member of the Federal bench. She has been nominated to fill the judgeship in the East St. Louis courthouse that was left vacant by the retirement of Judge G. Patrick Murphy last December. This vacancy has been designated as a judicial emergency, and I am glad that the Senate is moving forward to fill it.

Ms. Rostenstengel knows the East St. Louis Federal courthouse well. She currently serves as the Clerk of Court for the Southern District, a position she has held for the last 5 years. In this capacity, she serves as the chief administrative officer for the court and handles the day-to-day management of its functions. She has received widespread praise for her skillful handling of the court's operations and policies.

Previously, Ms. Rosenstengel worked in private practice at the law firm Sandberg, Phoenix and von Gontard, and she served for 11 years as a judicial law clerk to Judge Murphy, the judge she has been nominated to replace. As Judge Murphy's career law clerk, Ms. Rosenstengel assisted him in hundreds of civil and criminal proceedings. It is hard to imagine better training for a judgeship than the work Ms. Rosenstengel performed for over a decade at Judge Murphy's side.

Ms. Rosenstengel was born in Alton and currently lives in Belleville. She received her B.A. from the University of Illinois in Urbana-Champaign and her J.D. from Southern Illinois University School of Law.

Ms. Rosenstengel's nomination is historic. No woman has ever before served as an Article III Federal judge in the Southern District of Illinois. Upon confirmation, Nancy Rosenstengel will be the first. And she will do an outstanding job serving the people of the Southern District. She was recommended to me by a bipartisan screening committee that I established to review judicial candidates for the Southern District. I was proud to recommend her name to the President, and I appreciate the support of my colleague Senator KIRK for her nomination.

Ms. Rosenstengel had her hearing before the Judiciary Committee in January. In February, she was reported out of committee by a unanimous voice vote. In short, she is an outstanding nominee and I urge my colleagues to support her confirmation.

Mr. LEVIN. Madam President, I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois?

Mr. MCCAIN. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) 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 95, nays 0, as follows:

[Rollcall Vote No. 139 Ex.]

YEAS—95

Alexander	Graham	Murphy
Ayotte	Grassley	Murray
Baldwin	Hagan	Nelson
Barrasso	Harkin	Paul
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Levin	Toomey
Crapo	Manchin	Udall (CO)
Cruz	Markey	Udall (NM)
Donnelly	McCain	Vitter
Durbin	McCaskill	Walsh
Enzi	McConnell	Warner
Feinstein	Menendez	Warren
Fischer	Merkley	Whitehouse
Flake	Mikulski	Wicker
Franken	Moran	Wyden
Gillibrand	Murkowski	

NOT VOTING—5

Begich	Coburn	Pryor
Boozman	Landrieu	

The nomination was confirmed.

Mr. REID. Madam President, on the next nomination, I ask unanimous consent to yield back that time, and this will be the last vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, the remaining votes, if any, will be by voice. On Monday we will have at least three votes starting at 5:30 p.m.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Robin S. Rosenbaum, of Florida, to be

United States Circuit Judge for the Eleventh Circuit.

Harry Reid, Patrick J. Leahy, Mazie K. Hirono, Dianne Feinstein, Al Franken, Jack Reed, Amy Klobuchar, Robert P. Casey, Jr., Sheldon Whitehouse, Benjamin L. Cardin, Tom Harkin, Barbara Boxer, Richard Blumenthal, Edward J. Markey, Richard J. Durbin, Charles E. Schumer, Elizabeth Warren.

The PRESIDING OFFICER. All time has been yielded back. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh District, shall be brought to a close?

The yeas and nays are mandatory under the rule.

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 Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 37, as follows:

[Rollcall Vote No. 140 Ex.]

YEAS—57

Ayotte	Harkin	Murray
Baldwin	Heinrich	Nelson
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Rubio
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murkowski	Whitehouse
Hagan	Murphy	Wyden

NAYS—37

Alexander	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johanns	Thune
Crapo	Johnson (WI)	Toomey
Cruz	Kirk	Vitter
Enzi	Lee	Wicker
Fischer	McCain	
Flake	McConnell	

NOT VOTING—6

Begich	Burr	Moran
Boozman	Coburn	Pryor

The PRESIDING OFFICER. On this vote the yeas are 57 and the nays are 37. The motion is agreed to.

Under the previous order, with respect to the Talwani, Peterson, and Rosenstengel nominations, the motions to reconsider are considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senator from Alabama.

CHANGE OF VOTE

Mr. SESSIONS. Mr. President, on rollcall vote 140, I voted aye and it was my intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote, since it will not affect the outcome.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. SESSIONS. I thank the Chair.

I would note that the issues revolving around judicial confirmations in which we are routinely voting on cloture after the execution of the nuclear option, we are having more of these votes than we used to have.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

EXECUTIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume executive session.

NOMINATION OF ROBIN S. ROSENBAUM TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT

The ACTING PRESIDENT pro tempore. The clerk will report the Rosenbaum nomination.

The assistant bill clerk read the nomination of Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

NOMINATION OF THEODORE REED MITCHELL TO BE UNDER SECRETARY OF EDUCATION

The ACTING PRESIDENT pro tempore. Under the previous order, the clerk will report the Mitchell nomination.

The bill clerk read the nomination of Theodore Reed Mitchell, of California, to be Under Secretary of Education.

Mr. FRANKEN. Mr. President, I yield back all time on the nomination.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination of Theodore Reed Mitchell, of California, to be Under Secretary of Education?

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. The President will be immediately notified of the Senate's action.

Ms. WARREN. Mr. President, earlier today the Senate confirmed Indira Talwani to fill a judicial vacancy on the District Court for the District of Massachusetts.

Ms. Talwani's nomination came after she was recommended to me for this position by the Advisory Committee on Massachusetts Judicial Nominations. The Advisory Committee is comprised of distinguished members of the Massachusetts legal community, including prominent academics and litigators, and is chaired by former Massachusetts district court judge Nancy Gertner. The Advisory Committee's recommendation reflects the strength of Ms. Talwani's resume, the exceptionally warm reviews she received from those who have worked with her, and the firm conviction of the Massachusetts legal community that she will make an excellent district court judge.

Indira Talwani is the daughter of immigrants from India and Germany. She graduated with honors from Harvard University, and was later named Order of the Coif at Boalt Hall School of Law at the University of California, Berkeley. Immediately after law school, Ms. Talwani spent 1 year serving as a law clerk to Judge Stanley A. Weigel on the U.S. District Court for the Northern District of California, building practical experience that will serve her well as a district court judge. She subsequently worked for several years as an associate and later as a partner at the firm Altschuler, Berzon, Nussbaum, Berzon & Rubin in San Francisco, before moving in 1999 to join Segal Roitman, LLP in Boston, where she is currently a partner.

Ms. Talwani has an impressive track record as a litigator, having represented clients in matters before the Massachusetts State trial courts and appeals courts, as well as the district court to which she has been nominated, the Federal Courts of Appeals, and the U.S. Supreme Court.

In addition to her broad credentials and wide litigation experience, Ms. Talwani has developed particular expertise in legal issues that relate to employment. She is the associate editor of a treatise on the Family and Medical Leave Act compiled by the American Bar Association. Her work representing an investment advisor whistleblower who was allegedly retaliated against for reporting accounting irregularities to her supervisor earned her the distinction of being named one of Massachusetts Lawyers Weekly's Top 10 Lawyers for 2010, and she recently won a victory in that case on appeal before the U.S. Supreme Court.

Ms. Talwani is also committed to public service, providing pro bono representation to indigent clients. She has worked with Greater Boston Legal Services to ensure that low income clients have access to counsel.

Ms. Talwani's nomination is strongly supported by the Asian American Lawyers Association of Massachusetts. Asian Americans are a fast-growing segment of our State's population, and that growth is reflected in our State bench—which currently has 10 Asian American judges. Remarkably, when confirmed, Ms. Talwani will be the first

individual of Asian descent to serve on the Federal bench in Massachusetts.

Indira Talwani is a first-rate litigator with impressive credentials. Her unique professional and personal background will bring important perspective to the Federal bench in Massachusetts. I am proud to have recommended her to President Obama, and I have no doubt that she will have a long and distinguished career on as a member of the judiciary.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will resume legislative session.

HIRE MORE HEROES ACT OF 2014—MOTION TO PROCEED—Continued

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

ENERGY POLICY

Mr. HELLER. Mr. President, as has been discussed much this week, I believe our Nation needs a comprehensive energy policy that allows us to develop our own domestic resources and use existing resources more efficiently. The United States is blessed with an abundance of natural resources and we have to act to ensure an affordable, stable supply of energy needed to power our economy by developing them responsibly. Democrats and Republicans must work together to develop concrete policies that will lower prices, expand domestic production, and reduce our dependence on foreign sources of energy and minerals.

That is why the debate we are having in the Senate this week is so important. As a member of the Senate Energy and Natural Resources Committee, I have seen how much work has gone into the Energy Savings and Industrial Competitiveness Act so far and have enjoyed being part of that process. This committee also has oversight over many of the other important, responsible energy policies we have been debating this week. That is why I was disappointed to see a procedural step taken by the majority yesterday blocking consideration of any amendments—even amendments related to the very legislation we are considering today. I sincerely hope that prior to the cloture vote on this bill we can find a bipartisan path forward to vote on related amendments such as the Keystone XL Pipeline.

Earlier this week I filed two commonsense amendments that I hoped could be and would be included in the debate this week. These initiatives would expand renewable energy development across the West and put the brakes on job-killing regulations that threaten to drastically increase our constituents' electric bills at a time when middle-class families across this country have already been forced to tighten their belts. Both of these amendments are consistent with the goals of the legislation before us today and are worthy of consideration, I believe, by this body.

My first amendment, No. 2987, mirrors legislation I introduced in the Senate last December, the Energy Consumers Relief Act. This initiative would help protect Americans from new billion-dollar EPA regulations that may increase energy prices and, of course, destroy jobs.

The United States, and especially my home State of Nevada, continues to grapple with high unemployment, with record numbers of Americans underemployed, and with families struggling to make ends meet. Instead of advocating for policies that would put people back to work, the Obama administration continues to develop rules that will increase Americans' utility costs, causing companies to lay off employees and stifle economic growth.

Just last month the EPA and the Army Corps of Engineers put forth a new rule that will significantly expand Federal regulatory authority under the Clean Water Act. This rule would have a chilling effect, particularly out West where our water resources are scant and hydropower plays a significant role in our energy portfolio. Just this week I visited with local irrigation managers and our rural electric cooperatives in my office, and they expressed strong concerns that the substantial regulatory costs associated with changes in jurisdiction and increased permitting requirements will result in bureaucratic barriers to economic growth, infrastructure development, and energy production.

These are the types of administrative actions Congress must rein in. My amendment would specifically require the EPA to be transparent when proposing and issuing energy-related regulations with an economic impact of $1 billion or more. Additionally, it would prohibit the EPA from finalizing a rule if the Secretary of Energy, in consultation with other relevant agencies, determines the rule would cause significant adverse effects to the economy.

All we are talking about here is transparency and accountability. American taxpayers deserve nothing less from their government. It is important to note that this initiative passed the House with overwhelming bipartisan support last year. The Senate should do the same.

My second amendment, No. 2992, on which I teamed up with my friend from Montana, Senator JON TESTER, to craft, is an initiative we have been working on for many years. The Public Lands Renewable Energy Development Act is a strong bipartisan proposal that will help create jobs, progress towards energy independence, and preserve our Nation's natural wonders by spurring renewable energy development on public lands.

In Nevada we need jobs, not policies that make job creation more difficult. Energy is one of our State's greatest assets, and I believe continuing to develop renewable and alternative sources are important for Nevada's economic future.

Geothermal and solar production in my State is an integral part of the United States's ''all of the above'' energy strategy. In fact, my home State of Nevada is often called the Saudi Arabia of geothermal. Our Nation's public lands can play a critical role in that mission, but uncertainty in the permitting process impedes or delays our ability to harness their renewable energy potential.

Under current law permits for wind and solar development are completed under the same process for other surface uses, such as pipelines, roads, or power lines. The public land management agencies need a permitting process tailored to the unique characteristics and impacts of renewable energy projects. This initiative develops a straightforward process that will drive investment towards the highest quality renewable sources.

In addition, the legislation establishes a revenue sharing mechanism that ensures a fair return for all. Since Federal lands are not taxable, State and local governments deserve a share of the revenues from the sales of energy production on public lands within their borders. These resources will help local governments deliver critical services and develop much-needed capital improvement projects, such as road maintenance, public safety, and law enforcement. Additionally, revenues will be utilized to support fish and wildlife conservation projects and to increases outdoor recreation, such as hunting, fishing, and hiking activities that serve as a critical economic engine in the rural parts of my State.

There is no doubt alternative sources of energy are a critical component of our ''all of the above'' energy future. While we work to develop and perfect alternative technologies, we need to secure our economy now by having an energy policy that respects the cause of the problem—supply and demand.

I hope the Senate can put partisan politics aside and have the opportunity to vote on related amendments to this bill—like those I have just discussed today. These strong bipartisan proposals will rein in harmful regulations and spur domestic energy production. Congress should take this opportunity to take a major step forward in implementing 21st century energy policies that will create jobs and keep consumer energy prices low.

I thank the Presiding Officer and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

REMEMBERING JIM OBERSTAR

Ms. KLOBUCHAR. Mr. President, I come to the Senate floor today to honor the life of a truly remarkable man—a devoted husband, a loving father and grandfather, a dedicated friend, and a true public servant. Jim

Oberstar was a man of purpose and grit who never stopped fighting for the people of his district, the people of northeastern Minnesota.

His resilience was the resilience of the people he represented. He was one of those rare people who was just as comfortable in the Aurora, MN, parade in khakis and tennis shoes as he was at the French Embassy. One unique thing about Jim Oberstar was that he always broke into French at a moment's notice, and he would literally speak French at the French Embassy and in Paris, but he might also speak French at the Aurora parade, even though no one else there spoke French.

Whether he was biking the Mesabi Trail or fishing on Sturgeon Lake or hanging out with some of his constituents at Tom & Jerry's Bar in Chisholm—which is where he grew up—he always loved northern Minnesota and the people he represented.

Jim never lost sight of where he came from or the values he grew up with. He knew that, among other things, his job in Washington was to be an advocate, and he approached every day with a fierce but disciplined urgency of purpose. What I loved most about him was that, in a day of sound bites and quick fixes, he was never afraid to give that long, long explanation of why he voted for something or why he thought it was important to his constituents.

As the Star Tribune noted this week, Jim was always a popular editorial guest and meetings with him were the ''equivalent of a graduate school seminar.''

When I think about Jim, I first think—as someone whose roots are also in northern Minnesota, whose grandpa worked in the mines—about how he fought hard to keep the mines open when times were tough, back when things were bleak and people were hurting.

Like my own grandpa, Jim's dad was Slovenian, and he was proud of that. And Jim's dad, like my own grandpa, was also an underground miner. They were part of a generation of immigrants who toiled hundreds of feet underground day after day to mine the iron ore that built this Nation and kept the world free in World War II.

It was a hard, hard life—long days and treacherous conditions, their families living in fear of that dread whistle that meant another miner had been injured or killed. Jim knew that sound well because he lived through it.

So when Jim got to Congress, he fought tirelessly to not only keep the mines open but to protect the rights of the workers and to improve safety.

During his first years in the House, Jim pushed for legislation that created the Mine Safety and Health Administration. Today, thanks to the hard work of Congressman Jim Oberstar, mining conditions have greatly improved.

That was bread-and-butter legislation for Jim—straightforward, commonsense policies that made people's lives better. It sounds simple, but we know in Washington today there are too many people who would rather score political points than get down to the hard work of governing. Not Jim Oberstar. He was a man of conviction.

In a business known for rewarding the expedient over the noble, he lived a life of principle. He played the long game, and he did it on behalf of the American people. That is a great American, and that is a legacy worth celebrating.

We lost Jim suddenly this week in the middle of the night in his sleep. The day before he had spent the day with his grandkids. He had gone to one of his grandchildren's plays. He had been going on long bike rides.

Even after he lost his election in 2010, he never let it get him down. He took all that energy and zest for life and put it into his family, put it into the continuing work he did on transportation, put it into his friends and everything he loved to do.

We mourned him today, but we also celebrated the incredible gifts Jim gave to our country. It is awe-inspiring to think about how much time he spent mastering Federal transportation policy: 47 years—nearly five decades—11 as a staff member on the House Transportation and Infrastructure Committee and 36 as an elected representative. During that time he literally changed the landscape of Minnesota and the country. His fingerprints can be found on just about every major federally funded transportation project during the last five decades—roads, bridges, tunnels, rails, locks and dams, and bike paths.

Jim loved bike paths. He was a visionary. He was in front of everyone on that. He would try to get money for bike paths, and people would laugh at him: Bike paths? Who cares about bike paths?

Now everyone wants bike paths. Everyone wants bike paths in their communities.

Every American who flies in an airplane or drives on our Federal highways can thank Jim Oberstar. Every American who bikes their bike trails and hikes places such as the beautiful Lake Superior Trail in northern Minnesota or drives on our national highways and bridges should remember him.

He was a treasure trove of facts, figures, and advice for every Member of Congress. He always used to kind of poke fun at the Senate because he claimed things came here and didn't get done. He would always say: All that ever happens in the Senate is you ratify treaties and confirm judges.

One day, close to my own election, I was looking at the newspaper clips and I saw my name next to Jim saying that and I thought: Oh no, what has he said.

It was in the International Falls paper, and I got it out and he had said: Well, all the Senate ever does is confirm judges and ratify treaties, but AMY is going to try to rescue this bill. She will try to get it done.

I was quite relieved.

One of the most memorable stories for me came on his last day in the House when Members came and told stories about him. There was a Congressman from Pennsylvania who talked about the time Jim visited his district to celebrate the opening of a new bridge. He said that Jim stood up with no notes and recited in incredible detail almost every infrastructure project that had ever been built in that district, along with the name of every Congressman who had ever served in the district, with all the right pronunciations, and he even included their middle initials. He did it with no notes. The Congressman was in awe. He walked back to his office, started looking back through the records and Googling things, and it was no surprise to anyone that Jim was exactly right. That was Jim.

He loved politics. He thought of government as an honorable profession, and he was so proud of the people who followed in his footsteps, whether what he taught Senator FRANKEN and me as we started representing Minnesota or one of his favorites, the mayor of Duluth, Don Ness, who started working with him when he was 23 years old as a young aide or whether it was all the staff members who worked for him all those years. He was so proud of the people he taught, the people he mentored. He was so proud of the Members in Congress—Democrats and Republicans—with whom he worked. He would so often work to get amendments and get little projects for their districts, and then he would let them take the credit when they went home.

I wish to end today with something Jim said in his farewell speech to Congress. He was reflecting on why he had originally run for office, and this is what he said:

> [The reason] why I came is to serve the people, to meet the needs of their respective families, and to leave this district, leave this House, leave this nation a better place than I found it.

There is no question that Jim Oberstar left this world better than he found it. Through his incredible legacy of public service, he found immortality in the beautiful children and grandchildren who were and are his family. He has left the world a better place. The youngest one, a little baby we met today at the funeral, was recently adopted, and Jim's daughter named him ''Jim.''

He left the world so much. He not only taught us how to win elections because he knew how to do that, he also taught us how to act and what to do when you lose an election.

He has found immortality in the hearts of those who knew him and the lives of countless more who never will, in the majestic grandeur of stately bridges and in the cool shadows of quiet bike paths, in the hardhats hanging in the lockers of hard-working miners who go home safely at the end of

the day. That is where you will find Jim Oberstar. That is where his legacy lives on.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Mr. FRANKEN. I thank Senator KLOBUCHAR for her moving tribute to Jim Oberstar. We both had the honor of speaking today at his funeral. We were both honored by his wife Jean and by his family.

Jim served the Eighth District for 36 years as their Representative. He served it for 11 years before that as a staffer on the Hill, as Senator KLOBUCHAR said. As she said, he died last weekend in his sleep. I think Senator KLOBUCHAR told me that the family said he wasn't 99 percent, he was 100 percent. So this came as a shock to all of us who knew Jim, and it obviously deeply saddened us all.

I announced for the Senate in February of 2007, and a few days later I had my first public event where I took questions from folks. This was at a coffee shop in St. James, MN, in the southwest corner of our State, in the First District.

The first question I got was from a woman asking if I believed there should be term limits. From the way she asked it, I knew she thought there should be term limits, and I thought: Great. My very first question and I don't agree with the person who is asking it.

So I said: No, I don't believe in term limits, and let me tell you why—Jim Oberstar. Jim has been Congressman for the Eighth District for 33 years now, and he is chairman of the House Transportation and Infrastructure Committee, and he knows more about transportation than anybody else in the country.

Everybody in the coffee shop, including the woman, kind of went, yes—they nodded—yes, that makes sense.

Jim was a walking advertisement against term limits. He was the consummate public servant, and it was all because he was a man who sought knowledge. He had a fierce curiosity about the world and an intense need to understand how it worked. All that enabled him to accomplish so much.

If Jim were here today, if he had one more chance to speak to all of us, first he would say how much he loved his family and his friends and the people who worked for him. Then he would tell us the history of American infrastructure, starting with the Erie Canal and how it opened Midwestern agriculture to Europe because, he would explain, it was 97 percent more efficient to ship those goods over water, down the Hudson and over to Europe, than before. He would tell us how the Erie Canal made New York Harbor, New York City, made it what it is today. Then he would take us through the transcontinental railroad, rural electrification, the Interstate Highway System, and all the way to rural broadband. Then he would go back to the Roman aqueducts, which were built by slave labor, and make an impassioned speech about the history of the labor movement. Jim sometimes had a tendency to go too long, but it was because he believed that everyone was as curious about the world as he was, and he was almost always wrong about that.

I once had the opportunity to speak before Jim at the naming ceremony for the James Oberstar Riverfront Complex, the headquarters for the Voyageurs National Park in northern Minnesota. Since I was speaking before him, I took the opportunity to predict what Jim would talk about. I said that he would tell us the legislative history of Voyageurs National Park; he would tell us about all the different streams of funding for the park; he would tell us the history of the French voyageurs, the first White men in Minnesota; and that during part of the speech, Jim would speak in startlingly fluent French. Everyone laughed, including Jim, but that didn't stop Jim from telling us the legislative history of the park, all the different funding streams, and all about the voyageurs—and that part in French—and delighting in every word of it.

The first time I ever saw him chair, I went over to the House to see him chair a committee on high-speed rail. He had witnesses from China, Japan, France, and some other European country. When it was time for him to do his questioning, I learned that Jim had piloted every one of those high-speed rail systems. Of course, when he questioned the French witness he did it in French, and it was a tour de force—which I believe is French.

Jim understood the importance of infrastructure to our economy, to economic development, and, as Amy was saying, for recreation. His legacy will be in the ports, locks, dams, highways, bridges, and water systems throughout our country, but it will also be in the bike paths in Minnesota and around the country.

Jim was an avid bike rider. He used to say he wanted to turn our transportation system—the fuel—from hydrocarbons to carbohydrates.

Jim will leave a legacy, and, as I said, it all came from Jim's thirst for knowledge. The pages are here, and I would urge them to thirst for knowledge, not just information. Some people in this town—and in other places too—just look for enough information to achieve some short-term goal. Jim sought knowledge, an understanding of how things work. Because of that, he was able to get things done and was respected by all of his colleagues on both sides of the aisle. Amy and I were both there the day that colleagues in the House paid tribute to him, and it was both sides of the aisle equally.

We had a retirement tribute for Jim in Duluth in 2011, and Don Ness, the mayor of Duluth—about whom Amy spoke briefly and who was at the service today—told a story at that tribute that says everything about Jim as a guy.

Don was 23 years old, and he had just been hired to be Jim's campaign manager. Don's first thing to do with him was the Fourth of July parades. The Fourth of July parades on the Iron Range are a big deal, and there are a lot of them. There were six of them in 24 hours. This was his big chance to impress his new boss, and he screwed up every bit of it.

The first thing he did was he was so obsessed with making arrangements that he forgot to make his own hotel reservation on the Range. Don lived in Duluth. So he drove around the Range to get a room until 1:30 in the morning. He found one in Virginia, MN. He overslept and had to drive to Chisholm, and he was late. So he picked up Jim, and to make up the time, he drove fast and, of course, he got pulled over and got a ticket, which made them really late for this parade, and they got put at the end, behind the horses, on a very hot, sweltering day.

All during the day, Donnie made one screw-up after another. He offended a local DFL activist. He lost Jim for about a half hour. Jim knew where he was, but he didn't know where Jim was. He left this black car parked directly in the sun during the parade, and it became—well, you know what that means.

Thankfully, after the fifth parade, there was going to be a 3-hour break and they were going to drive to somebody's house where they would be able to eat and get in the air-conditioning and relax. Donnie decided to put the signs in the trunk, and as he was doing it, as he was closing it, he saw the keys in the car, locked in the car, and it took them 90 minutes to find someone who could open the car, so they lost their break.

Donnie was a 23-year-old kid, and he was certain he was going to be fired. He felt he deserved to be fired. Jim had been calm with him all day, been nice to him all day, but he figured Jim was stuck with him until the end of the day and at the end of the day he would be fired. He drives Jim home to Chisholm. It is 9 at night now. They get out of the car, and he starts to apologize and says: I blew it today. I know this was my chance, and I have blown it, and I will never be in public service.

This guy is now—what term is he in now, Amy? His third? Yes, his third term as mayor of Duluth. What did he get, 87 percent, or something like that?

But Jim stopped him and wouldn't let him finish. He stopped him and he said: I am really proud of you. You had a tough day. We had a tough day. You had a lot of adversity. You had a lot of things to overcome and you never lost your head, which was really not true; Donnie was panicking the entire time, which is probably why Donnie made those mistakes.

But then he gave Don a big hug—that big Jim bear hug that so many people talked about today. Then Don carried a

bag for Jim, and Jim one, too, up to the front porch, and Jim said, before Don went back to the car: I am proud of you. Don't worry about today. I am proud of you.

Don went back to the car, got in, with his head swimming, and he couldn't believe the kindness, the warmth. As he started to back out, he looked back and Jim was still on the porch, and he gave him this big wave and said: Happy Independence Day.

Minnesota lost a giant, the United States lost a giant this week, but we also lost a good guy. He was a great guy—a great man and a good guy.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAINE). 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.

MOVING FORWARD

Mr. REID. Mr. President, I hope my Republican colleagues will think long and hard the next few days. We have made some progress this year—it has been limited but some progress—in passing a few bipartisan bills. We started with the Murray-Ryan budget, which was significant, and we were able to get that done. We were able to get the debt ceiling raised without the struggle we have had the last 5 years. We were able to pass an Omnibus spending bill, which is significantly important. We worked together to pass a childcare development block grant bill. And after four or five attempts to end a filibuster, which we were unable to do, but finally we were able to do that, we got five stalwart Republicans to join with us and we passed the unemployment extension benefits.

Today, we have before us the Shaheen-Portman energy efficiency bill, creating 200,000 jobs. It is a fine piece of legislation. It started out good, but it got better as the bill's sponsors worked together to incorporate 10 Republican amendments, joined by some Democrats, and it is a better bill now than it has ever been.

My Republican colleagues, for more than a year, have been asking: Please let us vote again on Keystone. I personally oppose Keystone. I think it is really bad to make oil out of the most dirty carbon stuff there is, to ship it clear across the United States, and then to ship it overseas, which is what they would like to do. I oppose that. But if Republicans think it would help get energy efficiency passed, let's vote on it, and that is what I have told everybody.

If they want a vote on Keystone, that was the agreement they made, let us have a vote on Keystone, and then let the bill that was sponsored by 14 Democrats and Republicans—7 of each—to move forward. I want to be very clear with my Republican colleagues. The Keystone vote is on the table if they will simply stand by the agreement they had a week ago with me. All it would do is to allow the Senate to move forward with a bipartisan energy efficiency bill.

The Republicans have stated and stated and stated they want a vote on Keystone. Good, let's take a vote on Keystone. Can't they take yes for an answer? The answer is: No.

We are involved in this shell game. If seven of my Democrats made an agreement with the Republican leader, I think it would be untoward of me to go to those Democratic Senators and say—for base politics—drop the approval of what you believe in.

We have been through this before. There is no better example of that than the Transportation appropriations bill led by Chairman MURRAY and Ranking Member COLLINS. They worked so hard on that—lots of work they did on it. Amendments were offered. But do you know what happened? The Republican leader said: We are not going to pass that, and we didn't. That is when Ranking Member COLLINS said: I have never known—I am paraphrasing, but this isn't far from an exact quote—I have never known a leader to work so hard against one of their own.

All we are asking is for Republicans to drop their filibuster of this bipartisan bill sponsored by 14 Democrats and Republicans. The bill is supported by the Chamber of Commerce, the Business Roundtable, the National Association of Manufacturers, and many others.

Sadly, the Republican leader has said, in effect, if he can't get everything he wants—and right now that is a moving target—the Republicans who worked on this bill are out of luck. This is not the spirit of compromise in which this body is supposed to operate, but unfortunately it is what we hear all too often from my friend the Republican leader—nothing but endless obstruction and gridlock.

I know many Republicans are unhappy with the way things have been going. They talk to me. I am sure part of it is just to get this off their chest, but they want to change things around here. My message to them is: The only thing standing in the way of our moving forward on energy efficiency or other bipartisan legislation is to move forward on it. And if Keystone is the object of what they want done, let's get it done.

I hope my Republican colleagues will think hard in the coming days about the right thing to do. Do they want to continue waging obstruction, as we have seen on minimum wage and on pay equity? We know the right answer is that we should move forward, and I hope in the days ahead we will come together. It is really for the American people.

Mr. President, it is my understanding the motion to proceed to H.R. 3474 is now pending.

The PRESIDING OFFICER. That is correct.

CLOTURE MOTION

Mr. REID. There is a cloture motion I have brought to the desk and I ask the Presiding Officer of the Senate to report that.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 332, 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.

Harry Reid, Ron Wyden, Robert Menendez, Patty Murray, Barbara Boxer, Jon Tester, Debbie Stabenow, Maria Cantwell, Bill Nelson, Thomas R. Carper, Patrick J. Leahy, Brian Schatz, Mark R. Warner, Charles E. Schumer, John D. Rockefeller IV, Benjamin L. Cardin, Martin Heinrich.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. MURPHY. Mr. President, there was a fairly remarkable hearing in the House of Representatives yesterday in the Energy and Commerce Committee, upon which I used to sit when I was there. It called together some of the Nation's biggest insurers to talk about the failures of the Affordable Care Act as seen through the lens of the insurance companies.

First up on the docket for Republicans was the claim that no one had paid their premiums, that people had signed up for plans, but a report which had been released by the Energy and Commerce Committee in the House suggested in fact only maybe about 60 percent of them actually paid their premiums.

So they asked representatives from WellPoint, Aetna, and other insurance companies to confirm that fact, and of course they did not. WellPoint said, in fact, 90 percent of the people who signed up for WellPoint plans—the biggest insurer through the Affordable Care Act—have paid their premiums. Aetna said the number for them is somewhere in the low to mid-80s. Both numbers are actually representative of what people in the non-Affordable Care Act market pay with respect to their premiums.

When we dig deeper into the Energy and Commerce report, we found out the

reason they suggested that only about 60 percent of the people had paid their premiums is because most people's premiums hadn't been due yet. They didn't have to pay them when they had signed up for the plans in February and March.

So they tried another tactic. They said: We have heard all these reports and news media representations that you are going to be increasing premiums next year by double digits.

The insurers said: No, we have no idea what our premiums are going to be next year. We don't have the data yet. In fact, we are starting to get the subsidies coming into our plans that help keep these premiums affordable for low- and middle-class individuals across the country.

It turned out to be an absolute disaster for Republicans on the Energy and Commerce Committee because, as the insurers also pointed out, their profits have done pretty well, their stock prices have done pretty well over the past several years, because the Affordable Care Act is working for patients and, as it turns out, for the insurance companies that have offered plans on the exchanges.

It is representative of a whole litany of complaints Republicans have registered with respect to the Affordable Care Act's horror stories and worst-case scenarios which have simply not come true. I will take a few minutes to run through each of these arguments because I think it is important to have some context to understand that each one of their representations has not come true. Thus, as they turn to their next series of representations or challenges to the act, I think we can look back on history as a pretty good predictor of the future when it comes to Republicans' ability to prognosticate about an Affordable Care Act which is working now for millions of Americans.

The first thing they said is nobody is going to enroll. They said the Web site was unfixable. Of course we know that is the easiest to debunk now that we have 8 million people who have enrolled through the private exchanges and another 4 million to 6 million people who have enrolled via Medicaid expansion, and 3 million young adults who are now on their parents' plan. In fact, enrollment far outpaced what initial expectations were and beat the CBO estimates by 2 million people.

So clearly Republicans were wrong when they said nobody would sign up for the Affordable Care Act. They were also wrong when they said the Web site couldn't be fixed. There is no excuse for what happened in the fall of last year on the Web site, but it got up and running. Once it did, people were able to get on in record numbers.

They said the Affordable Care Act was going to kill jobs. We have done nothing but add jobs by the millions since the Affordable Care Act was passed. There is a chart, which I don't have on the floor, that shows what has happened since the Affordable Care Act went into law: Job growth has continued unabated.

Specifically, Republicans said: It is going to result in people who were working full time to move to part-time work. The Congressional Budget Office in a report which came out about 2 months ago said there is absolutely no economic evidence to suggest full-time work is shifting to part-time work. That is not a trend actually happening in the economy. I understand there are anecdotes and stories which are true where employers have made that choice, but there is no broader economic evidence that there is a shift from full-time work to part-time work.

Republicans said it is going to cost too much. Sylvia Burwell was before the HELP Committee today, and she was very articulate in explaining the simple fact that the Congressional Budget Office has revised downward Federal health care expenditures by $900 billion over the 10-year period from the passage of the Affordable Care Act to a decade later. We are going to be spending $900 billion less than the CBO initially thought we would, in large part because of all the wellness, prevention, and pay-for-performance measures built into the Affordable Care Act.

Premiums are lower than expected on these exchanges, which saves $5 billion in and of itself. The overall cost of the bill is 17 percent lower than what CBO initially estimated—huge savings for the Federal budget and for the specific line items within the Federal health care act.

OK. Fine, they said, but young people aren't going to sign up. It is ultimately going to be older, sicker people, and you will not have the right mix.

I think I said WellPoint was the biggest insurer. It is in fact the second biggest insurer. They said the average age of enrollment has come down every single day in a meaningful fashion. The risk pool and the product selection seem to be coming in the manner we had hoped. It is very encouraging right now.

Big companies such as United are going to be offering new plans on exchanges similar to those in Connecticut because they as well see the risk pools are exactly as they had hoped.

But the uninsured will not sign up. This is just people who were insured shifting to other plans which are perhaps better or cheaper for them—bunk as well. The new Gallup survey, which is the best data we have on the number of people who have or don't have insurance in this country, shows remarkable decreases over the last two quarters in the number of uninsured people in this country—frankly, numbers which almost seem too good to be true—a 25-percent reduction in 6 months' time with respect to the number of people without insurance in this country. One-quarter of the Nation's uninsured are now insured in the first 6 months of the full implementation of the Affordable Care Act.

Lastly, one of the biggest red herrings in this debate has been the issue of cancellations. No doubt there have been hundreds of thousands of plans all across the country that have been canceled since the Affordable Care Act was put into place, but Health Affairs, one of the most respected, nonpartisan health journals in the country, did an article, I believe a couple weeks ago, which said there is absolutely nothing different about the number of cancellations which happened in the wake of the implementation of the act as compared to what had happened in that same period before the implementation of the act; that there is high turnover in the individual market.

While there are certainly some plans which were canceled by insurers because they didn't meet the requirements of the Affordable Care Act, there wasn't a surge in cancellations compared with the number of cancellations which happened prior to the act.

So if we just go through—whether it is the claim that no one is paying their premiums or that rates are going to go up or that nobody will enroll, that it will kill jobs, that it will cost too much or that young people will not sign up or that the uninsured will not sign up or that cancellations are higher than normal—every single one of these claims turns out to be wrong.

That is not to say this act and its implementation hasn't been without its significant warts. There are flaws in the bill. There have been big bumps in implementation, but the fact is that polls are starting to show a growing acceptance and approval of the law amongst the American public because they have listened to these claims that the sky is going to fall from Republicans, and not only has the sky not fallen, but 15 million or so people across this country have more affordable health care because of the Affordable Care Act. The uninsurance rate in this Nation has dropped by 25 percent. Taxpayers are saving $900 billion over the course of the 10-year period following the passage of the bill.

I haven't even gotten into the quality metrics. Rates of hospital-acquired infections are down. The number of people who are readmitted to the hospital after a complicated surgery is dramatically down.

This is why we passed the Affordable Care Act. It hasn't lived up to everyone's expectation, but to the extent that the goal of the act was to reduce the number of people who are uninsured in this country, lower the rate of growth of health care expenditures, and increase quality, the data coming in on a day-by-day basis is overwhelming and impossible to ignore. More people have insurance, cost is coming down, and quality is getting better.

At some point the facts have to matter. As former Senator Moynihan said: Everybody is entitled to their own opinion, but you don't get to have your own set of facts.

Taxpayers, the uninsured, consumers of all stripes understand what the true story is; that all of the Republican prognostications about the failure of the Affordable Care Act have not come true in the past and they are not likely to come true in the future.

There is a lot of work to do to continue to make the Affordable Care Act better, and I hope every Senator is ready to do that work, but the data and the numbers tell us that increasingly, on a day-by-day basis, the Affordable Care Act works.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARKEY). The clerk will call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. BARRASSO. Mr. President, I come to the floor this afternoon to talk about the health care law. I have visited with people in my home State of Wyoming and people from around the country who come to Washington, and many of them want to talk about the health care law and the side effects of the health care law. They want to talk about the health care law that the Democrats voted for unanimously in this body and Democrats on the other side of this building voted for overwhelmingly.

A little earlier today, one of my colleagues who is a supporter of the law came to the floor to say it is working and everything is great.

I am here to say it is not and to dispute some of the comments made by my colleague because I am hearing from people whose care has been affected. Their lives have been affected, the ability to keep their doctor has been affected, and the cost of their care and the cost of their insurance has gone up. Many have had their insurance canceled all because of the health care law.

One of the things the President promised the American people with the health care law—he said it would lower the cost of care, and people's premiums would go down $2,500 per family. He said he wanted to go after this because health care spending was too high in the country, and the spending was going up. Yet we had a colleague say that the health care law is a success.

On May 5, just a few days ago, USA Today had a headline that said ''Health Spending Up Most Since '80.'' Health spending is up. The President said it was going to go down because of his law, but it is up the most since 1980.

The article says:

> Health care spending rose at the fastest pace since 1980 during the first three months of the year . . .

They say that ''Health care spending climbed at a 9.9% annual rate last quarter''—almost 10 percent. That is not what President Obama told the American people would happen.

I would point out that this is a drastic increase in spending when the health care law was supposed to do just the opposite.

The Bureau of Economic Analysis reports higher spending in hospitals—the largest rise since the 1980's third-quarter. It is astonishing when the President promises the American people one thing and delivers another.

In this same Monday USA Today there is a Pew Research Center poll which is interesting. When you read about this, it says:

> The poll of 1,501 adults, including 1,162 registered voters, was taken April 23–27 . . . Other findings help explain the Democrats' woes. By more than 2–1, Americans are dissatisfied with the direction of the country. They remain downbeat about the economy. They aren't persuaded that the Affordable Care Act is going to help them and their families. Even the president's supporters worry he is a political liability for fellow Democrats.

I come to the floor today as a doctor who has taken care of patients for 25 years in Wyoming, and my concern with health care is actually ''care.'' The President became fixated, as did the Democrats, on the word ''coverage.'' Coverage doesn't actually make sure that people get the care they need from a doctor they choose at a lower cost. That is what people wanted with the health care law. They don't want what was pushed down their throats by the Democrats in the House and the Senate who said they knew better than the American people.

I find it fascinating to see that in States run by Democrats around the country—Maryland, Oregon, and Massachusetts—which have had the exchanges and have given up. They have said, no, our State exchanges don't work and can't work. Massachusetts has been in play for a number of years, and they had to shut it down and turn it over to the Federal Government because of the mandates and complexities of the health care law—hundreds of millions of dollars that should have gone to care for people. It should have gone to help people. Instead it has gone to consultants and computer companies. It is not helping people. It is wasted.

Massachusetts, Oregon, and Maryland have given up. They said: We can't even live under this health care law's mandates. Our computer systems don't work. So let's turn it over to Washington. The American people are fed up with turning things over to Washington.

It was interesting to hear my colleague from Connecticut talk about some of the concerns and stories that we are sharing with the American people about folks losing their jobs, part of their pay, and bringing home smaller paychecks as a result of fewer hours at work.

I would like to share a situation that is now happening in Iowa. It was reported a couple of weeks ago in the Ottumwa Courier. Iowa is a State where we have a Democratic Senator from Iowa who is a very active supporter of the health care law. He was on the floor day after day about how wonderful this health care law was during the debate.

Let's talk about what is happening in one community in that Senator's home State in Eddyville. It says:

> Faced with a nearly $138,000 increase in insurance costs the Eddyville-Blakesburg-Fremont School Board—

We are not talking about a business here; we are talking about a community school board—

> this week approved reducing the hours of all para-educators from about 37 to just 29 hours per week to avoid the requirements of the National Health Care Act.

That is a side effect of the Obama health care law that every Democrat in this Chamber voted for when that came up for a vote.

So they had some meetings.

The article goes on and says:

> In February, Superintendent Dean Cook recommended cutting 12 special education para-educators and three more working as librarians.

My colleague from Connecticut said none of this is happening and that these are just incidental stories; don't pay attention to them.

The article goes on to say:

> However, this week his recommendation instead was a choice of either cutting eight para-educators or to reduce the hours of all of para-educators (around 25 to 28 employees), for the 2013–14 school year.

One of the board members ''opted to reduce hours instead of cutting jobs.'' This is a tough situation to put a school board in—reducing hours and cutting jobs.

The board member noted:

> It just gets pretty tight when we have cut paras in the past. Those people play key roles in running the schools.

The article goes on:

> In fact, several teachers spoke to or wrote letters to the board, providing a detailed account of the jobs that para-educators perform, urging the board not to cut these positions.

The article quotes one of the members of the board, Gay Murphy, who said: ''I feel very frustrated that our hands are tied with the health care act.'' Fascinating. The board member has the same last name as the Senator who was down here on the floor saying: Oh, no; pay no attention to these important stories.

The article goes on to say that Gay Murphy ''asked that employees' hours be cut by working less days instead of less hours per day''—but still cut the hours under the President's health care law—''so it would be easier for employees to get a second job if needed.''

The President's health care law is cutting people's hours, and they are trying to find ways to make it easier for them to get a second job because their paychecks are being cut. Their take-home pay is being cut because of this health care law.

One other board member ''noted that quality employees may not stick

around for a 29-hour per week job and that special education students have a need for more consistency that comes with full-time employees.''

This is a sad story, and it is happening in communities all across the country. I think it is not a surprise that Republicans continue to come to the floor to say there are huge side effects of the health care law, and for some people who may have been helped by the law, many people are being hurt, and it is happening all across the country.

That is why when I heard my colleague mention on the floor that people are getting used to it or there is an acceptance of the health care law, I would just point out an article in the Washington Post:

Poll: Obamacare hits new low.

A new poll shows the public's opposition to Obamacare has never been higher.

The Pew Research Center poll shows disapproval of the law hitting a new high of 55 percent. It comes on the heels of several polls last week that showed the law had very little, if any, bump after signups on the health care exchanges exceeded the goals.

So here we are, an all-time low for approval of a health care law, and the reason is because people's lives have been impacted. They have been hurt by this health care law. There are side effects of the law. People who were promised they would be able to keep the coverage they had—millions lost that coverage. They were told they could keep their doctor if they wanted to keep their doctor, and many Americans lost their doctor. They were told the cost of their insurance would go down and it has instead gone up. They are paying higher premiums, higher deductibles, and now people's paychecks are shrinking and their take-home pay is less because of a health care law that remains very unpopular.

That is why I felt compelled to come to the floor to point out to the American people, and to this body, that comments made previously by a colleague were not, at least in my opinion, based on what I have seen, heard, and read, consistent with the real impacts of this health care law and the impacts on patients, on providers, and on taxpayers.

Thank you, Mr. President. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY EFFICIENCY

Mr. TOOMEY. Mr. President, we are considering the Shaheen-Portman energy efficiency bill. That is what I believe this legislation is called. I think we went on the bill on Monday. Here it is late Thursday afternoon, and it is amazing that we haven't had a debate or a vote on a single amendment in 3 days. Now we are finished for the week so we are not going to have any debate on any amendments or any votes tomorrow either. We are going to go the whole week without having been able to seriously consider the merits or problems with this bill, without being able to offer any ideas to improve or to change the underlying text. It is unbelievable. But this is what has become routine in the Senate.

I have offered four amendments. I fild four amendments I wish to debate, I would like to have a vote on. I have cosponsored four other amendments my colleagues have filed. I think, altogether, Republicans have drafted and filed dozens of amendments; I don't know exactly how many—there are dozens—in part because we haven't considered an Energy bill in this Chamber in 7 years. Things change in 7 years. Lots of things change. After 7 years of not having a debate over energy policy in America—something that is so basic to our economy, so important to every single family, every single business, everyone—it might be a good idea to have a debate and to offer some amendments, to have a discussion and have some votes. But that is not the way the Senate functions. We can't do it. The majority party, the majority leader, will not allow us to have amendments.

This isn't terribly recent. Over the last 10 months, since July of last summer, the majority leader has permitted Republicans to have a grand total of 8 amendment votes—8 votes in 10 months. The Senate is virtually shut down. That is what has happened. It just so happens that during that same period of time, the House Republicans, who are in control of the House, permitted the minority party to have 136 votes. Of course, the irony is it is the House that has historically always operated under a kind of martial law approach where the majority party dictates all terms—always has. But during that 10-month period, they have had 136 votes permitted to the minority party and we have had 8, and none on this Energy bill. None. Not one.

I truly don't understand why the majority party is so afraid of votes. What is so horrifying about casting a vote on an amendment? But, apparently, that is the case.

I will speak briefly about two of the amendments I have filed that I would like to have a vote on. I am not asking for an outcome, by the way. I accept that. I don't have any right to expect any particular outcome, but I don't understand why we can't have a discussion, why we can't have the debate, why we can't have the vote. By the way, Thursday afternoon, by now, we could have processed dozens of amendments. Actually, Republicans, in the end, all we wanted was a handful.

I filed amendment No. 3037. It would prohibit the Department of Energy from issuing new energy efficiency mandates on residential boilers. It is not very complicated. It is not the end of the world one way or the other, but on the margins, I think this matters a little bit to families.

I will tell my colleagues why. We all have residential boilers. These are our hot water heaters. We have them in our basements. We use them to heat water, to heat our house, in some cases, and to heat our water so we can take a hot shower. This is pretty common. We all have them.

The Department of Energy is in their periodic process of reviewing the mandates they impose on the energy efficiency standards for the boilers. The only consideration in this review process is whether they will make the mandates more stringent than they are today, make them adhere to a tougher standard than the standard they are forced to adhere to today.

Well, I think it would be better not to change the standard. That is my opinion. The reason I hold that view is because the problem with a more stringent energy efficiency requirement on these hot water heaters is it makes them more expensive. It doesn't matter much for really wealthy people, but for a middle-income family or a low-income family, it raises the cost of their home. It raises the cost of replacing a hot water heater. There are a lot of folks who can't afford to have an unnecessary additional cost added to them.

By the way, I don't think we need to force consumers to conserve energy. Everybody has an incentive to conserve energy, because energy is not free. So people are perfectly happy to pay a little more for more energy efficiency for a product if they can recoup that added cost in the form of a lower energy bill over time. People get that. They will make that decision. They will do it voluntarily. In fact, the only reason we need to mandate standards is if we want to force consumers to pay bigger premiums than they can recoup. If we only want them to pay for what they can save in the future, they do it voluntarily.

So, to me, this is one of those annoying little government mandates that is not necessary, and it reduces consumers' choices and raises their costs, and I don't think it is a good idea, especially now during difficult economic times when median wages have been declining, not rising. I don't think it is a good idea for the government to impose a new cost such as this. So I have an amendment that would forbid the Department of Energy from ratcheting up the cost of an appliance we all have in our homes.

I get the fact that not everybody agrees with me. That is fine. Some people do want to impose this added cost for their own reasons, and that is fine. What I don't understand is why we can't have the debate. Why can't we have the discussion and then have a vote? Then I either win or I lose, and

we are done. But we don't do that. Apparently, the majority party is not willing to allow Republican amendments.

I have another amendment. This one has bipartisan cosponsorship. I have cosponsors who include Senator COBURN, Senator FLAKE—actually, it is Senator COBURN who introduced it initially. I am a cosponsor. This amendment would eliminate the corn ethanol mandate from the renewable fuel standard.

What is that about? Well, existing law mandates that we take corn, convert it into ethanol, and then the law requires that the ethanol be mixed with gasoline, and we all have to buy it when we fill up our tanks. The Presiding Officer may be aware that we now burn over 40 percent of all the corn we grow in America. Over 40 percent of it, we end up burning in our cars, by turning it into ethanol and mixing it with our gasoline.

There were good intentions when this mandate was initially created. Some people thought it would be good for the environment. It turns out it is not; it is bad for the environment. It is not just me saying this. The National Academy of Sciences, the Environmental Working Group—everybody acknowledges it increases carbon emissions.

Members on the other side of the aisle thought the issue of carbon in the atmosphere—CO_2 releases—was so important they were here around the clock in a dramatic display of political theater to make this case. Well, here is an amendment that would reduce CO_2 emissions because the ethanol requirement increases CO_2 relative to where we would be if it didn't exist.

That is not the only problem with the ethanol mandate. It raises the price of filling our tanks. This is expensive stuff. Having to mix it with ordinary gasoline raises the cost of driving. Everybody has to drive. So not only is it bad for the environment, but it is more expensive for every single family who operates a vehicle.

That is not all it does. Because we are diverting 40 percent of all the corn we grow to our gas tanks, it is not available in our cereals or in the food we feed to livestock, and so food prices are higher than they need to be; they are higher than they would otherwise be because of this mandate.

That is not all. Everybody acknowledges that ethanol has a corrosive effect on engines, so it is doing damage to our engines, which shortens the life of the engines; again, not that big a deal if a person is extremely wealthy and can kind of burn through cars. But for the vast majority of people I represent, cars are a very expensive cost they incur, and having a policy that systematically damages that very valuable asset doesn't make a lot of sense to me.

There is yet another reason. These ethanol mandates can have very dire consequences on some of our oil refineries, and that can cost us jobs, and it threatens refineries in Pennsylvania. As a matter of fact, I got a letter from a Philadelphia AFL–CIO business manager, a fellow named Pat Gillespie, who wrote to me asking me to try to do something about this, because it is threatening the jobs of the people he represents at the refineries where they work. I will quote briefly from a portion of his letter:

> The impact of the dramatic spike in cost of the RIN credits—

That is the system by which the EPA enforces the ethanol mandate—

> from four cents to 1 dollar per gallon will cause a tremendous depression in . . . [our refinery's] bottom line in 2013. Of course at the Building Trades, we need [the refineries] to maintain and expand jobs.

He closed by saying: ''We need your help in this matter.''

I am trying to help. I am offering an amendment which would repeal the corn ethanol mandate, together with my colleagues on both sides of the aisle.

Again, I understand not everybody agrees with this. There are some people who like the ethanol mandate. They think it is a good idea to grow corn to end up burning it in our cars.

Why can't we have this debate? Why can't we have a vote? Why can't we resolve these issues on the Senate floor? But we do not. We spend the whole week waiting and wondering whether we might be allowed to have one or two amendments, only to find out, of course, as usual, we get none.

So another week goes by with nothing productive being done on the Senate floor and legislation that could be a vehicle for a meaningful, robust debate about energy policy in America—I have just given two examples. We have dozens of subjects we could be debating. We did not insist on having all of them. But a handful of ideas? It is shocking to me—shocking that we cannot allow the Senate to function, that Senator REID insists we cannot have an open amendment process.

It is disturbing because, of course, historically this was the body that did exactly that, had the open amendment process, had the open debate. This was the—I am chuckling because it seems so odd now, but historically the Senate was considered the world's greatest deliberative body because we would deliberate. The Senate used to do this. The way it used to operate is the majority party would control the agenda, would decide what was on the floor and that is fair enough—but then, once the majority leader would decide what bill was on the floor, then it would be open for debate, until essentially the body exhausted itself and Members were finished offering amendments, and then we would have a final passage vote. Nothing even remotely similar to that is happening today.

I know a number of my colleagues, including the distinguished Presiding Officer, have served in the House. It is unbelievable to me that now, for an extended period of time, the House is having much more robust debate and far more amendment votes, by both the majority and the minority party, than we are permitted to even consider in the Senate. This is a sorry state of affairs.

It has been 7 years since the last debate on energy policy. An energy efficiency bill has come to the floor, and energy efficiency amendments are not permitted to have a discussion or a vote. That is what the Senate has come to.

I urge my colleagues and urge the majority party, in particular, which controls this body, and urge the majority leader: Allow the Senate to function. Allow us to actually have a debate. Allow us to have some amendments. It is actually not that excruciating to have a vote, and in a matter of a very short period of time, we could mow down lots of amendments and move on to the next important piece of legislation.

Energy is a very important issue for our country, for our economy, for every consumer, and it deserves to have a more serious consideration than it is getting.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request.

Mr. TOOMEY. I withhold my request.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I appreciate the comments of my colleague and friend from Pennsylvania and the discussion of why we are here on a late Thursday afternoon.

We started off the week with an air of optimism that with the energy efficiency bill before us, we could get to that place where we could be debating substantive issues of the day. As my colleague has noted, we have not seen a real energy bill on this floor now for 7 years. When we think about the energy landscape in this country and what has happened in 7 years' time—7 years ago, we were looking to build import terminals to receive LNG. Now we are debating—or hoping to debate—the export of our LNG.

I have kind of put a target on my back, if you will, and said: Let's talk about what is happening with our oil potential in this country and our opportunity as a nation to export our oil, given that next year we will actually be producing more oil in this country than the county of Russia, than Saudi Arabia, but that is going to require some debate, some discussion, some policy considerations.

If we cannot even get to the point where we can move forward on an energy efficiency bill, how are we ever going to advance some of these policy initiatives when it comes to our natural gas, when it comes to our oil or how we might be able to deal with issues such as nuclear waste, where, quite honestly, until we can resolve these issues, they are going to be holding back our opportunity to advance in

these areas. How are we going to build out the potential in this country for our renewables and how we integrate them into an outdated system? There are so many policy issues we have to talk about.

So when people suggest all we want to do is talk about energy, I am one Senator who would love to do a lot of talking about energy. I would also like us to be able to legislate on energy initiatives. I would like us to update some of our energy policies, because as times have changed, unfortunately some of our laws have not.

My colleague from Pennsylvania has mentioned there was a time when we would have substantive debate. Take that back to the Energy bills that were before us when I first came to the Senate back in 2003. We took up an energy bill at that time that was on the floor, I know, for multiple weeks; it may have been multiple months.

On July 25, 2003, we resumed consideration of the Energy bill. We had a unanimous consent agreement at that time that more than 370—370—remaining amendments would be in order.

Now, 2003 may seem like a long time ago for some, but for me it seems like just yesterday. Thinking about that, it is like: Wow. We were able to come to a UC on 370 amendments.

If we go back to the Energy Policy Act, if we look at the amendment log, it shows that more than 130 amendments from Senators of both sides of the aisle were considered.

I think it speaks to the issues that were at play at the time. We are still basing most of our energy policy, of course, on those 2005 and 2007 energy acts.

I think it is important to recognize that when it comes to something as significant as our energy policy in this country, the debate is worthy, the debate is important, and legislating on these issues is critically important.

I know there are conversations yet underway as to whether an amendment opportunity will be made available, whether the four or five amendments the Republicans have offered that are being considered by the majority leader and the bill's sponsors of ShaheenPortman, whether we will be able to reach a fair consideration for the processing of those amendments. I would certainly hope we are able to do just that.

The energy efficiency bill, as I noted in my comments the day before yesterday, is good, sound policy. It is an important leg in the energy stool. When we talk about our energy resources and what we have available domestically, what we are able to be producing—whether it is our fossil fuels, whether it is our renewable fuels, whether it is other alternatives—the recognition is that our most readily available energy source is the one we do not waste. If we can be more efficient, if we can do more when it comes to conservation, this benefits all of us.

So let's figure out how we can move an energy efficiency bill. This is round No. 2 for us. Let us not allow the process to bog down a good bill and a bill that deserves to not only pass this body but to be worked through the body on the other side and to ultimately be signed into law by the President.

I want to start work. I want to be legislating. I also recognize this has been a difficult time for us all right now. We are not seeing a lot of legislation moving through this Senate, but I have been trying to use the time I have, as the ranking member on the energy committee, wisely, trying to focus on those areas where we can critically examine the energy policies we have in place and how we might refresh, how we might reimagine the energy architecture we have.

Last year I released a pretty major report. We called it ''Energy 20/20.'' It is a blueprint that kind of lays out my view of a sound, robust energy policy. I did not want a report that had taken a lot of time and energy and effort and love and passion to just sit on somebody's desk, so we have been working in this past year to flesh out some of the details we outlined in the blueprint.

I have released now four separate white papers stemming from ''Energy 20/20.'' The first one was on LNG exports. The second was on energy exports generally but also focusing on the specific issue of the prospect for oil exports. We released a very well-received white paper on electric reliability, and then earlier this week I had an opportunity to release a white paper on the nexus between energy and water. All of these are available on the energy committee's Web site.

I have given speeches on the floor. I have addressed small groups, large groups, basically anybody who will listen, not only in my State of Alaska but around the country. My colleagues and those who have been listening have heard me say multiple times that what I am looking for, what I am hoping for, what I am trying to build are laws and policies that will help us access our energy resources to be able to have a policy that says our energy should be abundant, affordable, clean, diverse, and secure.

I joke about it and say there is no acronym for that, but I have arranged it alphabetically so you can remember it.

But when you think about these five components, when you incorporate these all together—abundant, affordable, clean, diverse, secure—it makes pretty good sense.

I think the effort we have engaged in, in the energy committee, has been a worthwhile effort, and I hope this broader conversation will forge consensus on what I think we recognize can be some tough issues.

I have been working hard, even though we are not moving a lot of bills through the floor right now, to try to advance the conversation on so many of these issues I think are a priority.

THE NEXUS BETWEEN ENERGY AND WATER

I would like to take a few minutes this afternoon to speak about the most recent white paper I have released, and this is on the connection or the nexus between energy and water. I mentioned I had an opportunity to present this on Tuesday at the Atlantic Council here in Washington. It is entitled, ''The EnergyWater Nexus: Interlinked Resources That Are Vital for Economic Growth and Sustainability.'' It is a very timely subject, very relevant to the current discussion of measures we can take to support energy efficiency.

I think it is apparent, but it certainly bears repeating, that there are clear links between energy and water and water and energy. These fall into two categories. It sounds kind of simple, but it is water for energy and energy for water. Without water much of our energy—electricity included—cannot be produced. Our economy literally comes to a halt. Without energy—and particularly electricity—the treatment, the transport, the distribution of water does not function either. That all seizes up as well.

So we have water and energy just inextricably linked, and I think it is important to acknowledge that the continued availability and reliability should not be taken for granted. I think sometimes this is the part we fail to keep in perspective.

We are talking a lot about energy right now, but as we talk about energy, let's talk about how that energy source intersects with water. In an effort to produce this energy, how much water are we consuming? In an effort to use that water, how much energy is being consumed to move or treat? So, again, the nexus is tight.

When it comes to water-for-energy, an interesting statistic is that about 41 percent of our freshwater withdrawals in the United States are attributed to cooling the vast majority of our powerplants. This also consumes about 6 percent of our freshwater. Water is also routinely needed to produce the various energy resources we rely on, whether it is oil, coal, gas, or uranium. According to the Congressional Research Service, the production of biofuels has the highest water-intensity value, requiring 1,000 times more water than conventional natural gas. So, again, understanding the intensity is important as we talk about our energy resources. Altogether, more than 12 billion gallons of freshwater are consumed daily for the combined production of fuels and electricity across the country.

Turning to energy-for-water, one study on a national scale found that direct water-related energy consumption amounted to more than 12 percent of domestic primary energy consumption in 2010. That is equivalent to the annual energy consumption of about 40 million Americans.

We are seeing new technology, and we are seeing that really with the potential to provide a paradigm shift. But

from today's vantage point, a steady population increase and the resource needs of a modern economy could make freshwater a limited resource in many parts of the country. We are certainly seeing that out in the West. Severe droughts in California and for that matter across most of the Western United States only serve to underscore the risks. Out West, of course, hydroelectric power is a major contributor to clean and cost-effective electricity generation, particularly in Washington State, Idaho, and Montana. So if rivers and reservoirs are running low, this power-generation capacity is at risk.

I believe the recent and rapid expansion of our domestic energy production is very good for our Nation, particularly the growth in unconventional oil and gas production. What we have seen is that it has created jobs, it has generated revenues, it has revived local economies, and it really does wonders for our energy security. As I mentioned, the United States is now producing and exporting more energy than ever before. Our net energy imports are at a 20-year low. They are projected to fall below 5 percent of total consumption by 2025.

With many new wells located in regions that have already experienced some water shortages, we are seeing producers who are moving in a direction to help ensure that there is going to be sufficient water available for both the work they are doing and other regional needs. New technological advancements and new methods to maintain a balanced use of freshwater resources have been continuously emerging.

I think it is important to recognize that folks are appreciating that you can't count on an unlimited supply of this water resource. Utilizing our technology to be smart, to be efficient, is going to put everyone in better stead.

Even in the case of conventional power generation stations, technological innovation and advances can assist in reducing—if not eliminating—the overall amount of water that is required for cooling purposes. But, again, the key is technology. Continued research and development is at the heart of innovation and advancement.

The questions that are appropriate to ask are what can we do to ensure an adequate supply of water and how can we responsibly minimize the amount of water that is used for energy and then also energy for water? Conservation, of course, can help reduce demand for both water-for-energy and energy-for-water activities, but we have to recognize that it can only go so far. As I just mentioned, innovative energy and water use strategies, coupled with advanced technologies, are equally important when trying to optimize our limited supplies.

I have called on all stakeholders in the private sector as well as in government to support R&D and demonstration of new technologies that can really work to reduce our energy and water consumption.

Again, talking about the bill that is on the floor—energy efficiency—everything we can do to reduce our energy consumption as well as our water consumption is all good. It is all good.

The genesis and sustainability of such efforts are highly reliant on open and continuous information exchange between the parties. I have suggested that the Federal Government not only can but should facilitate this exchange of information on a national and international scale. It can do that by forming genuine partnerships with the stakeholders—including industry, utilities, and academia—and teaming up to advance a better understanding of the energy-water nexus, adopt better practices through technological innovations, and really learn from one another about the procedures and implementation strategies.

This dialogue should also include international perspectives on the energy-water nexus, utilizing the experience and expertise from around the world. We have seen technological advancements and great work going on in Australia, the Gulf countries, Israel, and Singapore. The development of new and improved technologies can answer the needs of both the domestic and international energy-water markets. This could mean opportunities for job creation—good jobs—in high-tech, R&D, and manufacturing.

What I am advocating with this white paper and the proposals out there is really better planning and better collaboration. I am not looking for a top-down approach. I am not looking for more binding rules or mandates. I am certainly not advocating for the forceful implementation of any new policies or directives to use certain technologies. The adoption of best practices should always be on a voluntary basis.

But having said that, I do believe that if we can demonstrate savings and demonstrate efficiencies from new technologies and better resource management approaches, the stakeholders are going to figure this out, and they are going to say this is a win-win for their own bottom line. This makes sense for their customers. It is good to advance.

Along these lines, I have introduced energy-water legislation with Senator WYDEN. We introduced it in January. Our bill is the Nexus of Energy and Water for Sustainability Act—we call it the NEWS Act—and it features some plain old commonsense policy improvements. What a concept.

Just think, in more ordinary times perhaps I would have even introduced the proposed NEWS Act as an amendment to the bill we have before us. But what we have—S. 1971—is a short bill, a simple bill that directs the Office of Science and Technology Policy to establish a committee or a subcommittee under the National Science and Technology Council to coordinate and streamline the energy and water nexus activities of our Federal departments and agencies. We are asking this panel—which would be chaired by the Secretaries of Energy and Interior, and representatives would be brought in from these and other agencies—to identify all relevant energy-water nexus activities across the Federal Government—because we know it is just a huge spaghetti mess here—and work together and disseminate the data to enable better practices and explore the relevant public-private collaboration. We also call for OMB to submit a crosscut budget that details these Federal expenditures related to energy-water activities. What we are looking to do is to streamline these efforts not just to save water, not just to save energy, but to save taxpayer dollars.

It is good. It is sensible. I think it is a rationed approach. I would like to be able to legislate on this, and I hope we will get to that point where we are beyond the energy efficiency bill, the Shaheen-Portman bill we have been trying so hard to work to advance not only this week but for years now; where we are beyond arguing over whether we are going to be able to move on some amendments; where we will take up with great energy and enthusiasm—pun intended—these initiatives that will help our Nation to be more productive, to be more energy secure, to have a stronger national security, and to have energy policies that are current and sound.

I am one who tries to get up every morning optimistic, glass half full, and I want to believe we will work out an arrangement so that we can have a fair amendment process that allows Republicans to offer a small handful of amendments to be debated and voted on, that will allow us to move an energy efficiency measure that is important to our energy policy and to demonstrate that perhaps we can do a little bit of legislating, a little bit of governing, and advance the cause.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Utah.

Mr. HATCH. I ask unanimous consent that my remarks be placed in an appropriate place in the RECORD and that I be able to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Before I begin, I would like to take a moment to address some proposals we have been hearing about in the tax space.

CORPORATE TAXATION

Some of us—myself included—were very concerned to hear the other day that a very big American corporation announced plans to merge with a somewhat smaller but still large UK corporation and then have the combined entity domiciled in the United Kingdom. Apparently, a desire to escape the high U.S. corporate tax was part of the motivation for the merger. This type of transaction where a U.S. corporation escapes the U.S. tax net is sometimes referred to as an inversion.

Broadly speaking, there are two different ways to address the problem of

inversions. The first way is to make it more difficult for a U.S. corporation to invert. Just today we have read accounts of Members of Congress who propose doing just that. The second way is to make the United States a more desirable location to headquarter one's business. I believe the latter is by far the better way. That would mean lowering the corporate tax rate and having a more internationally competitive tax code.

Under current law, U.S. corporations are taxed on their worldwide income, but foreign corporations are subject to tax only on income arising from the United States itself. In other words, we subject our own corporations to a worldwide tax system, while subjecting foreign corporations to a territorial tax system. It is strange that the U.S. Government treats foreign corporations more favorably than American corporations, but that is, nonetheless, what we do.

There is a danger, if the relatively unfavorable treatment of American companies is ratcheted up—which seems to be the effect of some of these anti-inversion proposals—that American companies will become even more attractive targets for takeover by foreign corporations.

I don't know when my liberal friends will catch on and realize that some of their approaches are just downright idiotic.

As important as it is to get the corporate tax rate down, no matter how low we get the rate, we still need to replace our antiquated worldwide tax system. Instead of imposing arbitrary inversion restrictions on companies retroactively and thereby further complicating the goal of comprehensive tax reform, we should first keep our focus on where we can agree. By uniting around the goal to create an internationally competitive tax code, we can keep American job creators from looking to leave in the first place.

Successful tax reform can help reverse the trend and cause more businesses to locate in the United States, bringing more jobs to Americans. Make no mistake. The trend is alarming. Just look at the number of U.S.-based firms, ranked by revenue, in the global Fortune 500 over the past decade, and you will see a significant decline in the number. That, of course, means a lower tax base for the United States.

When are these people going to catch on?

As I just said, tax reform can be used to reverse that trend, make the United States an attractive place to locate businesses and global headquarters, and provide a base for more jobs in America.

As the ranking member of the Senate's tax-writing committee, that is where my focus is, and I will work with anyone, Republican or Democrat, to achieve that goal.

It is ridiculous the ways some of our people in this government believe we can solve this problem by making it even more intrusive on businesses, even more onerous and burdensome, and by thinking they can force businesses to live in accordance with antiquated rules.

EXECUTIVE OVERREACH

Madam President, I rise to defend, on a separate matter, the separation of government powers enshrined in our Constitution and the lawful prerogatives of the Senate, in which I have had the privilege and honor of serving now for nearly 38 years.

Just last week I spoke from this podium about the Obama administration's blatant disregard of its constitutional obligations and in particular about how ideological devotion and political expediency have again and again trumped the President's sworn duty to uphold the law. In the short time since then, the White House has provided yet another egregious example of its willingness to disregard clear legal obligations in favor of playing partisan politics.

Just days ago we learned the Obama administration withheld particularly significant information from disclosure to Congress, despite a lawfully issued subpoena, during a House committee's investigation of the September 11, 2012, terrorist attack on the U.S. mission in Benghazi, Libya. One of these documents, an email from a senior White House official, casts serious doubt about a number of the administration's key assertions about the explanations it offered Congress and the American people regarding the cause and nature of those attacks.

There are many important questions about Benghazi to which the American people deserve answers; questions about how and why brave Americans died in this terrorist attack, four brave Americans; questions about the circumstances under which our Nation lost its first Ambassador in the line of duty in more than a generation; questions about how the Obama administration advanced an admittedly false but politically advantageous narrative about the attack during the home stretch of a heated election campaign.

I appreciate the efforts of my colleagues both in this body and in the House of Representatives in seeking a fair and thorough investigation of this matter. What compels me to speak out goes beyond the substance of this particular investigation, as critically important as that is. I am deeply troubled by the Obama administration's utter disregard for essential legal and constitutional obligations. This lawlessness is made manifest in many different forms.

I wish to discuss this administration's long pattern of obstinacy in responding to congressional investigations and how this abuse has become the latest front in a vital struggle against sweeping executive branch overreach that has characterized President Obama's term in office.

Congress's investigation into the Benghazi terrorist attack should have been and could have been a collaborative endeavor aimed at discovering the truth. Indeed, President Obama publicly proclaimed he was ''happy to cooperate in ways that Congress wants'' and promised that his administration would share with congressional investigators all information connected to the administration's own internal review. Secretary Kerry likewise pronounced and promised ''an accountable and open State Department'' that would provide truthful answers about all circumstances relating to the Benghazi attack.

Unfortunately, the Obama administration has been anything but open and accountable, nor has the White House and/or the State Department shown much willingness to cooperate in a constructive fashion with congressional investigations into the matter. Instead, this administration has repeatedly rejected document requests from several congressional committees, broadly asserting its unwillingness to turn over whole swaths of relevant material.

When congressional investigators responded with subpoenas, creating clearly defined and legally binding obligations for the administration to comply, Obama officials have continued to resist and in some cases have refused to disclose entire categories of critical documents.

Throughout the investigation this administration has consistently employed a strategy of minimal compliance. In many instances, executive officials have heavily redacted the limited range of documents the administration has in fact disclosed or forced congressional investigators through the cumbersome and perhaps unnecessary process of examining documents they insist must remain in the administration's possession. Such methods, when reasonably employed, have historically allowed the executive and legislative branches to make mutually acceptable compromises, establishing arrangements that allow Congress access to the information it needs but enable the administration to protect legitimate interests and confidentiality.

Instead, President Obama and his subordinates have taken these tactics to the extreme, creating an unmistakable impression the administration has something to hide. How could anybody look at what they are doing and not realize that is what they are doing. At the very least, it is clear that executive officials have deliberately slow-walked this important congressional inquiry.

Indeed, the administration has managed to drag its feet and frustrate congressional investigators for more than 1½ years since the Benghazi attack, limiting and delaying compliance for over 1 year since the first subpoena was issued.

The Obama administration's most recent abuse—a particularly egregious act—has been its long delay in releasing emails that were clearly responsive

to an earlier congressional subpoena. The administration only provided Congress these emails in mid-April after disclosing them as part of compliance with an outside group's Freedom of Information Act request, even though the emails were undeniably relevant and responsive to a lawful congressional subpoena, a subpoena issued in the summer of 2013, 7 months earlier.

This is the second time the Obama administration has simply passed on to Congress documents it has previously released to media and watchdog groups, a weak attempt at complying with a congressional subpoena. Now, that is an administration out of control, an administration not living up to the laws, an administration that is ignoring legitimate inquiries of the Congress, and an administration that seems to think it can get away with anything. More important, this episode demonstrates the careless and intentionally evasive approach the administration has taken in responding to congressional subpoenas. A simple FOIA request turned up multiple documents the administration admits are covered by a prior congressional subpoena and therefore should have been disclosed months earlier.

While the executive branch is obviously obliged to take all lawful requests seriously, it is outrageous this administration would treat a routine FOIA request from a private party with more care and serious attention than a lawfully issued subpoena from a coordinate branch of the Federal Government. I might add a coequal branch of the Federal Government, the Congress of the United States.

I wish I could say the Obama administration's conduct and the investigations into the Benghazi attack represented an anomaly, a unique instance in an otherwise respectful record of good-faith efforts to cooperate with congressional investigations and to respect Congress's legitimate authorities. Unfortunately, that simply isn't the case. Instead, we have experienced a pattern of obstruction, repeated instances of bad faith in responding to lawful information requests and subpoenas, and a fundamental disrespect of the laws and norms underlying the Constitution's separation of government powers.

We have all witnessed such abuse in this administration's handling of other high-profile investigations, such as the botched gun-walking exercise in Operation Fast and Furious. We routinely observe such hostility in more ordinary matters, as this administration regularly delays and often refuses to provide answers or produce information to Members of Congress.

As the ranking member of the Senate Finance Committee, I see this all the time, whether it is the refusal of the Treasury Department to explain how it deals with its statutory debt limit or the failure of the Department of Health and Human Services to respond to even the simplest questions about ObamaCare implementation. We see this hostility most transparently when the administration openly challenges the legitimacy of congressional investigations and when administration officials display outright contempt for proper lines of congressional inquiry.

None of this is to say that some assertions of executive privilege are not reasonable or even valid. Past administrations have often asserted privilege claims before Congress, and sometimes—sometimes—they have done so aggressively. This area of law has relatively few judicial precedents. It is largely defined by past practice in which the distinction between legal requirements and prudential interests is often quite blurry. As such, we can expect some legitimate disagreement as to whether particular claims of executive privilege are within the bounds of reasonableness.

But fundamentally the text and structure of the Constitution enshrines a congressional right—and establishes a congressional duty—to investigate executive branch activities. That is how through the years we have kept administrations straight. It is a very important part of our job on Capitol Hill.

Judicial precedents—as well as established practice between the legislative and executive branches stretching all the way back to the investigation of the St. Clair expedition under President George Washington in 1792—also affirm the rightful authority of Congress to require Presidential administrations to produce information in response to congressional requests.

Since the great constitutional clashes of the Watergate period, specific and binding precedents have detailed the requirement that administrations must seek to accommodate congressional information requests made in good faith, subject to adjudication by Federal courts. The Obama administration's actions clearly fall short of these basic obligations. Its abysmal record—highlighted most recently in the Benghazi email controversy—has demonstrated that executive officials are not acting in good faith to comply with legitimate congressional inquiries.

The administration's public efforts to delegitimize congressional investigations endangers not only the relationship between the current White House and this Congress but more fundamentally undermines the separation of government powers by attacking one of the most important checks on executive overreach.

The administration's expansive justifications squarely contradict the Supreme Court's command in United States v. Nixon that ''exceptions to the demand for . . . evidence are not lightly created nor expansively construed, for they are in derogation of the search for truth.''

Even more troubling, the Obama White House has even attempted to undermine our congressional investigatory power at its core. This isn't hyperbole. The current administration actually had the audacity to argue in Federal court that a committee of Congress was categorically barred from asking the judiciary to enforce a subpoena that the executive branch had defied, a course of action implicit in the structure of our Constitution, demanded by the Supreme Court's jurisprudence, and recognized by courts for decades.

Thankfully, one of President Obama's own judicial appointees roundly rejected this astonishing claim, but that should give Members of this body very little comfort. By challenging the very authority of Congress to investigate executive abuses, by challenging the obligation of a Presidential administration to accommodate congressional inquiries in good faith, and by challenging the power of Federal courts to resolve such disputes, the Obama administration's actions represent a serious threat to our constitutional structure.

Indeed, this particular effort to undermine essential institutional checks and balances is part of a broader pattern of executive abuse—one that includes the Obama administration's disregard for its obligations to enforce the law, its actions to exceed legitimate statutory authority, its attempts to defy specific requirements of duly enacted law, and its efforts to usurp legislative power from Congress.

I spoke at length last week about many such abuses of executive power by the Obama administration. I will continue to do so because I believe keeping the exercise of executive authority within lawful bounds is essential to the legitimacy of our government and to the liberties of our citizens. I recognize that doing so will require continual vigilance—by the courts, by the American people, and by those of us who serve in Congress.

This latest episode with the Benghazi emails—as well as the President's new pen-and-phone strategy—demonstrates quite clearly that the Obama administration has not shown any signs of relenting in its executive overreach.

This unprecedented pattern of executive abuse comes from a President who promised unprecedented transparency and who regularly criticized his predecessor's use of executive power, including in the context of executive privilege.

The administration's actions demand a redoubling of Congress' investigative efforts. I urge the majority leader to join the House to form a joint select committee on the Benghazi terrorist attack and its aftermath.

I know many of my friends on the other side of the aisle—not to mention the Obama administration itself—have convinced themselves that this investigation is simply a partisan exercise, apparently prompting them to ignore the institutional struggle between Congress and the Executive.

I just wonder: What would have happened had Robert C. Byrd been our majority leader, as he was for so long? He

would not have put up with this for 1 minute. He would have asserted this institution's authority and this institution's responsibility—Congress' responsibility, if you will—to get to the bottom of this.

I served on the Iran-Contra special committee. It is not a bad thing for us to investigate an administration that appears to be out of whack, appears to be ignoring the basic tenets of the law, and appears to be hiding information from the public. Forget the public right now. How about the Congress? It is hard to respect an administration that acts like this.

We should be eager to get to the bottom of the circumstances surrounding the Benghazi attack, and my friends on the other side ought to quit trying to protect the administration when they know these are serious charges. These are serious matters. We have an obligation to get to the bottom of it, and let the chips fall where they may. There were four deaths here of heroes.

All the Members of this esteemed body—whether Democrat or Republican—should demand that Congress' institutional prerogatives are preserved and defended.

As members of the legislative branch, we have the fundamental right—and the accompanying duty—to exercise a lawful oversight function. When any Presidential administration engages in extreme resistance and demonstrates an unwillingness to cooperate with legitimate congressional investigations, we all—not just people on this side—have an institutional obligation to defend our rightful constitutional prerogatives.

These executive abuses matter. The Obama administration has clearly and consistently overstepped its authorities and ignored its obligations under our Constitution and Federal law. This overreach threatens the rule of law, and it undermines the governmental checks and balances necessary to secure our liberties as Americans.

President Obama promised unprecedented transparency that would restore trust and confidence in government. But his administration's lawless actions have heightened the need for more robust and effective congressional oversight.

As even a liberal Washington Post columnist opined earlier this week, ''The Obama White House can blame its own secrecy and obsessive control over information'' for the heightened scrutiny of its questionable activities.

Oversight investigations are a critical tool that Congress must use effectively to promote government accountability. The Obama administration's escalating strategy of stonewalling, even to the point of ignoring legal obligations and longstanding norms, now threatens our rightful role in calling the executive branch to account.

Indeed, the basic assumption that underlies the Constitution's plan of government, as James Madison explained in Federalist 47 and 51, is that:

> The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny. . . . But the great security against a gradual concentration of the several powers in the same department, consist in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others.
>
> The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition.

As Madison explained, it is incumbent upon each of us to insist on Congress' right and duty to investigate the executive branch, and to ensure that the administration abides by the most basic—the most fundamental—requirements of our constitutional system.

We owe the American people—not to mention the families of those who perished—a meaningful investigation of the Benghazi attack, not just to find answers to remaining questions but to affirm that this is still a Nation of laws and that the people's elected representatives are still capable of pursuing the truth and holding the executive branch accountable for its actions.

This is a matter of great concern to me, and I am sure it is to a lot of people who are starting to realize that there is a stonewalling like we haven't seen since Richard Nixon.

I don't know that the President has done this personally. I hope not. But he has to look into it.

If he doesn't, then I think it is up to the majority in this body to hold the administration to account, with the help of the minority, and to not have them ignore, disregard, and treat with contempt the rightful oversight that we have an honor and an obligation to do up here. This is really a very serious set of problems as far as I am concerned. I hope the President will get after his people down there.

I think one of the problems is we have a lot of young people in the White House right now who haven't had the experience. On the other hand, some of these things are so deliberate that we can't blame it on lack of experience. These folks know and the people in the Justice Department know. To have withheld these emails the way they did, knowing they were crucial to any investigation, is something we should not tolerate here in the Senate.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO PAT BELL

Mr. MCCONNELL. Madam President, I rise today to honor an upstanding citizen from my home State, the Commonwealth of Kentucky. Pat Bell grew up in the heart of Appalachia and has spent his life working to better the region and the lives of those who call it home. The Lake Cumberland Area Development District will honor him on May 22 when they name their office building The Pat Bell Building.

Patrick R. Bell was born and raised in McCreary County, Kentucky. Pat was always passionate about helping others, and once he finished his own education he began teaching in the McCreary County school system, rising to the position of school superintendent in the 1960s.

Following his tenure as superintendent, Pat was selected to be the Lake Cumberland Area Development District's first executive director. In this capacity Pat was able to increase the quality of life in the region by organizing infrastructure projects and developing initiatives to increase economic activity.

Pat left the LCADD after 12 years at the helm, but he never lost his desire to serve. In fact, his success at the LCADD led to his next post as the Director of the Lake Cumberland District Health Department. Pat served as director from 1982 until his retirement in 1994, during which the Lake Cumberland District Health Department expanded from five member counties to 10.

His retirement was short lived, however. Never one to turn down an opportunity to serve his community, Pat accepted an appointment to become mayor of Columbia, KY. He then ran for, and won, a second term, which expired in 2010. Although he is once again in retirement, his friends and family know him too well to rule out the possibility of future public service.

Pat Bell's seemingly unlimited capacity to serve others is an inspiration for us all. He truly has a servant's heart, and I ask that my Senate colleagues join me in honoring him today.

TRIBUTE TO JIM SHARPE

Mr. MCCONNELL. Madam President, I rise today to honor the long and distinguished career of Jim Sharpe. Now retired, Mr. Sharpe opened his first business in Somerset, KY, in 1947. Since that time he's opened several more, pioneered the houseboat business, and has become an irreplaceable fixture in his community.

Lake Cumberland is known by many as the ''houseboat capital of the world''—a designation that is owed in no small part to Jim Sharpe. Jim was one of the first to pioneer the industry—building his first houseboat in

1953. Much has changed since he sold that first 10-by 24-foot steel boat, and Jim has been there for it all, often leading the way. Houseboats are now much bigger—up to 20 by 100 feet—and are made of aluminum and have onboard heating and cooling systems. One thing that never changed, though, is Jim's passion for building his customer's ''dream boat.''

Despite being one of the founding fathers of the industry, houseboats do not constitute the totality of his life's work. Jim has owned and operated several other businesses in Somerset in addition to Sumerset Marine. In 1966, he developed Food Fair groceries, which he grew into a chain of 13 stores. Two year later, he opened Somerset's first fried chicken restaurant, Kettle Fried Chicken, and in 1974 he bought a car dealership, Pulaski Motor Company.

Although he is now retired, Jim still has plenty to keep him busy. Jim and his wife of nearly 65 years Mary Jo have four children and nine grandchildren, and he has also found time to pick up golf and travel the country.

Jim Sharpe's drive and determination in his business, his commitment to his community, and his love of his family can serve as an example to us all. I ask that my U.S. Senate colleagues join me in honoring this upstanding Kentucky citizen.

CLINICAL LABORATORY FEE SCHEDULE

Mr. BURR. Madam President, I would like to engage my colleague, the distinguished ranking member of the Finance Committee, in a short colloquy regarding Clinical Laboratory Fee Schedule payment reform provisions included in the SGR patch bill, Protecting Access to Medicare Act.

Mr. HATCH. I thank the Senator. I would be happy to engage my distinguished colleague in a colloquy. Further, many thanks to him for his leadership over the years on this issue.

Mr. BURR. I thank my colleague and commend his work and the work of his staff in the development of this proposal. Reform of the Clinical Laboratory Fee Schedule is an important priority. The current system does not allow for changes in reimbursement for specific tests and instead, cuts to lab reimbursement have been broad reductions to the fee schedule overall. This imprecise approach has hampered the ability of labs across the country to continue to innovate and improve the diagnosis and treatment of disease. The Protecting Access to Medicare Act reforms this outdated approach and establishes a system requiring laboratories to report market rates to establish Medicare reimbursement. It is my understanding that the intent of this provision is to ensure that Medicare rates reflect true market rates for laboratory services, and as such, that all sectors of the laboratory market should be represented in the reporting system, including independent laboratories and hospital outreach laboratories that receive payment on a fee-for-service basis under the fee schedule. I ask my distinguished colleague if this is his understanding of the intent of this provision as well.

Mr. HATCH. The Senator is correct. And I thank my good friend from North Carolina for raising this issue. I concur; the intent of the provisions of the bill reforming the Medicare Clinical Laboratory Fee Schedule is to ensure that Medicare rates reflect true market rates, and that commercial payment rates to all sectors of the lab market should be represented, including independent laboratories and hospital outreach laboratories.

Mr. BURR. I thank the Senator for his insights and his work on reform of the Clinical Laboratory Fee Schedule.

WORLD WAR II VETERANS VISIT

Mr. MANCHIN. Madam President, I am filled with so much pride every time our military veterans visit our Nation's Capital and have the opportunity to stand before the memorials built to honor them.

This weekend, 93 veterans from North Central West Virginia, escorted by 55 guardians, will be traveling to Washington, DC, to see the memorials that commemorate their sacrifice and valor. This will mark the very first Honor Flight from North Central West Virginia—which is my hometown region of the ''Mountain State.''

Fifty World War II veterans, 42 Korean war veterans and one terminally ill Vietnam war veteran will fly from the small town of Clarksburg, WV, to Reagan National Airport, and before they lift off on a truly memorable and moving day, I look forward to greeting our vets bright and early at the local airport to wish them a safe trip to our Nation's Capital. I also will express my deepest gratitude to these special men who helped keep America free and made the world a safer place for liberty-loving people across our country and beyond our borders.

Upon their arrival, 30 Active-Duty sailors from the National Naval Medical Center and 8 marines from the USS *West Virginia* submarine will accompany the Honor Flight entourage during their daylong adventure.

These heroic West Virginians will travel to Washington to visit the World War II, Vietnam, Korean, FDR, Air Force, and Iwo Jima Memorials as well attend a ceremony at Arlington Cemetery.

While their step has slowed, their spirit is keen, their pride is undiminished, and their patriotism is immeasurable.

No matter the war, no matter the rank, no matter the duty, every one of these 93 veterans answered America's call and served our great country with the utmost valor. In our time of need, they stepped forward and said: I will do it—I will protect this country.

This trip to our Nation's Capital is just one way to say thank you.

But the West Virginia's North Central community has much more planned to show their gratitude for these devoted and courageous veterans. Upon the Honor Flight's return Saturday evening, hundreds of West Virginians will welcome home our returning vets, including National Guardsmen, Civil Air Patrol volunteers, Cub Scouts, Boy Scouts and our famous West Virginia University Mountaineer, Mike Garcia.

In addition, more than 155 band members from the Busy Bee Band and Honeybees of East Fairmont High School will perform a medley of patriotic songs, led by their band director and former marine, T.J. Bean.

I want to express my gratitude to my hometown community for their tireless efforts to make this Honor Flight a reality. I especially thank Butch Phillips and all the people who have been instrumental in planning and fulfilling this truly special experience for our 93 West Virginia veterans.

This generation of Americans was united by a common purpose and by common values—duty, honor, courage, service, integrity, love of family and country, and their triumph over oppression will be forever remembered.

Let us remember that these Honor Flights show tribute to all who have served this great country, so may God bless the United States of America and all the men and women who keep us free.

LOUISIANA GRAY DAY

Ms. LANDRIEU. Madam President, I wish to honor Louisiana Gray Day, this Friday, May 9, and the thousands of Louisianians and Americans with brain cancer and their families. Brain cancer is one of the most incurable forms of cancer and has an average survival period of only 1 to 2 years. It does not discriminate—striking men, women, and children of any race and at any age. Over 688,000 Americans are living with a primary brain tumor and each year over 69,700 people are diagnosed with primary malignant and nonmalignant tumors. Brain tumors are the second leading cause of cancer-related deaths in children under age 20, the second leading cause of cancer-related deaths in males ages 20 to 39, and the fifth leading cause of cancer-related deaths in females ages 20 to 39.

More so than any other cancer, brain tumors can have life-altering psychological, cognitive, behavioral, and physical effects. To help increase awareness and advance medical research for the various forms of brain cancer, the month of May is recognized nationally as brain cancer awareness month. My State has adopted May 9 in particular as the day when the citizens of the State are encouraged to wear the color gray to raise brain cancer awareness.

Brain cancer has unfortunately affected many in my State. Today I

share just one of these stories to increase awareness around this devastating disease. Gary Leingang was diagnosed with glioblastoma, an aggressive form of brain cancer, in June 2008. At the same time Gary was fighting his cancer, his wife Mona was battling breast cancer. Gary stood by her side and took care of Mona when she was on chemo and recovered. Unfortunately, Gary's fight with brain cancer ended on March 9, 2010. Before he passed, he said he wanted to make sure something good come out of his cancer. So, in his honor, his wife and children have shared his story to advance scientific research and increase awareness within the medical community in supporting patients, their families and caregivers afflicted with brain cancer. Last year, Mona worked with Louisiana lawmakers to establish Louisiana Gray Day on May 9—Gary's birthday.

It is my hope that in recognizing May 9 we will honor Gary's legacy and all help to bring greater awareness for all those affected by brain cancer, and perhaps even prevent some brain cancer-related deaths in the future.

ADDITIONAL STATEMENTS

RECOGNIZING MYSTIC AQUARIUM

• Mr. BLUMENTHAL. Madam President, I am proud to recognize that today, First Lady Michelle Obama presents Connecticut's Mystic Aquarium with the Institute of Museum and Library Services' National Medal for Museum and Library Services for 2014. This medal is the Nation's highest honor conferred on museums and libraries for service to their communities, and I wish to convey my deepest congratulations and admiration for Mystic Aquarium on this auspicious occasion.

Since 1973, Mystic Aquarium has showcased the wonders of the world's oceans through exhibitions, tours, classroom programs, and partnerships with scientific organizations. In addition to worldclass offerings like its diverse collection of more than 4,000 animals ranging from sea lions to penguins, the aquarium boasts New England's only beluga whale habitat, as well as an innovative exhibit that showcases underwater exploration through a partnership with famed explorer Dr. Robert Ballard.

The aquarium maintains a laudable commitment to making a difference for marine environments around the globe through research and direct involvement. The Marine Animal Rescue Program rehabilitates dozens of injured seals every year, and a penguin task force has provided similar help to African penguins in South Africa. The aquarium's extensive research includes field observations on wild belugas in the Arctic and closer to home, the aquarium enlists visitors in beach cleanup and marine animal stranding and rehabilitation programs.

What I find most meaningful about Mystic Aquarium's work, however, is its consistent focus on inspiring and serving the people of Connecticut and visitors from around the world. Of the Aquarium's 700,000 yearly visitors, one in seven is a Connecticut K-12 student, and because school budget constraints too often limit learning opportunities outside the classroom, the aquarium regularly offers complimentary admission to students and teachers from economically disadvantage communities. The aquarium's deep investment in promoting scientific and environmental understanding among students of all ages and backgrounds is similarly reflected in its innovative programming for Native American high school students and for young people with intellectual disabilities.

Having attended numerous events at Mystic Aquarium, I can personally attest to the dedication of everyone there in serving Connecticut and improving animal habitat across the world. I know how hard Dr. Stephen M. Coan, Dr. Ballard, and all of the aquarium's staff members and volunteers work to support these goals. For its legacy of community-focused education and environmental stewardship, I am proud to congratulate Mystic Aquarium on its receipt of the great honor.•

SAMUEL J. HEYMAN SERVICE TO AMERICA MEDALS FINALISTS

• Mr. CARDIN. Madam President, people often wonder why they pay taxes. Well, the short answer, former Associate Justice Oliver Wendell Holmes, Jr. famously wrote in a 1927 Supreme Court decision, is that ''taxes are what we pay for civilized society,'' (Compañía General de Tabacos de Filipinas v. Collector of Internal Revenue. The longer answer is that people pay taxes for government goods and services that make their families, businesses, communities, and the United States of America stronger, safer, and more prosperous. The people who provide government goods and services are public servants.

This week is Public Service Recognition Week, an opportunity to acknowledge and thank the 21.9 million men and women who work in local, county, State, and Federal Government. Each day, these people teach our children; patrol our borders and ports; protect our food, land, air, and water; care for our veterans and senior citizens; develop treatments and cures for illness and disease; fight fires and respond to natural disasters; make our communities safer; help domestic manufacturers compete abroad; enforce our laws and administer justice; advance human understanding of the smallest particles, the vastness of the universe, and the origin of life; and promote and defend American values and ideals abroad.

The knowledge, expertise, skill, and commitment of our public sector workforce is one of America's greatest assets. No other nation can match our public workforce's professionalism and level of accomplishment. Yet, too often public servants are disparaged and denigrated. Too often public servants bear the brunt of deficit reduction. Too often, public servants are asked to do more and more with less and less. We need to strengthen and encourage our public workforce. We should always strive to make government better, more responsive, more efficient.

On May 6 I had the honor of delivering brief remarks at a breakfast organized by the Partnership for Public Service to announce the finalists for the 2014 Samuel J. Heyman Service to America Medals. These individuals and teams have been chosen for their commitment to public service and because they have made ''a significant contribution in their field of government that is innovative, high-impact and critical for the nation,'' according to the partnership.

I would like to take a few moments to talk about the finalists. If Americans want to see their tax dollars at work, what follows are a few examples.

Call to Service Medal finalists are Federal employees whose professional achievements reflect the important contributions that a new generation brings to public service.

Jonathan Baker, Delta IV launch systems deputy chief engineer, U.S. Air Force Space & Missile Systems Center Launch Systems Directorate, El Segundo, CA saved taxpayers more than $4 billion on the purchase of 40 new rockets and led the engineering team responsible for launching 13 Air Force satellites into orbit.

Anthony Cotton, Amanda Femal, Jason Fleming, J.P. Gibbons and the Development Credit Authority Transaction Teams, Africa team leader, Cotton; Asia and Middle East team leader, Femal; Latin America/Caribbean and Eastern Europe team leader, Fleming; and Strategic Transactions team leader, Gibbons, U.S. Agency for International Development, Development Credit Authority, Washington, D.C. generated nearly $1 billion in aid for 60 projects in 42 developing countries during the past 2 years through an innovative, public-private loan guarantee program.

Sofia Hussain, senior forensic accountant, Division of Enforcement, Securities and Exchange Commission, Boston, MA, helped Federal investigators crack intricate securities fraud cases and return hundreds of millions of dollars to investors by introducing cutting-edge technology and data analysis.

Sara Meyers, director, Sandy Program Management Office, Department of Housing & Urban Development, Washington, DC, created sophisticated data analysis systems to evaluate the performance of Federal housing programs and set up processes to track $13.6 billion in economic stimulus and $50 billion for Hurricane Sandy disaster recovery;

Miguel O. Román, research physical scientist, Terrestrial Information Systems Laboratory, National Aeronautics and Space Administration, Goddard Space Flight Center, Greenbelt, MD—provided timely and reliable information on wildfires, storm damage and global energy consumption to help scientists and policymakers better understand and respond to natural disasters and climate change.

This is your tax dollars at work.

Career Achievement Medal finalists are Federal employees with significant accomplishments throughout a lifetime of achievement in public service.

Scott Gerald Borg, head, Antarctic Sciences Section, Division of Polar Programs, National Science Foundation, Arlington, VA, directed a world-class research program in Antarctica that led to important scientific discoveries about climate change, the origins of the universe, previously unknown sea life, and two new dinosaur species;

Thomas Browne, Deputy Director, Office of Anticrime Programs, Department of State, Bureau of International Narcotics and Law Enforcement Affairs, Washington, DC, transformed drug prevention and addiction treatment programs in 70 countries around the world, providing special care and assistance to women and children;

Robert A. Canino, regional attorney, Dallas District Office Equal Employment Opportunity Commission, Dallas, TX, pioneered the use of civil rights laws to try human trafficking cases when criminal enforcement and labor laws proved ineffective in defending foreign-born and intellectually disabled workers who were abused and exploited:

Edwin Kneedler, Deputy Solicitor General, Department of Justice, Washington, DC, argued 125 cases and helped shape the Federal Government's legal position on hundreds more before the Supreme Court, while setting a high standard for integrity and protecting the long term interests of the United States;

E. Ramona Trovato, Associate Assistant Administrator, Office of Research and Development, Environmental Protection Agency, Washington, DC, helped transform national environmental health policy by focusing attention on the impact of pollutants on children, and by devising strategies to respond to biological, chemical and radiological contamination from a terrorist attack;

This is your tax dollars at work.

Citizen Services Medal finalists are Federal employees who have made a significant contribution to the Nation in activities related to citizen services, including economic development, education, health care, housing, labor and transportation.

Michael Byrne, former geographic information officer, Federal Communications Commission, Washington, DC, put detailed data about our Nation's broadband availability and communications systems in the hands of citizens and policymakers through the use of interactive online maps and other visualizations.

Marcia Crosse, Director, Health Care, Government Accountability Office, Washington, DC, directed congressional attention and prompted reforms to the Food and Drug Administration's global role in the regulation of drugs and medical devices to help the agency better protect public health.

James D. Green, project officer, Division of Safety Research, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, Morgantown, WV, collaborated with the ambulance manufacturing industry and multiple Federal agencies to create ambulance crash standards to help reduce injuries and fatalities among EMS workers and patients;

Douglas James Norton, senior environmental scientist, Watershed Branch, Environmental Protection Agency, Washington, DC, engaged citizens, scientists, and State agencies in protecting their local streams, lakes, and rivers by providing access to water quality data and assessment tools via the Web;

Günter Waibel, Adam Metallo, and Vincent Rossi, Director, Digitization Program Office, Waibel, and 3D program officers, Metallo and Rossi, Smithsonian Institution, Washington, DC, made iconic treasures from the Smithsonian's vast collection accessible to students, teachers, historians, and curious visitors everywhere through the use of computerized 3D imaging and printing technologies.

This is your tax dollars at work.

Homeland Security and Law Enforcement Medal finalists are Federal employees who have made a significant contribution to the Nation in activities related to homeland security and law enforcement, including border and transportation security, civil rights, counterterrorism, emergency response, fraud prevention, and intelligence.

Omar Pérez Aybar, Reginald J. France, and the Miami HEAT teams, assistant special agents in charge, Miami Regional Office, Department of Health and Human Services, Office of Inspector General, Miami Lakes, FL, led hundreds of Medicare fraud investigations that have resulted in more than 600 convictions in South Florida, recovering hundreds of millions of dollars and providing an investigative ''roadmap'' for other jurisdictions to follow.

Susan M. Hanson, senior resident agent, Federal Bureau of Investigation, Dothan, AL, brought to justice four prison guards who brutally beat and murdered an inmate, and exposed a culture of abuse in Alabama prisons.

Anthony Regalbuto, Chief, Office of International and Domestic Port Security, U.S. Coast Guard, Washington, DC, assessed the vulnerabilities of hundreds of marine facilities and created comprehensive security plans for domestic and international shipping ports to guard against terrorist attacks.

Gilbert Bindewald, Alice A. Lippert, and Patrick Willging, program manager, Advanced Grid Modeling Research, Bindewald; senior technical advisor, Energy Infrastructure Modeling and Analysis, Lippert; senior logistics specialist, Willging, Department of Energy, Office of Electricity Delivery and Energy Reliability, Bindewald and Lippert; Office of Petroleum Reserve, Willging, Washington, DC, helped government authorities and power companies deliver emergency services and restore electricity following widespread natural disasters by creating critical information sharing and assessment tools.

This is your tax dollars at work.

Management Excellence Medal finalists are Federal employees demonstrating superior leadership and management excellence through a significant contribution to the Nation that exemplifies efficient, effective, and results-oriented government.

Sonny Hashmi, Acting Chief Information Officer, General Services Administration, Washington, DC, led the General Services Administration's ''Cloud Initiative,'' improving employee effectiveness, reducing agency costs, and creating a model for other Federal agencies to follow.

Alan J. Lindenmoyer, program manager, Commercial Crew and Cargo Program, National Aeronautics and Space Administration, Johnson Space Center, Houston, TX, transformed NASA's space travel programs, helping the United States continue important space research while reducing taxpayer costs and stimulating the commercial space industry.

Marion Mollegen McFadden and the Hurricane Sandy Rebuilding Task Force staff, senior attorney for disaster recovery, Department of Housing and Urban Development Washington, DC, in the months following Hurricane Sandy, coordinated efforts of numerous Federal agencies to help rebuild stronger and safer communities.

Ronald E. Walters, Acting Principal Deputy Undersecretary for Memorial Affairs; Department of Veterans Affairs Washington, DC, honored our Nation's veterans by delivering the pinnacle of care and service at their final resting place, while increasing availability and access to burial sites throughout the country.

This is your tax dollars at work.

National Security and International Affairs Medal finalists are Federal employees who have made significant contributions to the Nation in activities related to national security and international affairs, including defense, military affairs, diplomacy, foreign assistance and trade.

Jill Boezwinkle, senior program manager, Development Innovation Ventures, U.S. Agency for International Development, Washington, DC, guided a U.S. initiative to provide safe drinking water to 5 million people in Kenya

and Uganda, saving lives and preventing illnesses for thousands of individuals.

R. Patrick DeGroodt, deputy product manager, Department of the Army, Aberdeen Proving Ground, Aberdeen, MD, helped America's war fighters achieve mission success and stay out of harm's way by developing and deploying a new mobile communications network that gives Army units continuous connectivity on the battlefield.

Jonathan Gandomi, former field representative for the counter-Lord's Resistance Army mission, Department of State, Bureau of Conflict and Stabilization Operations Washington, DC, coordinated U.S. efforts to end the atrocities of the Lord's Resistance Army, one of Africa's oldest and most brutal extremist groups, and help victims overcome decades of violence.

Dr. Rana A. Hajjeh and the Hib Initiative Team, Director, Division of Bacterial Diseases, Centers for Disease Control and Prevention, Atlanta, GA, led a global campaign to convince some of the world's poorest countries to use a vaccine to fight bacterial meningitis and pneumonia, an initiative that is estimated to save the lives of 7 million children by 2020.

Sean C. Young and Benjamin J. Tran, electronics engineers, Air Force Research Laboratory, Wright-Patterson Air Force Base, Dayton, OH saved U.S. soldiers' lives in Afghanistan by creating and deploying a new aerial sensor system to help Army and Special Forces units detect and destroy deadly improvised explosive devices.

This is your tax dollars at work.

Science and Environment Medal finalists are Federal employees who have made significant contributions to the Nation in activities related to science and environment, including biomedicine, economics, energy, information technology, meteorology, resource conservation, and space.

William A. Bauman, M.D. and Ann M. Spungen, Ph.D., Director, Bauman, and Associate Director, Spungen, National Center of Excellence for the Medical Consequences of Spinal Cord Injury, Department of Veterans Affairs, James J. Peters VA Medical Center Bronx, NY, greatly improved the health care and the quality of life of paralyzed veterans by developing new ways to treat long-overlooked medical problems.

William Charmley and James Tamm, Division Director, Assessment and Standards Division, Charmley, and Chief, Fuel Economy Division, Tamm, Environmental Protection Agency, Charmley; National Highway Traffic Safety Administration, Tamm, Ann Arbor, MI, Charmley; Washington, DC, Tamm, led an interagency team that developed standards for cars and light trucks that will double fuel economy by 2025 and reduce carbon dioxide emissions by 6 billion metric tons;

John Cymbalsky, program manager, Appliance and Equipment Standards, Department of Energy, Office of Energy Efficiency and Renewable Energy, Washington, D.C., brought together industry and environmental groups to adopt new efficiency standards for appliances and commercial equipment that will save consumers money and reduce energy consumption and air pollution.

Richard Rast, senior engineer, Air Force Research Laboratory, Kirtland Air Force Base, Albuquerque, NM, developed a new, low-cost method of locating and tracking space debris that could severely damage or destroy spacecraft and vital communications, navigation, and weather satellites.

Jeffrey Rogers, program manager, Ret., Defense Advanced Research Projects Agency, Arlington, VA, created a wearable sensor that provides real-time information on the risk of traumatic brain injuries to soldiers exposed to bomb blasts, resulting in quicker medical treatment and uncovering previously undiagnosed injuries.

This is your tax dollars at work.

The individuals I have just named are the best of the best. But they would be the first to acknowledge that they stand on the shoulders of many colleagues. Yet these men and women who have done so much in service to the American people have endured pay freezes, furloughs, benefit cuts, a government shutdown, and shrinking budgets. The Service to America Medals finalists—and countless other dedicated public servants across our country—strive to serve their fellow citizens every day. They remind us why we pay taxes. It is important that we pause to reflect on their contributions, celebrate their successes, and give thanks for their service and their devotion to helping create and sustain a civilized society.●

SMITH-LEVER ACT CENTENNIAL

● Mr. CASEY. Madam President, I wish to mark the centennial of the enactment of the Smith-Lever Act.

The Smith-Lever Act established the Cooperative Extension Service, a vital nationwide system of educational partnerships that brings together Federal, State and local governments and land-grant universities.

This network is administered by The Pennsylvania State University in all 67 counties of Pennsylvania.

Access to the Cooperative Extension Program provides valuable information, resources and educational programs to communities on a broad range of issues.

As agriculture is Pennsylvania's No. 1 industry, this program continues to serve as a valuable resource for agricultural producers, small business owners, students, consumers, and communities of all sizes.

The Cooperative Extension Program helps to maintain and support the agricultural industry, while utilizing innovative research and technologies to advance the future of the industry.

I ask the Senate to join me in honoring the 100th anniversary of the Smith-Lever Act.●

CONGRATULATING STEVE AND CAROLYN COBURN

● Mr. HELLER. Madam President, I wish to recognize Nevada's own Steve and Carolyn Coburn for their recent victory at the 139th Kentucky Derby with their co-owned horse, California Chrome. California Chrome was the victor by 1¾ lengths, and as a fellow horse owner, it gave me great pride to watch a Nevadan-owned horse win this coveted title.

Steve Coburn, an Army veteran, and Carolyn Coburn are both Douglas County residents who took a chance 5 years ago when they became part-owners in California Chrome's mother, Love the Chase, as an investment opportunity. Although Love the Chase failed as a thoroughbred in the eyes of the industry, the Coburns and other co-owners decided to breed her, resulting in California Chrome, the humble-beginnings horse who turned out to be a champion.

California Chrome does not only win races, but he has become an integral member of the Coburn family. Every few weeks, the Coburn's made the drive from their rural Nevada home to watch their foal grow into a champion and never had a doubt that he was special. His track record of 10 career starts and 6 first-place finishes proves their predictions right.

As a fellow horse enthusiast, I appreciate the unique roles horses play as companion animals, as well as an important part of the commercial horse racing industry. I know the citizens of the ''Silver State'' are proud to see humble Nevadans succeed in making their dream of having a winning horse come true. Today, I ask my colleagues to join me in congratulating Steve and Carolyn for this unparalleled victory and wish California Chrome the best in his future racing endeavors.●

EMMET COUNTY, IOWA

● Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big

difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Emmet County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Emmet County worth over $4.5 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $15.5 million to the local economy.

Of course my favorite memory of working together has to be the community's commitment work to secure Harkin wellness grants. From increasing physical activity to promoting workplace wellness and educating students about the dangers of tobacco, this funding has provided the key to reducing health care costs and helping Iowans live a longer, happier life. Through the five programs included in the Lifestyle Challenge, participants lost a collective 3,467 pounds and clocked 23,911 hours of activity. Emmet County has been at the forefront of this effort, so I look forward to learning how they have implemented healthier living in their community.

Among the highlights:

Investing in Iowa's economic development through targeted community projects: In Northwest Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects including improved roads and bridges, modernized sewer and water systems, and better housing options for residents of Emmet County. In many cases, I have secured Federal funding that has leveraged local investments and served as a catalyst for a whole ripple effect of positive, creative changes. For example, working with mayors, city council members, and local economic development officials in Emmet County, I have fought for over $1.3 million for the Iowa Great Lakes Community College for work on renewable energy programs, helping to create jobs and expand economic opportunities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That's why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Emmet County has received $3.3 million in Harkin grants. Similarly, schools in Emmet County have received funds that I designated for Iowa Star Schools for technology totaling $175,000.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Emmet County has received more than $1.4 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as—for instance, the methamphetamine epidemic. Since 2001, Emmet County's fire departments have received over $660,000 for firefighter safety and operations equipment.

Wellness and health care: Improving the health and wellness of all Americans has been something I have been passionate about for decades. That is why I fought to dramatically increase funding for disease prevention, innovative medical research, and a whole range of initiatives to improve the health of individuals and families not only at the doctor's office but also in our communities, schools, and workplaces. I am so proud that Americans have better access to clinical preventive services, nutritious food, smoke-free environments, safe places to engage in physical activity, and information to make healthy decisions for themselves and their families. These efforts not only save lives, they will also save money for generations to come thanks to the prevention of costly chronic diseases, which account for a whopping 75 percent of annual health care costs. I am pleased that Emmet County has recognized this important issue by securing $120,000 in wellness grants.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Emmet County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Emmet County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

DICKINSON COUNTY, IOWA

● Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Dickinson County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Dickinson County worth over $3.4 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $11.4 million to the local economy.

Of course my favorite memory of working together has to be our shared commitment to school construction, renovation, and fire safety through the Harkin school grants and Star Schools programs. Working together with state and local communities, this funding has ensured Iowa students are learning in schools that are safe, and modern. I look forward to learning about the renovations made possible in Dickinson County.

Among the highlights:

Investing in Iowa's economic development through targeted community projects: In Northwest Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects including improved roads and bridges, modernized sewer and water systems, and better housing options for residents of Dickinson County. In many cases, I have secured Federal funding that has leveraged local investments

and served as a catalyst for a whole ripple effect of positive, creative changes. For example, working with mayors, city council members, and local economic development officials in Dickinson County, I have fought for more than $9.2 million for Polaris through the Department of Defense to provide All Terrain Ultra Tactical Vehicles to the National Guard, helping to create jobs and expand economic opportunities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That's why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Dickinson County has received $1,124,075 in Harkin grants. Similarly, schools in Dickinson County have received funds that I designated for Iowa Star Schools for technology totaling $223,047.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Dickinson County has received more than $3.1 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as—for instance, the methamphetamine epidemic. Since 2001, Dickinson County's fire departments have received over $500,000 for firefighter safety and operations equipment.

Disability Rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That's why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Dickinson County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Dickinson County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Dickinson County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

REMEMBERING ERNIE SCHOCH

● Mr. HELLER. Madam President, today we honor the life and service of Ernie Schoch, whose passing signifies a great loss to Nevada. I send my condolences and prayers to Joann and all of Ernie's family in this time of mourning.

Ernie came to the United States to become a member of the U.S. Air Force. During his tenure in the Air Force, Ernie was a recipient of the prestigious Good Conduct Medal. Airmen awarded this medal must earn character and efficiency ratings of excellent or higher throughout a 3-year period of Active military service or for a 1-year period of service during a time of war. As one of our Nation's servicemembers, he made exceptional sacrifices for our country and deserves our deepest gratitude. I am both humbled and honored by not only his but his family's service to our great Nation.

Ernie and his wife Joann were exemplary volunteers throughout the community. Their selflessness extends far beyond our Nation's military. He was dedicated to supporting homeless veterans and worked with the U.S. Veterans Initiative and other organizations in his spare time. As a member of the Senate Veterans' Affairs Committee, I am proud to have continued his work through my own legislative proposals to help in assisting homeless veterans. His volunteerism brought so much to his community, and rest assured his contributions will remain a lasting legacy in the ''Silver State.''

I extend my deepest sympathies to Joann and all of Ernie's family. We will always remember Ernie for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery and dedication to his family and community earn him a place among the outstanding men and women who have valiantly defended our Nation.

Ernie's wife Joann is a woman whom I am proud to call a friend. Together, the two were an inseparable couple whose love for each other was obvious to anyone who spent time with them. They enjoyed traveling together and sharing their stories with all who eagerly listened. When not traveling or volunteering, Joann and Ernie opened their home generously to the many people who loved their company.

Throughout his life, Ernie maintained a dedication to the preservation of justice and integrity, which I am honored to commend. Today, I join the Clark County community and citizens of the ''Silver State'' to celebrate the life of an upstanding Nevadan.●

CONGRATULATING RABBI DR. GERSHON C. GERWITZ AND DR. MINDY GERWITZ

● Mr. MARKEY. Madam President, I wish to express my warmest congratulations to both Rabbi Dr. Gershon C. Gerwitz and Dr. Mindy Gerwitz of Brookline, MA upon their departure. Rabbi Gewirtz has served as Young Israel of Brookline's dedicated Mara d'Asra for three decades, alongside his wife Mindy, and their children Yossi, Henoch, Sorah Leah, Adina and Doniel arrived in 1984. His wife, Dr. Mindy Gerwitz has also been a longtime passionate and dedicated community leader in her own right, contributing tireless decades of service.

Rabbi Gewirtz leaves Young Israel of Brookline with an indelible legacy as one of the prime architects of Young Israel and as a local and national Jewish leader, in Brookline, the Greater Boston Jewish community, and the national Orthodox movement.

Rabbi Gewirtz has led in times of great joy, incredible challenge, deep tragedy and monumental growth. Through it all, Rabbi Gewirtz has kept the Young Israel community together. He represented the Orthodox Jewish community locally and nationally with wisdom and integrity. Most importantly, he established personal relationships with his congregants, always serving their religious, spiritual, intellectual and halachic needs.

I wish to express my boundless gratitude to Rabbi Gewirtz for his many years of devoted service to Young Israel of Brookline and to the Commonwealth of Massachusetts. He has had a storied career, and I know the best is yet to come for him and his family.●

TRIBUTE TO DR. KAY SCHALLENKAMP

• Mr. THUNE. Madam President, today I honor Dr. Kay Schallenkamp on her many accomplishments and upcoming retirement.

Dr. Kay Schallenkamp was born in Salem, SD. Her background includes three degrees in communication disorders; a bachelor's degree from Northern State University, a master's degree from the University of South Dakota, and a doctorate from the University of Colorado. Her career has spanned for over 40 years, and her dedication to education and the well-being of her students is unmatched.

Dr. Schallenkamp's career in higher education originated as a professor of communication disorders at Northern State University in Aberdeen, SD, in 1973. She served as department chair from 1982 to 1984, followed by an appointment as dean of graduate studies and research in 1984. Dr. Schallenkamp was named provost of Chadron State College in 1988, and in 1992 she was named provost of the University of Wisconsin-Whitewater. Before making her way back to South Dakota, Dr. Schallenkamp served as the president of Emporia State University in Kansas from 1997 to 2006.

Since her arrival at Black Hills State University, BHSU, in 2006, Dr. Schallenkamp has placed the needs of BHSU ahead of her own. Due to her diligent work, BHSU is the State of South Dakota's third-largest university. She has been vital in physical renovations across campus, including a key transformation and addition to the Student Union, the construction of the Life Sciences Laboratory, and updates to the campus residence halls. Preparations are also being made for the addition of a new residence hall and a remodel of Jonas Science Hall in partnership with the Sanford Underground Research Facility in Lead, SD. Dr. Schallenkamp has served as the president for the last 8 years and in that time BHSU has significantly grown.

Dr. Schallenkamp is retiring after a long and successful career to spend more time with her family. She and her husband Ken have two daughters: Heather (Shad) in Kansas have two children, Alyssa and Tyler. Jenni (Danny) Simon in North Carolina have two sons, Keenan and Reece.

I am honored to recognize Dr. Schallenkamp for her accomplishments and wish her a happy retirement.•

RECOGNIZING SALVE REGINA UNIVERSITY

• Mr. WHITEHOUSE. Madam President, in 1874, a financier named William Watts Sherman and his wife Annie Wetmore decided to build a house on a plot of land Wetmore had inherited from her father in Newport, RI, just a few blocks from Sheep Point Cove. The couple hired the respected architects H.H. Richardson and Stanford White, and chose the popular Queen Anne's style, which employed steeply sloping rooflines, gables, broad porches, and deep entranceways. But, as is the case with many in Rhode Island, they also wanted to put their own mark on the property—something that would set it apart from their neighbors. So they added new materials, like stucco, shingles, stained glass windows, and an asymmetrical layout to draw the eye in unexpected directions.

The house was both fashionable and altogether different, and a new style was born. So it is that ''Shingle Style,'' as it came to be known, is traced back to Rhode Island and the William Watts Sherman House.

Today the home is one of more than 21 historic buildings on the campus of Salve Regina University, which has sought to maintain the structures and commission new buildings that complement Newport's distinct architectural tradition. That is why Salve Regina University has been selected for the Institute of Classical Architecture & Art's prestigious Arthur Ross Award for Stewardship. It joins previous recipients that include the New York Botanical Garden in New York, Monticello, the Thomas Jefferson Foundation in Virginia, and the U.S. Commission of Fine Arts in Washington, D.C. The award recognizes the university's ''astute and indefatigable effort'' to preserve its legacy for future generations and expand upon the defining aesthetic of its campus and surrounding neighborhood. I could not imagine a more worthy recipient.

The story of William Watts Sherman House is one of many examples of architectural innovation in the Ocean State, from ''stone-ender'' farmhouses in Lincoln, to vast industrial spaces like Slater Mill in Pawtucket, and to Gilded Age mansions like The Breakers in Newport. We see our own history reflected back to us through these structures, and by preserving them we see more clearly how much has changed and why.

I am proud to see an institution that cares deeply about preserving Newport's architectural heritage receive worthy recognition. I applaud Salve Regina's dedication to Rhode Island's rich cultural history and congratulate them on this prestigious honor.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PROPOSED AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—PM 42

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 Foreign Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the ''Act''), the text of a proposed Agreement for Cooperation between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy (the ''Agreement''). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. (In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified annex to the NPAS, prepared by the Secretary of State in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of Vietnam's export control system with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A of the National Security Act of 1947 (50 U.S.C. 403–1), as amended, is being submitted separately by the Director of National Intelligence.

The proposed Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement provides a comprehensive framework for peaceful nuclear cooperation with Vietnam based on a mutual commitment to nuclear nonproliferation. Vietnam has affirmed that it does not intend to seek to acquire sensitive fuel cycle capabilities, but instead will rely upon the international market in order to ensure a reliable nuclear fuel supply for

Vietnam. This political commitment by Vietnam has been reaffirmed in the preamble of the proposed Agreement. The Agreement also contains a legally binding provision that prohibits Vietnam from enriching or reprocessing U.S.-origin material without U.S. consent.

The proposed Agreement will have an initial term of 30 years from the date of its entry into force, and will continue in force thereafter for additional periods of 5 years each. Either party may terminate the Agreement on 6 months' advance written notice at the end of the initial 30 year term or at the end of any subsequent 5-year period. Additionally, either party may terminate the Agreement on 1 year's written notice. I recognize the importance of executive branch consultations with the Congress regarding the status of the Agreement prior to the end of the 30-year period after entry into force and prior to the end of each 5-year period thereafter. To that end, it is my strong recommendation that future administrations conduct such consultations with the appropriate congressional committees at the appropriate times.

The proposed Agreement permits the transfer of information, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities. In the event of termination of the Agreement, key nonproliferation conditions and controls continue with respect to material, equipment, and components subject to the Agreement.

Vietnam is a non-nuclear-weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons. Vietnam has in force a comprehensive safeguards agreement and an Additional Protocol with the International Atomic Energy Agency. Vietnam is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material, and has ratified the 2005 Amendment to the Convention. A more detailed discussion of Vietnam's intended civil nuclear program and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the NPAS and in a classified annex to the NPAS submitted to you separately. As noted above, the Director of National Intelligence will provide an addendum to the NPAS containing a comprehensive analysis of Vietnam's export control system with respect to nuclear-related matters.

I have considered the views and recommendations of the interested departments and agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee as provided for in section 123 b. Upon completion of the 30 days of continuous session review provided for in section 123 b., the 60 days of continuous session review provided for in section 123 d. shall commence.

BARACK OBAMA.

THE WHITE HOUSE, *May 8, 2014.*

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM CONCERNING PEACEFUL USES OF NUCLEAR ENERGY

The Government of the United States of America and the Government of the Socialist Republic of Vietnam,

MINDFUL of their respective rights and obligations under the 1968 Treaty on the Nonproliferation of Nuclear Weapons (''NPT'') to which both the United States of America and the Socialist Republic of Vietnam are parties;

REAFFIRMING their commitment to ensuring that the international development and use of nuclear energy for peaceful purposes are carried out under arrangements that will to the maximum possible extent further the objectives of the NPT;

AFFIRMING their desire to promote universal adherence to the NPT;

AFFIRMING their support for the International Atomic Energy Agency (''IAEA'') and its safeguards system, including the Additional Protocol (INFCIRC/540);

DESIRING to cooperate in the development of peaceful uses of nuclear energy;

MINDFUL that peaceful nuclear activities must be undertaken with a view to protecting the international environment from radioactive, chemical, and thermal contamination;

RECALLING the Memorandum of Understanding between them concerning Cooperation in the Nuclear Energy Fields, signed at Hanoi, the Socialist Republic of Vietnam on March 30, 2010;

AFFIRMING in particular the goal of pursuing the safe, secure, and environmentally sustainable development of civil nuclear energy for peaceful purposes and in a manner that supports nuclear nonproliferation and international safeguards;

AFFIRMING the intent of the Socialist Republic of Vietnam to rely on existing international markets for nuclear fuel services, rather than acquiring sensitive nuclear technologies, as a solution for peaceful, safe, and secure uses of civilian nuclear energy, and the intent of the United States to support these international markets in order to ensure reliable nuclear fuel supply for Vietnam;

HAVE AGREED AS FOLLOWS:

ARTICLE 1—DEFINITIONS

For the purposes of this Agreement, including the Agreed Minute:

(A) ''Agreed Minute'' means the minute annexed to this Agreement, which is an integral part of this Agreement;

(B) ''Byproduct material'' means any radioactive material (except special fissionable material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special fissionable material;

(C) ''Component'' means a component part of equipment or other item, so designated by agreement of the Parties;

(D) ''Conversion'' means any of the normal operations in the nuclear fuel cycle, preceding fuel fabrication and excluding enrichment, by which uranium is transformed from one chemical form to another—for example, from UF6 to UO2 or from uranium oxide to metal;

(E) ''Decommissioning'' means the actions taken at the end of a facility's useful life to retire the facility from service in a manner that provides adequate protection for the health and safety of the decommissioning workers and the general public, and for the environment. These actions can range from closing down the facility and a minimal removal of nuclear material coupled with continuing maintenance and surveillance, to a complete removal of residual radioactivity in excess of levels acceptable for unrestricted use of the facility and its site;

(F) ''Equipment'' means any reactor, other than one designed or used primarily for the formation of plutonium or uranium 233, reactor pressure vessels (including closure heads), reactor calandrias, complete reactor control rod drive systems, reactor primary coolant pumps, online reactor fuel charging and discharging machines, or any other item so designated by agreement of the Parties;

(G) ''High enriched uranium'' means uranium enriched to twenty percent or greater in the isotope 235;

(H) ''Information'' means scientific, commercial or technical data or information in any form that is appropriately designated by agreement of the Parties or their competent authorities to be provided or exchanged under this Agreement;

(I) ''Low enriched uranium'' means uranium enriched to less than twenty percent in the isotope 235;

(J) ''Major critical component'' means any part or group of parts essential to the operation of a sensitive nuclear facility;

(K) ''Material'' means nuclear material, byproduct material, radioisotopes other than byproduct material, moderator material, or any other such substance so designated by agreement of the Parties;

(L) ''Moderator material'' means heavy water or graphite or beryllium of a purity suitable for use in a reactor to slow down high velocity neutrons and increase the likelihood of further fission, or any other such material so designated by agreement of the Parties;

(M) ''Nuclear material'' means source material or special fissionable material.

(N) ''Parties'' means the Government of the United States of America and the Government of the Socialist Republic of Vietnam;

(O) ''Peaceful purposes'' include the use of information, material, equipment and components in such fields as research, power generation, medicine, agriculture and industry but do not include use in, research on, or development of any nuclear explosive device, or any military purpose;

(P) ''Person'' means any individual or any entity subject to the jurisdiction of either Party but does not include the Parties to this Agreement;

(Q) ''Reactor'' means any apparatus, other than a nuclear weapon or other nuclear explosive device, in which a self-sustaining fission chain reaction is maintained by utilizing uranium, plutonium or thorium or any combination thereof;

(R) ''Restricted Data'' means all data concerning (1) design, manufacture or utilization of nuclear weapons, (2) the production of special fissionable material, or (3) the use of

special fissionable material in the production of energy, but shall not include data of a Party that it has declassified or removed from the category of Restricted Data;

(S) ''Sensitive nuclear facility'' means any facility designed or used primarily for uranium enrichment, reprocessing of nuclear fuel, heavy water production, or fabrication of nuclear fuel containing plutonium;

(T) ''Sensitive nuclear technology'' means any information (including information incorporated in equipment or an important component) that is not in the public domain and that is important to the design, construction, fabrication, operation or maintenance of any sensitive nuclear facility, or any other such information that may be so designated by agreement of the Parties;

(U) ''Source material'' means (1) uranium, thorium, or any other material so designated by agreement of the Parties, or (2) ores containing one or more of the foregoing materials in such concentration as the Parties may agree from time to time;

(V) ''Special fissionable material'' means (1) plutonium, uranium 233, or uranium enriched in the isotope 235, or (2) any other material so designated by agreement of the Parties.

ARTICLE 2—SCOPE OF COOPERATION

1. The Parties shall cooperate in the use of nuclear energy for peaceful purposes in accordance with the provisions of this Agreement and their applicable treaties, national laws, regulations and license requirements.

2. The Parties intend to cooperate in the following areas:

(A) Development of requirements for power reactors and fuel service arrangements for the Socialist Republic of Vietnam;

(B) Development of the Socialist Republic of Vietnam's civilian nuclear energy use in a manner that contributes to global efforts to prevent nuclear proliferation;

(C) Research, development and application of civilian nuclear power reactor technologies and spent fuel management technologies;

(D) Promotion of the establishment of a reliable source of nuclear fuel for future civilian light water nuclear reactors deployed in the Socialist Republic of Vietnam;

(E) Civilian nuclear energy training, human resource and infrastructure development, and appropriate application of civilian nuclear energy and related energy technology, in accordance with evolving IAEA guidance and standards on milestones for infrastructure development;

(F) Research and application of radioisotopes and radiation in industry, agriculture, medicine and the environment;

(G) Radiation protection and management of radioactive waste and spent fuel;

(H) Nuclear safety, security, safeguards and nonproliferation, including physical protection, export control and border security; and

(I) Other areas of cooperation as may be mutually determined by the Parties.

3. Cooperation under paragraph 2 may be undertaken in the following forms:

(A) Exchange of scientific and technical information and documentation;

(B) Exchange of training and personnel;

(C) Organization of symposia and seminars;

(D) Provision of relevant technical assistance and services;

(E) Joint research; and

(F) Other forms of cooperation as may be mutually determined by the Parties.

4. Transfer of information, material, equipment and components under this Agreement may be undertaken directly between the Parties or through authorized Persons. Such transfers shall be subject to this Agreement and to such additional terms and conditions as may be agreed by the Parties.

ARTICLE 3—TRANSFER OF INFORMATION

1. Information concerning the use of nuclear energy for peaceful purposes may be transferred under this Agreement. Transfers of information may be accomplished through various means, including reports, data banks, computer programs, conferences, visits, and assignments of staff to facilities. Fields that may be covered may include, but shall not be limited to, the following:

(A) Research, development, design, construction, operation, maintenance and use of reactors, reactor experiments, and decommissioning;

(B) The use of material in physical and biological research, medicine, agriculture and industry;

(C) Fuel cycle studies of ways to meet future world-wide civil nuclear needs, including multilateral approaches to guaranteeing nuclear fuel supply and appropriate techniques for management of nuclear wastes;

(D) Safeguards and physical protection of material, equipment and components;

(E) Health, safety and environmental considerations related to the foregoing; and

(F) Assessing the role nuclear power may play in national energy plans.

2. This Agreement does not require the transfer of any information that the Parties are not permitted under their respective treaties, national laws and regulations to transfer.

3. Restricted Data and Sensitive Nuclear Technology shall not be transferred under this Agreement.

ARTICLE 4—TRANSFER OF MATERIAL, EQUIPMENT AND COMPONENTS

1. Material, equipment and components may be transferred for applications consistent with this Agreement. Any special fissionable material transferred to the Socialist Republic of Vietnam under this Agreement shall be low enriched uranium except as provided in paragraph 4. Sensitive nuclear facilities and major critical components thereof shall not be transferred under this Agreement.

2. Low enriched uranium may be transferred, including inter alia by sale or lease, for use as fuel in reactors and reactor experiments, for conversion or fabrication, or for such other purposes as may be agreed by the Parties.

3. The quantity of special fissionable material transferred under this Agreement shall not at any time be in excess of that quantity the Parties agree is necessary for any of the following purposes: use in the loading of reactors or in reactor experiments; the reliable, efficient and continuous operation of reactors or conduct of reactor experiments; the storage of special fissionable material necessary for the efficient and continuous operation of reactors or conduct of reactor experiments; the transfer of irradiated nuclear material for storage or disposition; and the accomplishment of such other purposes as may be agreed by the Parties.

4. Small quantities of special fissionable material may be transferred for use as samples, standards, detectors, targets or for such other purposes as the Parties may agree. Transfers pursuant to this paragraph shall not be subject to the quantity limitations in paragraph 3.

5. The Government of the United States of America shall endeavor to take such actions as are necessary and feasible to ensure a reliable supply of nuclear fuel to the Socialist Republic of Vietnam, including the export of nuclear fuel on a timely basis during the period of this Agreement. The Government of the United States of America shall also give serious consideration to taking such actions as are feasible to assist the Government of the Socialist Republic of Vietnam in safe and secure management, storage, transport, and disposition of irradiated special fissionable material produced through the use of material or equipment transferred pursuant to this Agreement.

ARTICLE 5—STORAGE AND RETRANSFERS

1. Plutonium and uranium 233 (except as contained in irradiated fuel elements), and high enriched uranium, transferred pursuant to this Agreement or used in or produced through the use of material or equipment so transferred shall only be stored in a facility to which the Parties agree.

2. Material, equipment and components transferred pursuant to this Agreement and any special fissionable material, other transuranic elements and tritium produced through the use of any such material or equipment shall not be transferred to unauthorized Persons or, unless the Parties agree, beyond the recipient Party's territorial jurisdiction.

3. In order to facilitate management of spent fuel, irradiated nuclear materials, or nuclear-related waste, material transferred or produced through the use of material, equipment and components transferred pursuant to this Agreement may be transferred to the United States of America if the Government of the United States of America designates a storage or disposition option. In this event, the Parties shall make appropriate implementing arrangements.

ARTICLE 6—REPROCESSING, OTHER ALTERATION IN FORM OR CONTENT, AND ENRICHMENT

1. Material transferred pursuant to this Agreement and material used in or produced through the use of material or equipment so transferred shall not be reprocessed unless the Parties agree.

2. Plutonium, uranium 233, high enriched uranium and irradiated source or special fissionable material transferred pursuant to this Agreement or used in or produced through the use of material or equipment so transferred shall not be otherwise altered in form or content, except by irradiation or further irradiation, unless the Parties agree.

3. Uranium transferred pursuant to this Agreement or used in or produced through the use of any material or equipment so transferred shall not be enriched after transfer unless the Parties agree.

ARTICLE 7—PHYSICAL PROTECTION

1. Adequate physical protection shall be maintained with respect to any material and equipment transferred pursuant to this Agreement and any special fissionable material used in or produced through the use of material or equipment so transferred.

2. To comply with the requirement in paragraph 1, each Party shall apply at a minimum measures in accordance with (i) levels of physical protection at least equivalent to the recommendations published in IAEA document INFCIRC/225/Rev.5 entitled ''The Physical Protection of Nuclear Material and Nuclear Facilities'' and in any subsequent revisions of that document accepted by the Parties, and (ii) the provisions of the 1980 Convention on the Physical Protection of Nuclear Material, as well as any amendments to the Convention that enter into force for both Parties.

3. The adequacy of physical protection measures maintained pursuant to this Article shall be subject to review and consultations by the Parties from time to time and whenever either Party is of the view that revised measures may be required to maintain adequate physical protection.

4. The Parties shall keep each other informed through diplomatic channels of those agencies or authorities having responsibility for ensuring that levels of physical protection for nuclear material in their territory

or under their jurisdiction or control are adequately met and having responsibility for coordinating response and recovery operations in the event of unauthorized use or handling of material subject to this Article. The Parties shall inform each other through diplomatic channels, as well, of the designated points of contact within their national authorities to cooperate on matters of out-of-country transportation and other matters of mutual concern.

ARTICLE 8—NO EXPLOSIVE OR MILITARY APPLICATION

Material, equipment and components transferred pursuant to this Agreement and material used in or produced through the use of any material, equipment or components so transferred shall not be used for any nuclear explosive device, for research on or development of any nuclear explosive device, or for any military purpose.

ARTICLE 9—SAFEGUARDS

1. Cooperation under this Agreement shall require the application of IAEA safeguards with respect to all nuclear material in all nuclear activities within the territory of the Socialist Republic of Vietnam, under its jurisdiction or carried out under its control anywhere. Implementation of a Safeguards Agreement concluded pursuant to Article III (4) of the NPT shall be considered to fulfill this requirement.

2. Source material or special fissionable material transferred to the Socialist Republic of Vietnam pursuant to this Agreement and any source material or special fissionable material used in or produced through the use of material, equipment or components so transferred shall be subject to safeguards in accordance with the agreement between the Socialist Republic of Vietnam and the IAEA for the application of safeguards in connection with the NPT, signed on October 2, 1989, which entered into force on February 23, 1990, and the Additional Protocol thereto signed on August 10, 2007, which entered into force on September 17, 2012.

3. Source material or special fissionable material transferred to the United States of America pursuant to this Agreement and any source or special fissionable material used in or produced through the use of any material, equipment or components so transferred shall be subject to the agreement between the United States of America and the IAEA for the application of safeguards in the United States of America, signed on November 18, 1977, which entered into force on December 9, 1980, and the Additional Protocol thereto, which entered into force on January 6, 2009.

4. If either Party becomes aware of circumstances that demonstrate that the IAEA for any reason is not or will not be applying safeguards in accordance with the agreements with the IAEA referred to in paragraph 2 or paragraph 3, to ensure effective continuity of safeguards the Parties shall consult and immediately enter into arrangements with the IAEA or between themselves that conform with IAEA safeguards principles and procedures, that provide assurance equivalent to that intended to be secured by the system they replace, and that conform with the coverage required by paragraph 2 or paragraph 3.

5. Each Party shall take such measures as are necessary to maintain and facilitate the application of safeguards applicable to it provided for under this Article.

6. Each Party shall establish and maintain a system of accounting for and control of source material and special fissionable material transferred pursuant to this Agreement and source material and special fissionable material used in or produced through the use of any material, equipment or components so transferred. The procedures for this system shall be comparable to those set forth in IAEA document INFCIRC/153 (Corrected), or in any revision of that document agreed to by the Parties.

7. Upon the request of either Party, the other Party shall report or permit the IAEA to report to the requesting Party on the status of all inventories of material subject to this Agreement.

ARTICLE 10—MULTIPLE SUPPLIER CONTROLS

If any agreement between either Party and another nation or group of nations provides such other nation or group of nations rights equivalent to any or all of those set forth under Article 5 or Article 6 with respect to material, equipment or components subject to this Agreement, the Parties may, upon request of either of them, agree that the implementation of any such rights will be accomplished by such other nation or group of nations.

ARTICLE 11—CESSATION OF COOPERATION AND RIGHT OF RETURN

1. If either Party at any time following entry into force of this Agreement:

(A) does not comply with the provisions of Article 5, 6, 7, 8, or 9; or

(B) terminates, abrogates or materially violates a safeguards agreement with the IAEA;

the other Party shall have the rights to cease further cooperation under this Agreement and to require the return of any material, equipment and components transferred under this Agreement and any special fissionable material produced through their use.

2. If the Socialist Republic of Vietnam following entry into force of this Agreement detonates a nuclear explosive device, the United States of America shall have the same rights as specified in paragraph 1.

3. If the United States of America detonates a nuclear explosive device using material, equipment or components transferred pursuant to this Agreement or nuclear material used in or produced through the use of such items, the Government of the Socialist Republic of Vietnam shall have the same rights as specified in paragraph 1.

4. In determining whether to exercise its rights under paragraph I of this Article based on a ''material violation,'' a Party shall consider whether the facts giving rise to the right to take such action in accordance with paragraph 1 were caused deliberately. In the event that it finds such material violation not to be deliberate, and to the extent which it judges that such material violation can be rectified, the non-breaching Party shall endeavor, subject to its national legislation and regulations, to afford the breaching Party an opportunity to cure the material violation within a reasonable period.

5. If either Party exercises its rights under this Article to require the return of any material, equipment or components, it shall promptly, after removal from the territory of the other Party, reimburse the other Party for the fair market value of such material, equipment or components.

ARTICLE 12—CONSULTATIONS, REVIEW AND ENVIRONMENTAL PROTECTION

1. The Parties undertake to consult at the request of either Party regarding the implementation of this Agreement and the development of further cooperation in the field of peaceful uses of nuclear energy.

2. The Parties shall consult, with regard to activities under this Agreement, to identify the international environmental implications arising from such activities and shall cooperate in protecting the international environment from radioactive, chemical or thermal contamination arising from peaceful nuclear activities under this Agreement and in related matters of health and safety.

ARTICLE 13—IMPLEMENTATION

1. The terms of this Agreement shall be implemented in good faith and with due regard to the legitimate commercial interests, whether international or domestic, of either Party. This Agreement shall be implemented in a manner designed:

(A) to avoid hampering or delaying the nuclear activities in the territory of either Party;

(B) to avoid interference in such activities;

(C) to be consistent with prudent management practices required for the economic and safe conduct of such activities; and

(D) to take full account of the long-term requirements of the Parties' nuclear energy programs.

2. The provisions of this Agreement shall not be used for the purpose of securing unfair commercial or industrial advantages, or of restricting trade to the disadvantage of persons and undertakings of either Party or hampering their commercial or industrial interests, whether international or domestic.

ARTICLE 14—SETTLEMENT OF DISPUTES

The Parties shall address any dispute concerning the interpretation or application of this Agreement through negotiation or any other mutually agreed upon peaceful means of dispute settlement.

ARTICLE 15—ADMINISTRATIVE ARRANGEMENT

1. Upon request by either Party, the appropriate authorities of the Parties shall, by mutual consent, establish an Administrative Arrangement in order to provide for the effective implementation of the provisions of this Agreement.

2. The principles of fungibility and equivalence shall apply to nuclear material and moderator material subject to this Agreement. Detailed provisions for applying these principles shall be set forth in such an Administrative Arrangement.

3. The Administrative Arrangement established pursuant to this Article may be modified by mutual consent of the appropriate authorities of the Parties.

ARTICLE 16—ENTRY INTO FORCE, AMENDMENT, AND DURATION

1. This Agreement shall enter into force on the date of the later note of an exchange of diplomatic notes between the Parties informing each other that they have completed all applicable requirements for entry into force.

2. This Agreement may be amended by written agreement of the Parties. Amendments to this Agreement shall enter into force on the date of the later note of an exchange of diplomatic notes between the Parties informing each other that they have completed all applicable requirements for entry into force.

3. This Agreement shall remain in force for a period of 30 years and shall continue in force thereafter for additional periods of five years each. Either Party may, by giving six months written notice to the other Party, terminate this Agreement at the end of the initial 30-year period or at the end of any subsequent five-year period. Additionally, this Agreement may be terminated at any time by either Party on one year's written notice to the other Party.

4. Notwithstanding the termination or expiration of this Agreement or any cessation of cooperation hereunder for any reason, Articles 5, 6, 7, 8, 9, and 11 and the Agreed Minute shall continue in effect so long as

any material, equipment or components subject to these articles remains in the territory of the Party concerned or under its jurisdiction or control anywhere, or until such time as the Parties agree that such material, equipment or components are no longer usable for any nuclear activity relevant from the point of view of safeguards.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Agreement.

DONE at Hanoi, this 6th day of May 2014, in duplicate, in the English and Vietnamese languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM:

AGREED MINUTE

During the negotiation of the Agreement for Cooperation between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy (''the Agreement'') signed today, the following understandings, which shall be an integral part of the Agreement, were reached.

1. COVERAGE OF AGREEMENT

a. Material, equipment and components transferred from the territory of one Party to the territory of the other Party, whether directly or through a third country, shall be regarded as having been transferred pursuant to the Agreement only upon confirmation, by the appropriate government authority of the recipient Party to the appropriate government authority of the supplier Party, that such material, equipment or components shall be subject to the Agreement.

b. With respect to the definition of ''Restricted Data'' in subparagraph (R) of Article 1 of the Agreement, it is the understanding of the Parties that all information on the use of special fissionable material in the production of energy from standard civilian reactors has been declassified or removed from the category of ''Restricted Data.''

c. For the purposes of implementing the rights specified in Article 5 and Article 6 of the Agreement with respect to special fissionable material produced through the use of nuclear material transferred pursuant to the Agreement and not used in or produced through the use of equipment transferred pursuant to the Agreement, such rights shall in practice be applied to that proportion of special fissionable material produced that represents the ratio of transferred material used in the production of the special fissionable material to the total amount of material so used, and similarly for subsequent generations.

d. Material, nuclear material, equipment and components subject to this Agreement shall no longer be subject to this Agreement if:

(1) Such items have been transferred beyond the territory of the receiving Party in accordance with the relevant provisions of this Agreement and are no longer under its jurisdiction or control anywhere;

(2) In the case of nuclear material, if the Parties agree, taking into account among other factors an IAEA determination, if any, in accordance with the provisions for the termination of safeguards in the relevant agreement referred to in paragraphs 2 or 3 of Article 9, whichever is applicable, that the nuclear material is no longer usable for any nuclear activity relevant from the point of view of safeguards; or

(3) In the case of material (other than nuclear material), equipment and components, it is agreed by the Parties.

2. SAFEGUARDS

a. If either Party becomes aware of circumstances referred to in paragraph 4 of Article 9 of the Agreement, either Party (hereinafter ''the safeguarding Party'') shall have the rights listed below, which rights shall be suspended if both Parties agree that the need to exercise such rights is being satisfied by the application of IAEA safeguards under arrangements pursuant to paragraph 4 of Article 9 of the Agreement:

(1) To review in a timely fashion the design of any equipment transferred pursuant to the Agreement, or of any facility that is to use, fabricate, process, or store any material so transferred or any special fissionable material used in or produced through the use of such material or equipment;

(2) To require the maintenance and production of records and of relevant reports for the purpose of assisting in ensuring accountability for material transferred pursuant to the Agreement and any source material or special fissionable material used in or produced through the use of any material, equipment or components so transferred; and

(3) To designate personnel acceptable to the other Party (hereinafter ''the safeguarded Party''), who shall have access to all places and data necessary to account for the material referred to in paragraph 2, to inspect any equipment or facility referred to in paragraph 1, and to install any devices and make such independent measurements as may be deemed necessary to account for such material. The safeguarded Party shall not unreasonably withhold its acceptance of personnel designated by the safeguarding Party under this paragraph. Such personnel shall, if either Party so requests, be accompanied by personnel designated by the safeguarded Party.

b. The simultaneous application of safeguards with respect to one Party by the IAEA and by the other Party is not intended.

c. Upon the request of either Party, the other Party will authorize the IAEA to make available to the Government of the requesting Party information on the implementation of the applicable safeguards agreement with the IAEA within the scope of cooperation under this Agreement.

d. To the extent consistent with its applicable national legislation and regulations, each Party shall ensure that all information provided under this Section 2 of the Agreed Minute by the other Party or the IAEA will not be publicly disclosed, and will be accorded appropriate protections with a view to providing the same level of protection accorded to such information by the other Party or the IAEA. The Parties shall consult regarding the appropriate protections for such information.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM:

[Presidential Determination No. 2014–08]

THE WHITE HOUSE,
Washington, February 24, 2014.

Memorandum for the Secretary of State, the Secretary of Energy.

Subject: Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy.

I have considered the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of the interested agencies.

I have determined that the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b)), I hereby approve the proposed Agreement and authorize the Secretary of State to arrange for its execution.

The Secretary of State is authorized to publish this determination in the *Federal Register*.

BARACK OBAMA.

NUCLEAR PROLIFERATION ASSESSMENT STATEMENT

Pursuant to Section 123a. of the Atomic Energy Act of 1954, as Amended, with Respect to the Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy

INTRODUCTION

This Nuclear Proliferation Assessment Statement (''NPAS'') relates to the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy (the ''Agreement''). The Agreement is being submitted to the President jointly by the Secretary of State and Secretary of Energy for his approval and authorization for signature.

Section 123a. of the Atomic Energy Act, as amended (the ''Atomic Energy Act'' or ''Act''), provides that an NPAS be submitted by the Secretary of State to the President on each new or amended agreement for cooperation concluded pursuant to that section. Pursuant to Section 123a., the NPAS must analyze the consistency of the text of the proposed agreement with all the requirements of the Act, with specific attention to whether the proposed agreement is consistent with each of the criteria set forth in Section 123.a. The NPAS must also address the adequacy of the safeguards and other control mechanisms and the peaceful use assurances contained in the agreement for cooperation to ensure that any assistance furnished thereunder will not be used to further any military or nuclear explosive purpose.

With this statutory mandate in mind, this NPAS: (a) provides background information on Vietnam's nonproliferation policies and its civil nuclear program and aspirations (Part I); (b) describes the nature and scope of the cooperation contemplated in the proposed Agreement (Part II); (c) reviews the applicable substantive requirements of the Act and the Nuclear Non-Proliferation Act of 1978 (NNPA) and details how they are met by the proposed Agreement (Part III); and (d) sets forth the net assessment, conclusions,

views, and recommendations of the Department of State as contemplated by section 123a. of the Act (Part IV).

I. NUCLEAR PROGRAM AND NONPROLIFERATION POLICIES OF THE SOCIALIST REPUBLIC OF VIETNAM

OVERVIEW

Vietnam has been carefully building the infrastructure necessary to operate a safe and secure civil nuclear power program. In January 2006, the Vietnamese government approved the Strategy for Peaceful Utilization of Atomic Energy up to the year 2020. This strategy included three main objectives:

To enhance applications of radiation and radioisotopes in industry, agriculture, health care, environmental protection, etc.

To construct and put the first nuclear power plant into safe operation in 2020.

To build up national infrastructure for safe management of radioactive materials and nuclear power plants.

This was followed by approval of a master plan for implementation of the strategy in July 2007, completion of the pre-feasibility study for the first nuclear power plant, and approval of the first nuclear power plant project plan by the National Assembly in 2009. An updated Master Plan for Peaceful Utilization of Atomic Energy up to 2020 was approved June 2010; the Direction for Nuclear Power Plant (NPP) Development Plan up to 2030 was approved June 2010; and the National Master Plan for Power Development for 2011–2020 with the Vision to 2030 was approved July 2011.

In May 2013, Prime Minister Nguyen Tan Dung announced that the government would set up a National Council for Atomic Energy Development, tasked with identifying strategies and priorities for the development of nuclear energy in the country.

Vietnam has plans to have six reactors (6,000 MW) in operation by 2025 and to develop a total of ten reactors (10,700 MW) by 2030. Vietnam has entered into agreements for cooperation on peaceful uses of nuclear energy with Argentina, Canada, China, France, India, Japan, Russia, and South Korea. Vietnam's Ministry of Industry and Trade (MOIT) signed an agreement October 2010 with the Russian State Atomic Energy Corporation ''Rosatom'' for the provision of two pressurized water reactors (total of 2,000 MW) at Phuoc Dinh in Ninh Thuan province. Vietnam PM Nguyen Tan Dung and Japanese PM Naoto Kan released a Joint Statement October 2010, announcing that Vietnam had chosen Japan to supply two additional reactors (total 2,000 MW) at Vinh Hai in Ninh Thuan province. Feasibility studies are currently being undertaken for both contracts in advance of selecting specific reactor designs for these first four power reactors. (The planned construction start date for the Russian reactors has been pushed back three years to 2017.) In 2012, Vietnam also signed an agreement with the Republic of South Korea to initiate a joint preliminary feasibility study, which commenced in June 2013.

NONPROLIFERATION CREDENTIALS

Under the Atomic Energy Law (No. 18/2008/QH12) (''Atomic Energy Law''), Vietnam has prohibited researching, developing, manufacturing, trading in, transporting, transferring, storing, using, or threatening to use nuclear or radiological weapons.

Vietnam has signed and ratified or acceded to and/or brought into force the following key nonproliferation treaties and instruments:

Treaty on the Non-Proliferation of Nuclear Weapons: Acceded June 14, 1982

IAEA Safeguards Agreement (published as INFCIRC/376, March 1990): Signed October 2, 1989; in force February 23, 1990

The Additional Protocol to its Safeguards Agreement (published as INFCIRC/376 Add.1, September 26, 2012: Signed August 10, 2007; in force September 17, 2012

Convention on the Physical Protection of Nuclear Material: instrument of accession deposited October 4, 2012; in force November 3, 2012

Amendment to the Convention on the Physical Protection of Nuclear Material: instrument of ratification deposited November 3, 2012

Comprehensive Nuclear Test Ban Treaty: Signed September 24, 1996; ratified March 10, 2006

Treaty of Bangkok (Southeast Asian Nuclear-Weapon-Free Zone Treaty): Signed December 15, 1995; ratified November 26, 1996

In addition, Vietnam has committed itself to conclude the International Convention for the Suppression of Acts of Nuclear Terrorism.

Vietnam additionally has demonstrated its commitment to prevent nuclear terrorism by its participation in the Global Initiative to Combat Nuclear Terrorism (GICNT) and in the Nuclear Security Summit (NSS) process. Prime Minister Nguyen Tan Dung participated in the first NSS in Washington, DC, in 2010, and the second NSS in Seoul, South Korea, in 2012. As pledged at the April 2010 Nuclear Security Summit, Vietnam completed conversion of the Dalat research reactor from utilizing highly-enriched uranium (HEU) as fuel to utilizing low-enriched uranium (LEU) in 2011. Its remaining HEU fresh fuel (4.3 kg) was returned to Russia in 2007 and all the HEU spent fuel (11 kg) was returned to Russia in 2013, rendering Vietnam essentially free of any weapon-usable nuclear materials.

In addition to the Dalat commitment, Vietnam fulfilled its 2010 NSS commitments to endorse the GICNT and to ratify the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment. Vietnam has not yet ratified the International Convention for the Suppression of Acts of Nuclear Terrorism, but has informed the U.S. Embassy of its intention to do so at the earliest opportunity. Vietnam and South Korea announced at the 2012 NSS that the two countries are working on a pilot project to establish within Vietnam a system to track radiological materials using GPS technology in cooperation with the IAEA. The project will contribute to securing and preventing the theft of radiological materials.

Following signature of a Memorandum of Understanding between the Department of Energy of the United States of America and the Ministry of Finance of the Socialist Republic of Vietnam Concerning the Cooperation to Prevent the Illicit Trafficking in Nuclear and Other Radioactive Material on July 2, 2010, Vietnam and the United States have begun cooperative projects under the Department of Energy's Second Line of Defense program to deter, detect, and interdict illicit smuggling of nuclear and other radioactive material.

The Department of Energy's International Nuclear Safeguards and Engagement Program has partnered with Vietnam since 2004. Vietnam is an active partner on nuclear infrastructure development collaboration, including activities such as radiation protection and health physics, research reactor operations, environmental radiological surveillance, radioactive waste management, implementation of the Additional Protocol, and development of State Systems of Accounting for and Control (SSAC) of nuclear material.

Vietnam has been a strong advocate for nonproliferation through the United Nations. During Vietnam's tenure on the United Nations Security Council in 2008–2009, Vietnam supported measures to increase sanctions on Iran (UNSCR 1803) and North Korea (UNSCR 1874), extend the mandate of the UNSCR 1540 Committee (UNSCR 1810), and support nuclear nonproliferation and disarmament (UNSCR 1887). In September 2010, Vietnam, in partnership with the United Nations Office for Disarmament Affairs, hosted a workshop on implementing UNSCR 1540 for countries in Southeast Asia.

Vietnam has established under its Atomic Energy Law a legal regime for radioactive materials and nuclear equipment that are subject to import and export control procedures.

Vietnam has been working with the U.S. Export Control and Related Border Security Program (EXBS) since 2003. The bulk of EXBS assistance to Vietnam to date has focused on Commodity Identification Training, industry/enterprise outreach, and maritime security activities. As Vietnam currently lacks a comprehensive strategic trade management law, the primary focus of near-term EXBS work will be assisting Vietnam in developing the legal and regulatory framework for managing strategic trade, including drafting a strategic trade law, while continuing to develop capacity for enforcement at seaports and borders.

The National Nuclear Security Administration (NNSA) conducted an International Consequence Management training course in Hanoi November 2013 as part of Vietnam's preparation for building a nuclear power plant. In addition, NNSA is assisting Vietnam to set up an emergency operations center and graphic information system to assist with sharing information during an emergency.

NUCLEAR SCIENCE AND TECHNOLOGY BASE

Vietnam has been working closely with the IAEA and international partners to develop the technical expertise needed to operate a safe and secure nuclear power program. Recognizing the need for a technically trained domestic workforce, Vietnam in 2010 approved the Master Plan on Training and Developing of Human Resources in the Field of Atomic Energy up to 2020 (Prime Minister Decision No. 1558/QD-TTg) (the ''Plan''). Under the plan, Vietnam is upgrading nuclear programs at six universities and developing a Nuclear Science and Technology Center. The government is also providing funds to send Vietnamese students, researchers, and managers abroad for training. The plan aims to produce a total of 2,400 engineers and 350 MA and PhD specialists in nuclear power by 2020. In 2011, Vietnam set up a State Steering Committee to direct the implementation of the plan. Vietnamese university graduates are currently training in Russia and Japan to become nuclear technicians.

In 2008, the Vietnam Agency for Radiation and Nuclear Safety (VARANS) signed a cooperation agreement with the U.S. Nuclear Regulatory Commission to share technical information on nuclear energy as well as exchange information on regulations, environmental impacts, and safety of nuclear sites. This agreement was extended for another five years in May 2013. Over the past ten years, VARANS has rapidly expanded its staff to over ninety people, including scientists and technical specialists.

Vietnam operates one research reactor (500 kW; VVR–M, IVV–9) at the Institute of Nuclear Research in Dalat. The original reactor, a TRIGA Mark II design (250 kW) provided by General Atomics, became operational in 1963. From 1968 to 1975, the reactor was in extended shutdown. In 1974–1975, the U.S.-origin HEU nuclear fuel (approximately 13 kg) was removed and returned to the United States and the reactor was decommissioned. Vietnam reconstructed the reactor in the 1980s with the assistance of the

Union of Soviet Socialist Republics (USSR) and the reactor became operational in 1983. According to the Vietnam Atomic Energy Commission, the reactor has been operating for the purposes of radioisotope production, neutron activation analysis, fundamental and applied research, and manpower training.

Vietnam is negotiating a contract with Russian Atomstroyexport for the provision of an additional research reactor for the Vietnamese Nuclear Science and Technology Center. (No final decision has been made for the location of this center.)

NUCLEAR FUEL CYCLE

Vietnam has affirmed that it does not intend to seek to acquire sensitive fuel cycle capabilities but instead will rely upon the international market. This political commitment not to pursue enrichment and reprocessing was first included in the Memorandum of Understanding between the Socialist Republic of Vietnam and the United States of America Concerning Cooperation in the Nuclear Energy Field, signed in Hanoi on March 30, 2010 (the ''MOU''). In the MOU, Vietnam affirmed its intent ''to rely on existing international markets for nuclear fuel services, rather than acquiring sensitive nuclear technologies, as a solution for peaceful, safe and secure uses of civilian nuclear energy. . . .'' This commitment has been reaffirmed in the preamble of the proposed Agreement.

NUCLEAR REGULATIONS AND STATUTES

Vietnam passed an Atomic Energy Law in June 2008, which took effect January 1, 2009. Key provisions address:

Establishment of the national nuclear regulatory authority
Licensing and permitting regime
Enforcement, assessment, and inspection
Security and safeguards
Physical protection and safety
Control over orphan sources
Emergency preparedness and response
Safe transport of radioactive material
Import and export controls
Waste management and spent fuel management
Decommissioning
Civil liability for nuclear damage
Criminal and civil offences and penalties
Insurance

In June 2010, Prime Minister Nguyen Tan Dung signed Decision No. 45/2010/QD–TTg, which provides regulations on nuclear control in support of the Atomic Energy Law. Vietnam is in the process of further updating its Atomic Energy Law.

Vietnam acceded to both the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency on October 30, 1987. Vietnam acceded to the Convention on Nuclear Safety on July 15, 2010, and Vietnam deposited its instrument of ratification for the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management with the IAEA on October 9, 2013. It came into force for Vietnam on January 7, 2014.

Vietnam is currently considering whether to accede to the Vienna Convention on Civil Liability for Nuclear Damage and whether to ratify the Convention on Supplementary Compensation for Nuclear Damage.

II. NATURE AND SCOPE OF THE COOPERATION CONTEMPLATED BY THE PROPOSED AGREEMENT

Article 2.2 of the proposed Agreement describes in general terms the kinds of cooperative activities envisaged. These include:

Development of requirements for power reactors and fuel service arrangements for the Socialist Republic of Vietnam.

Development of the Socialist Republic of Vietnam's civilian nuclear energy use in a manner that contributes to global efforts to prevent nuclear proliferation.

Research, development, and application of civilian nuclear power reactor technologies and spent fuel management technologies.

Promotion of the establishment of a reliable source of nuclear fuel for future civilian light water nuclear reactors deployed in the Socialist Republic of Vietnam.

Civilian nuclear energy training, human resource and infrastructure development, and appropriate application of civilian nuclear energy and related energy technology, in accordance with evolving IAEA guidance and standards on milestones for infrastructure development.

Research and application of radioisotopes and radiation in industry, agriculture, medicine, and the environment.

Radiation protection and management of radioactive waste and spent fuel.

Nuclear safety, security, safeguards, and nonproliferation, including physical protection, export control, and border security.

Other areas of cooperation as may be mutually determined by the Parties.

Article 3.1 of the proposed Agreement further specifies the types of information concerning the peaceful uses of nuclear energy that may be transferred. Fields that may be covered include the following:

Research, development, design, construction, operation, maintenance, and use of reactors, reactor experiments, and decommissioning.

The use of material in physical and biological research, medicine, agriculture, and industry.

Fuel cycle studies of ways to meet future world-wide civil nuclear needs, including multilateral approaches to guaranteeing nuclear fuel supply and appropriate techniques for management of nuclear wastes.

Safeguards and physical protection of material, equipment, and components.

Health, safety, and environmental considerations related to the foregoing.

Assessing the role nuclear power may play in national energy plans.

The Agreement states that restricted data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities shall not be transferred under the Agreement (Articles 3.3 and 4.1).

Transfers of special fissionable material to Vietnam under the Agreement shall be low-enriched uranium, except small quantities for use as samples, standards, detectors, targets, or for other agreed purposes (Articles 4.1 and 4.4). Any such transfers of low-enriched uranium may not be in excess of the quantity that the Parties agree is necessary for the activities envisaged (Article 4.3).

The Agreed Minute, under ''Coverage of Agreement,'' provides that material, equipment, and components transferred from the territory of one Party to the territory of the other Party, either directly or through a third country, shall be regarded as having been transferred pursuant to the Agreement only upon confirmation by the recipient Party that such items will be subject to the Agreement.

The proposed Agreement will have a term of 30 years from the date of its entry into force and shall continue thereafter for additional periods of five years. Either Party may, by giving six months written notice to the other Party, terminate this Agreement at the end of the initial 30 year period or at the end of any subsequent five-year period. Additionally, the proposed Agreement may be terminated at any time by either Party on one year's written notice to the other Party (Article 16.3). In the event of termination of the Agreement, key nonproliferation conditions and controls provided for in the Agreement will continue in effect as long as any material, equipment, or components subject to the Agreement remains in the territory of the Party concerned or under its jurisdiction or control anywhere, or until such time as the Parties agree that such material, equipment, or components are no longer usable for any nuclear activity relevant from the point of view of safeguards (Article 16.4).

III. SUBSTANTIVE CONDITIONS

The proposed Agreement meets the applicable requirements of the Atomic Energy Act and the NNPA. Section 123 of the Act, as amended by the NNPA, sets forth certain substantive requirements that must be met in agreements for cooperation. Sections 402 and 407 of the NNPA set forth supplementary requirements. The provisions contained in the proposed Agreement satisfy these legal requirements as follows:

(1) Application of Safeguards: Section 123(a)(1) of the Act requires a guaranty from the cooperating party that safeguards in perpetuity will be maintained with respect to all nuclear materials and equipment transferred pursuant to an agreement for cooperation and with respect to all special nuclear material used in or produced through the use of such transferred nuclear materials and equipment, so long as the material or equipment remains under the jurisdiction or control of the cooperating party, irrespective of the duration of the other provisions of the agreement or whether the agreement is terminated or suspended for any reason.

This requirement is satisfied by Articles 9 and 16 of the proposed Agreement. Article 9.2 stipulates that source or special nuclear material (referred to in this Agreement as ''special fissionable material'') transferred to Vietnam pursuant to this Agreement and any other nuclear material used in or produced through the use of any material (which under the Agreement includes source material, special nuclear material, byproduct material, radioisotopes other than byproduct material, moderator material, or any other such substance so designated by agreement of the Parties), equipment, or components transferred shall be subject, to the extent applicable, to the Agreement between Vietnam and the IAEA for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (''NPT''), signed on October 2, 1989, which entered into force on February 23, 1990, and an Additional Protocol thereto signed on August 10, 2007, which entered into force on September 17, 2012. Article 9.4 provides for ''back-up'' safeguards in the event the IAEA safeguards agreement with Vietnam is not being implemented. Article 9 is one of the articles of the Agreement that, pursuant to Article 16.4, continues in effect so long as any material, equipment, or components subject thereto remains in the territory of the United States of America or Vietnam or under the jurisdiction or control of either Party to the Agreement anywhere, unless that item is no longer usable for any nuclear activity relevant from the point of view of safeguards.

(2) Full-Scope Safeguards: The requirement for full-scope safeguards as a condition of cooperation mandated by section 123 a.(2) is met by Article 9.1 of the proposed Agreement.

(3) Peaceful Use: The requirement of section 123 a.(3) of the Act for a guaranty against explosive or military uses of nuclear materials and equipment transferred and special nuclear material produced through the use of such items is met by Article 8 of the proposed Agreement. It is not necessary to include a peaceful uses guarantee with respect to sensitive nuclear technology transferred under the Agreement or special nuclear materials (referred to in the proposed

Agreement as ''special fissionable materials'') produced through the use of sensitive nuclear technology transferred, as would otherwise be required by section 123 a.(3), because Article 3.3 of the proposed Agreement provides that sensitive nuclear technology shall not be transferred under the Agreement.

(4) Right of Return: The requirement in section 123 a.(4) of the Act that, in the event of a nuclear detonation by a non-nuclear weapon state cooperating party, the United States has a right to the return of any nuclear materials and equipment transferred pursuant to an agreement for cooperation and any special nuclear material produced through the use of such transferred items is met by Articles 11.1 and 11.2 of the proposed Agreement. This right would be triggered if Vietnam should detonate a nuclear explosive device, does not comply with the provisions of Articles 5, 6, 7, 8 or 9 of the Agreement, or terminates, abrogates, or materially violates its IAEA safeguards agreement.

Article 11.4 of the proposed Agreement requires that a Party, in determining whether to exercise its rights under Article 11.1 based on a ''material violation,'' shall consider whether the facts giving rise to the right to take such action in accordance with Article 11.1 were caused deliberately. In the event that Party finds such material violation not to be deliberate, and to the extent that it judges that such material violation can be rectified, the non-breaching Party is obligated to endeavor, subject to its national legislation and regulations, to afford the breaching Party an opportunity to cure the material violation within a reasonable period.

(5) Retransfer Consent: The requirement of Section 123 a.(5) of the Act for a guaranty by the cooperating party that ''any material or any Restricted Data and any production or utilization facility transferred pursuant to the agreement or any special nuclear material produced through the use of any such facility or material'' will not be transferred to unauthorized persons or beyond the jurisdiction or control of the cooperating party without prior U.S. consent is met by Article 5.2 of the proposed Agreement. A retransfer consent right over Restricted Data (''RD'') is not provided because RD transfers are prohibited under Article 3.3 of the Agreement.

(6) Physical Security: The requirement of Section 123 a.(6) of the Act for a guaranty that adequate physical security will be maintained with respect to any nuclear material transferred pursuant to an agreement of cooperation and any special nuclear material used in or produced through the use of nuclear material, production facility, or utilization facility transferred pursuant to such agreement is met by Article 7 of the proposed Agreement.

(7) Enrichment/Reprocessing/Alteration Consent Right: The requirement of section 123 a.(7) of the Act for a guaranty that ''no material transferred pursuant to the agreement for cooperation and no material used in or produced through the use of any material, production facility, or utilization facility transferred pursuant to the agreement will be reprocessed, enriched or (in the case of plutonium, uranium 233, or uranium enriched to greater than 20 per cent in the isotope 235, or other nuclear materials which have been irradiated) otherwise altered in form or content without the prior approval of the United States,'' is met by Article 6 of the proposed Agreement. Article 6.1 provides that ''(m)aterial transferred pursuant to the Agreement and material used in or produced through the use of material or equipment so transferred shall not be reprocessed unless the Parties agree.'' Article 6.2 further specifies that plutonium, uranium 233, high enriched uranium, and irradiated source material or special fissionable material transferred pursuant to the Agreement or used in or produced through the use of material or equipment so transferred shall not be altered in form or content, except by irradiation or further irradiation, unless the Parties agree. Article 6.3 specifies that uranium transferred pursuant to the Agreement or used in or produced through the use of any material or equipment so transferred shall not be enriched after transfer unless the Parties agree.

Article 6 also satisfies Section 402(a) of the NNPA, which states that, except as specifically provided in any agreement for cooperation, no source or special nuclear material exported from the United States after the date of the NNPA may be enriched after export without the prior approval of the United States for such enrichment.

(8) Storage Consent Right: The requirement of Section 123 a.(8) of the Act for a guaranty of a right of prior U.S. approval over facilities for the storage of specified nuclear materials is met by Article 5.1 of the proposed Agreement.

(9) Sensitive Nuclear Technology: The requirement of section 123 a.(9) of the Act pertains to situations that may result when sensitive nuclear technology is transferred pursuant to a Section 123 agreement for cooperation. Article 3.3 of the proposed Agreement provides that sensitive nuclear technology shall not be transferred under the Agreement, and Article 4.1 provides that sensitive nuclear facilities and major critical components thereof shall not be transferred under the proposed Agreement. Accordingly, the requirement in Section 123 a. (9) is not relevant to the proposed Agreement, and the requirement in Section 402 (b) of the NNPA precluding the transfer of major critical components of facilities for uranium enrichment, nuclear fuel reprocessing, or heavy water production unless an agreement for cooperation ''specifically designates such components as items to be exported pursuant to [such] agreement'' is also satisfied.

Environmental: Article 12.2 of the proposed Agreement requires the Parties to consult, with regard to activities under the Agreement, to identify the international environmental implications arising from such activities and to cooperate in protecting the international environment from radioactive, chemical, or thermal contamination arising from peaceful nuclear activities under the proposed Agreement and in related matters of health and safety, thereby satisfying the requirements of section 407 of the NNPA.

Article 10 of the proposed Agreement is not required by the Act or the NNPA, but it is consistent with these laws. It provides that the parties may, by mutual agreement, arrange for a third party to exercise U.S. consent rights with respect to particular items subject to the agreement if the third party already enjoys the same consent rights over those items. All applicable provisions of U.S. law, including Section 131 of the Act governing subsequent arrangements, would have to be satisfied. Similar provisions have been included in all post-NNPA agreements for cooperation, although they have never been applied.

Proportionality: For the purpose of implementing rights specified in Articles 5 and 6 of the proposed Agreement, ''produced'' special nuclear material is defined in terms of proportionality in the Agreed Minute to the Agreement. Thus, if U.S. nuclear material is used in a non-U.S. reactor, the special nuclear material produced will be attributed to the U.S. in the proportion of the U.S. nuclear material to the total amount of nuclear material used, and similarly for subsequent generations. It has been our consistent view that Sections 123 and 127 of the Act allow this concept of proportionality to be used in determining the reasonable application of U.S. consent rights. We are aware of no course of practice or legislative history to the contrary. Agreements negotiated since the enactment of the NNPA in 1978 generally contain a similar proportionality provision.

In sum, the proposed Agreement satisfies all the substantive requirements specified for agreements for cooperation by the Act and the NNPA.

IV. CONCLUSION

Entry into force of the proposed Agreement will put in place a framework for mutually beneficial civil nuclear cooperation between the United States and Vietnam, and provide a foundation for continued collaboration on nuclear nonproliferation goals.

On the basis of the analysis in this NPAS and all pertinent information of which it is aware, the Department of State has arrived at the following assessment, conclusions, views, and recommendations:

1. The safeguards and other control mechanisms and the peaceful use assurances in the proposed Agreement are adequate to ensure that any assistance furnished thereunder will not be used to further any military or nuclear explosive purpose.

2. The Agreement meets all the legal requirements of the Act and the NNPA.

3. Execution of the proposed Agreement would be compatible with the nonproliferation program, policy, and objectives of the United States.

4. Therefore, it is recommended that the President approve and authorize the execution of the proposed Agreement; and that the President determine that the performance of the proposed Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security.

THE SECRETARY OF STATE,
Washington, DC, February 18, 2014.

Memorandum for the President

From: John F. Kerry, Secretary of State, Ernest Moniz, Secretary of Energy.

Subject: Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy.

The United States and Vietnam have completed negotiations of a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy (the ''Agreement''). If you authorize execution of the Agreement, it will be signed by representatives of the United States and Vietnam. After signature, in accordance with Sections 123 b. and d. of the Atomic Energy Act of 1954, as amended (the ''Act''), the Agreement must be submitted to both houses of Congress for a review period of 90 days of continuous session. Unless a joint resolution of disapproval is enacted, the Agreement may be brought into force upon completion of the review period.

The proposed Agreement provides a comprehensive framework for peaceful nuclear cooperation with Vietnam based on a mutual commitment to nuclear nonproliferation. The United States and Vietnam would enter into it in the context of a stated intention by Vietnam to rely on existing international markets for nuclear fuel services rather than acquiring sensitive fuel services, and a stated intention by the United States to support those international markets in order to ensure reliable nuclear fuel supply for Vietnam. These intentions are explicitly stated in the preamble to the Agreement.

The Agreement will have an initial term of 30 years from the date of its entry into force, and will continue in force thereafter for additional periods of five years each. Either Party may terminate the proposed Agreement on six months advance written notice at the end of the initial 30 year term or at the end of any subsequent five year period. Additionally, either Party may terminate the proposed Agreement on one year's written notice.

The Agreement permits the transfer of information, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of restricted data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities. In the event of termination of the Agreement, key nonproliferation conditions and controls continue with respect to material, equipment, and components subject to the Agreement.

Vietnam is a non-nuclear-weapon State party to the Treaty on the Nonproliferation of Nuclear Weapons. Vietnam has in force a comprehensive safeguards agreement and an Additional Protocol with the International Atomic Energy Agency. Vietnam is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material, and has ratified the 2005 Amendment to the Convention. A more detailed discussion of Vietnam's intended civil nuclear program and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the Nuclear Proliferation Assessment Statement (''NPAS''), and in a classified annex to the NPAS submitted to you separately. An addendum to the NPAS containing a comprehensive analysis of the export control system of Vietnam with respect to nuclear-related matters, including interactions with countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A of the National Security Act of 1947 (50 U.S.C. 403–1), as amended, is being submitted to you separately by the Director of National Intelligence.

In accordance with the provisions of section 123 of the Act, the proposed Agreement was negotiated by the Department of State, with the technical assistance and concurrence of the Department of Energy. The proposed Agreement has also been reviewed by the members of the Nuclear Regulatory Commission. The Commission's views are being submitted to you separately.

In our judgment, the proposed Agreement satisfies all requirements of U.S. law for agreements of this type. We believe, as well, that U.S. cooperation with Vietnam in the peaceful uses of nuclear energy under the proposed Agreement will be supportive of U.S. nonproliferation, foreign policy, and commercial interests. We recommend, therefore, that you determine, pursuant to section 123 b. of the Act, that performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and that you approve the Agreement and authorize its execution.

RECOMMENDATION

That you sign the determination, approval, and authorization at Attachment 1 and the transmittal letter to Congress at Attachment 2. (The transmittal will be held until the Agreement is signed.)

ATTACHMENTS:

Tab 1—Draft Presidential determination, approval, and authorization.

Tab 2—Draft transmittal letter to the Congress (To be held until after the Agreement is signed).

Tab 3—Text of Proposed Agreement for Cooperation Between the United States of America and the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy.

Tab 4—Unclassified Nuclear Proliferation Assessment Statement.

UNITED STATES
NUCLEAR REGULATORY COMMISSION,
Washington, DC, December 3, 2013.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In accordance with the provisions of Section 123 of the Atomic Energy Act of 1954, as amended, the Nuclear Regulatory Commission reviewed the proposed Agreement for Cooperation between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy. It is the view of the Commission that the proposed Agreement includes all of the provisions required by law and provides a sufficient framework for civilian nuclear cooperation between the United States and Vietnam. The Commission therefore recommends that you make the requisite positive statutory determination, approve the proposed Agreement, and authorize its execution.

Respectfully,

ALLISON M. MACFARLANE.

MESSAGES FROM THE HOUSE

At 11:23 a.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 bill, in which it requests the concurrence of the Senate:

H.R. 863. An act to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 83. Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

ENROLLED BILL SIGNED

At 5:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3627. An act to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2824. An act to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes.

H.R. 3826. An act 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.

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–5665. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XD215) received in the Office of the President of the Senate on May 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5666. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of Commercial Penaeid Shrimp Trawling Off South Carolina'' (RIN0648–XD232) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5667. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XD236) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5668. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries Inseason Actions No. 1, 2 and 3'' (RIN0648–XD198) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5669. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XD222) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5670. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2014 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper'' (RIN0648–XD173) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5671. A communication from the Deputy Assistant Chief Counsel for Safety, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Critical Incident Stress Plans'' (RIN2130–AC00) received in the Office of the President of the Senate on May 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5672. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the

report of a rule entitled ''Demurrage Liability'' (RIN2140–AB07) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5673. A communication from the Attorney, General Affairs Division, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Substances and Articles; Administration and Enforcement Regulations: Revisions to Animal Testing Regulations'' (Docket No. CPSC–2012–0036) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Darrin P. Gayles, of Florida, to be United States District Judge for the Southern District of Florida.

Paul G. Byron, of Florida, to be United States District Judge for the Middle District of Florida.

Carlos Eduardo Mendoza, of Florida, to be United States District Judge for the Middle District of Florida.

Beth Bloom, of Florida, to be United States District Judge for the Southern District of Florida.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself, Mr. UDALL of Colorado, Mr. MERKLEY, and Ms. BALDWIN):

S. 2305. A bill to amend the method by which the Social Security Administration determines the validity of marriages under title II of the Social Security Act; to the Committee on Finance.

By Mr. CARPER (for himself, Mr. COONS, Mr. BOOKER, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. SCHUMER, and Mr. CASEY):

S. 2306. A bill to direct the Secretary of the Interior to establish a program to build on and help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Mr. MENENDEZ, Ms. COLLINS, Mr. KIRK, and Mrs. SHAHEEN):

S. 2307. A bill to prevent international violence against women, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MCCASKILL (for herself, Mr. BLUNT, Mr. LEVIN, and Mr. ROCKEFELLER):

S. 2308. A bill to designate Union Station in Washington, DC, as ''Harry S. Truman Union Station''; to the Committee on Environment and Public Works.

By Mr. TOOMEY (for himself, Mr. CASEY, and Mr. MANCHIN):

S. 2309. A bill to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prison; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself and Mr. MANCHIN):

S. 2310. A bill to require the Secretary of the Treasury to mint coins in commemoration of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself, Mr. UDALL of New Mexico, Mr. BEGICH, and Mr. WALSH):

S. 2311. A bill to amend title 38, United States Code, to include licensed hearing aid specialists as eligible for appointment in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REED:

S. 2312. A bill to amend titles 5, 10, and 32, United States Code, to eliminate inequities in the treatment of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. WALSH:

S. 2313. A bill to prohibit Congressional recesses until Congress adopts a concurrent resolution on the budget that results in a balanced federal budget by fiscal year 2024 and to control Congressional travel budgets; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WALSH:

S. 2314. A bill to delegate to the Secretary of State the authority to approve or deny certain permits; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself, Mr. SCOTT, and Mr. BEGICH):

S. 2315. A bill to expand the Global Entry Program and strengthen the Model Ports of Entry Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself, Mr. PRYOR, Mr. JOHNSON of South Dakota, Ms. STABENOW, Mr. WARNER, Mrs. MURRAY, Mr. COONS, Ms. LANDRIEU, Mr. BROWN, and Mr. CARDIN):

S. Res. 440. A resolution recognizing the contributions of teachers to the civic, cultural, and economic well-being of the United States; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mr. THUNE, and Mr. FRANKEN):

S. Res. 441. A resolution designating the week of May 1 through May 7, 2014, as ''National Physical Education and Sport Week''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 375

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 462

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 501

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 576

At the request of Mr. JOHANNS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 576, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 654

At the request of Ms. LANDRIEU, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 917

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 917, supra.

S. 1056

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1056, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit.

S. 1387

At the request of Mr. JOHANNS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1387, a bill to establish a pilot program to authorize the Secretary of Housing and Urban Development to make grants to nonprofit organizations to rehabilitate and modify homes of disabled and low-income veterans.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1622

At the request of Ms. HEITKAMP, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1622, a bill to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

S. 1649

At the request of Mr. BLUNT, his name was added as a cosponsor of S. 1649, a bill to promote freedom and democracy in Vietnam.

S. 1738

At the request of Mr. CORNYN, the names of the Senator from Delaware (Mr. COONS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 1738, a bill to provide justice for the victims of trafficking.

S. 1799

At the request of Mr. COONS, the names of the Senator from Texas (Mr.

CORNYN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 1837

At the request of Ms. WARREN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1862

At the request of Mr. BLUNT, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1862, a bill to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

S. 1905

At the request of Mr. MANCHIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1905, a bill 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.

S. 2035

At the request of Mr. BEGICH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2035, a bill to provide funding to the National Institute of Mental Health to support suicide prevention and brain research, including funding for the Brain Research Through Advancing Innovative Neurotechnologies (BRAIN) Initiative.

S. 2043

At the request of Mrs. FISCHER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2043, a bill to prohibit the Internal Revenue Service from asking taxpayers questions regarding religious, political, or social beliefs.

S. 2141

At the request of Mr. REED, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 2141, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes.

S. 2276

At the request of Mr. BLUNT, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2276, a bill to amend title 10, United States Code, to improve access to mental health services under the TRICARE program.

S. 2292

At the request of Ms. WARREN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 2292, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 2295

At the request of Mr. LEAHY, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 2295, a bill to establish the National Commission on the Future of the Army, and for other purposes.

S. 2302

At the request of Mrs. SHAHEEN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2302, a bill to provide for a 1-year extension of the Afghan Special Immigrant Visa Program, and for other purposes.

S. 2304

At the request of Mr. KIRK, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2304, a bill to amend the charter school program under the Elementary and Secondary Education Act of 1965.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 421

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. Res. 421, a resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and military achievement by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending them for leadership and valor in an operation that helped bring an end to World War II.

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. Res. 421, supra.

AMENDMENT NO. 3008

At the request of Mr. BARRASSO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of amendment No. 3008 intended to be proposed to S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 3014

At the request of Mr. COBURN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 3014 intended to be proposed to S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 3041

At the request of Ms. KLOBUCHAR, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of amendment No. 3041 intended to be proposed to S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself, Mr. MENENDEZ, Ms. COLLINS, Mr. KIRK, and Mrs. SHAHEEN):

S. 2307. A bill to prevent international violence against women, and for other purposes; to the Committee on Foreign Relations.

Ms. COLLINS. Mr. President, I rise to join with my colleagues, Senators BOXER, KIRK, MENENDEZ, and SHAHEEN, in introducing the International Violence Against Women Act of 2014. This bill makes ending violence against women and girls a top diplomatic priority. It would permanently authorize the State Department's Office of Global Women's Issues and the position of the Ambassador-at-Large for Global Women's Issues.

It requires the administration to develop and implement an annual strategy to prevent and respond to violence against women and girls for each of the next 5 years. This legislation will ensure that the efforts begun under President George W. Bush and continued by President Barack Obama to combat gender-based violence will be a priority for future administrations as well.

We have witnessed great strides in women's equality in our own country and in much of the developed world over the past century. Across vast swaths of the globe, however, violence against women and forced marriages are everyday occurrences. One out of three women worldwide will be physically, sexually or otherwise abused during her lifetime, with rates reaching 70 percent in some countries.

This violence ranges from domestic violence to rape and acid burnings, to dowry deaths and so-called honor killings. Such violence is often exacerbated in humanitarian emergencies and conflict settings. Violence against women and girls is a human rights issue, a public health epidemic, and a barrier to solving global challenges such as extreme poverty, HIV/AIDS, and conflict.

The world has just seen an appalling example of women and girls being treated as property and bargaining chips in Nigeria, where the terrorist group Boko Haram kidnapped nearly 300 school girls and is threatening to sell them into sexual slavery and into forced marriages. Tragically, there are reports that some have already been sold into child marriages. Boko Haram's leaders said the girls should get married and never be educated. He has said:

I will marry off a woman at the age of 12. I will marry off a girl at the age of 9.

In fact, the very name of this terrorist group roughly translates to the phrase ''Western education is sinful.'' Sadly, this is a viewpoint that is not just limited to terrorist leaders, though it is difficult to think of a more egregious example of abuse against girls than what we have just witnessed in Nigeria. The International Center for Research on Women says that one in nine girls around the world is married before the age of 15, a harmful practice that deprives girls of their dignity and often their education, increases their health risks, and perpetuates poverty. The practice of preventing women from attaining their full potential by targeting them for violence and early marriage is still far too common in far too many countries around the world.

The International Violence Against Women Act ensures that our country will take a leadership role in combating these problems. It establishes that it is the policy of the United States to take action to prevent and respond to violence against women and girls around the globe and to integrate and coordinate efforts to address gender-based violence into U.S. foreign policy and foreign assistance programs.

Specifically, our bill will foster efforts in four areas. First, it will increase legal and judicial protections by supporting laws and legal structures that prevent and appropriately respond to all forms of violence against women and girls, including honor killings and forced marriages. For example, our bill will support our State Department's work with other countries to help those nations reform their legal systems by providing technical expertise and model laws and building the capacity of their police and judges.

Second, our bill will increase efforts to build health sector capacity, integrating programs to address violence against women and girls into existing health care programs focused on children's survival, women's health, and HIV/AIDS prevention.

Third, our legislation will focus on preventing violence by changing community norms and attitudes against the acceptability of violence against women and girls.

Fourth, our bill will focus on reducing females' vulnerability to violence by improving their economic status and educational opportunities. Efforts would include ensuring that women have access to job training and employment opportunities and increasing their right to own land and property, allowing them potentially to support themselves and their children.

Our bill will require the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally to identify 5 to 20 eligible low- and middle-income countries for which comprehensive individual country plans would be developed. The bill requires that at least 10 percent of U.S. assistance to prevent and respond to violence against females be provided to nongovernmental organizations, with priority given to those headed by women.

As the Presiding Officer well knows, violence has a profoundly negative impact on the lives of women and girls. In addition to being a pressing human rights issue, such violence contributes to inequality and political instability, making it a security issue as well as a moral issue for all of us.

I am committed to working with my colleagues to end violence against women and girls and to provide the assistance and resources necessary to achieve this goal, and I am pleased to be the principal cosponsor of Senator BOXER's bill.

By Mrs. MCCASKILL (for herself, Mr. BLUNT, Mr. LEVIN, and Mr. ROCKEFELLER):

S. 2308. A bill to designate Union Station in Washington, DC, as ''Harry S. Truman Union Station''; to the Committee on Environment and Public Works.

Mr. LEVIN. Mr. President, I am truly delighted that my colleagues from Missouri, Senators MCCASKILL and BLUNT, have today introduced legislation to name Washington, DC's Union Station after our 33rd President Harry Truman, legislation of which I am proud to be an original cosponsor.

It is long overdue that we honor President Truman in this way. While much, in life and in politics, loses its luster as time passes, the Truman Presidency has only grown in stature and historical significance over the decades. There are many reasons for this, but let me focus on just a few.

First, history has shown the significance and wisdom of Truman's leadership in forging America's post-war foreign policy consensus. Truman and America understood the hard lesson of World War II: that a failure to engage in the world could have tragic consequences for our Nation, for our friends and allies, and for humanity. He understood the importance to the free world of helping to rebuild our chief enemies in that war, Germany and Japan. He understood the importance of working across party lines to build and maintain a consensus for these policies so that they did not depend on any one President or party to continue.

We in Michigan are especially proud of the role that our Senator Vandenberg, a Republican, played in helping to build this consensus along with a Democratic President. Their hard work resulted in one of our Nation's most lasting and important achievements, ensuring America's enduring role in leading a rising tide of freedom around the world.

A second aspect of the Truman legacy is his commitment to open, ethical and responsive government. He achieved public notice in the Senate as chairman of a committee tasked with fighting fraud and waste in defense contracting during World War II. He was among the earliest Washington politicians to call for lobbying reform. Ever since Truman's time, any government official who has sought to deflect responsibility or accountability in that time-honored political tradition of buck-passing has suffered in comparison to the Truman policy that ''The Buck Stops Here.''

Lastly, I will mention this: Harry Truman was a simple man. He was regularly described as ''plain''—and to his detractors, this was no compliment—but he wore it as a badge of honor. He understood that this Nation was built on the hard work, dedication and commitment of ordinary working people—because he came from ordinary working people. He talked straight, often bluntly. He demonstrated that one could rise to the highest office in the land based not on clever rhetoric or by currying favor, but by charting the best course for our Nation and clearly explaining that course to the people we all serve. He proved that wisdom is in the power of our ideas—nothing more and nothing less.

It was a train that carried Harry Truman on his ''Give 'em Hell, Harry!'' whistle-stop tour during the 1948 campaign. It was from a train that he held up that famous headline—''Dewey Defeats Truman''—that serves to this day as a rallying cry for the underdog. He rode the train from Union Station a lot, going home to be with his beloved wife Bess. So naming the train station of our Nation's capital, within sight of the Capitol where he served so well, is a fitting tribute.

I join my Missouri colleagues in urging the Senate to adopt this legislation and pay due honor to President Harry Truman.

By Mr. ROCKEFELLER (for himself and Mr. MANCHIN):

S. 2310. A bill to require the Secretary of the Treasury to mint coins in commemoration of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Mother's Day Commemorative Coin Act. I am proud to be joined by Senator MANCHIN in this important effort.

Mother's Day is a special event for all West Virginians because this annual tribute to mothers began in our state. In 1908, a West Virginia woman by the name of Anna Jarvis petitioned her local church to declare May 9th as Mother's Day. She hoped that this holiday would serve as a day to remember and honor our mothers, and to promote peace and understanding. Within a year, all 46 States celebrated Mother's Day in some fashion, and in 1914, Congress and the President declared the second Sunday of May ''Mother's Day.'' This May 9 will mark the centennial for the national recognition of Mother's Day, and this bill provides an opportunity to commemorate this important holiday and further recognize the

millions of American mothers whose essential role in all of our lives canna be overstated.

The legislation I am introducing today would recognize Mother's Day by authorizing the Treasury to mint a commemorative Mother's Day coin. Profits generated from the sale of these coins would be donated to the St. Jude Children's Research Hospital and the National Osteoporosis Foundation. St. Jude Children's Research Hospital has advanced cures for catastrophic pediatric diseases through research and treatment; and the National Osteoporosis Foundation is considered our Nation's leading voluntary health organization.

In the U.S. alone, 10 million people have osteoporosis, and 80 percent of those who suffer from this disease are women. This legislation not only honors our nation's mothers, but also helps to raise funds to fight a serious disease that disproportionately impacts women. Thousands of mothers and their children have benefited from the efforts of St. Jude Children's Research Hospital and the National Osteoporosis Foundation, and they are well-deserving of our support. Therefore, I encourage my colleagues to support this legislation to honor every mother in our country.

I can think of no better way to celebrate Mother's Day than by helping to promote the health of American mothers and their children.

By Mr. REED:

S. 2312. A bill to amend titles 5, 10, and 32, United States Code, to eliminate inequities in the treatment of National Guard technicians, and for other purposes; to the Committee on Armed Services.

Mr. REED. Mr. President, today I introduce the National Guard Technician Equity Act to address inconsistencies in the dual-status technician program.

Over 48,000 National Guard dual-status technicians serve our nation. They are a distinct group of workers—as civilians, they work for the reserve components, performing administrative duties, providing training, and maintaining and repairing equipment. However, as a condition of their civilian position, they are also required to maintain military status—attending weekend drills and annual training, deploying overseas, and responding to domestic disasters and emergencies—thereby creating their ''dual-status.''

As a result, dual-status technicians are caught between the provisions that govern the Federal civilian workforce and the military in numerous ways. First, under existing law, a dual-status technician who is no longer fit for military duty must be fired from their technician position, even if they are still fully capable of performing their civilian duties. This bill would give technicians the option of remaining in their civilian position if they have 20 years of service as a dual-status technician, so that the experience and skills of these dedicated employees will not be lost.

Second, dual-status technicians do not have the same appeal rights as most other Federal employees, including those civilians in other Department of Defense positions. Federal employees who are covered by a collective bargaining agreement have the right to file a grievance and proceed to arbitration, or file a case with the Merit Systems Protection Board, MSPB. Currently, dual-status technicians may appeal to the Adjutant General in their state, but not to any neutral third party. This bill would allow them to also appeal to the MSPB for grievances unrelated to their military service.

Third, most reserve component members are able to obtain health care coverage through the TRICARE Reserve Select program. However, dual-status technicians are ineligible, despite their mandatory military status and reserve service, because they can participate in the Federal Employees Health Benefit Program, FEHBP. FEHBP plans can be more expensive than TRICARE Reserve Select, thereby adding costs and limiting health care options for these Guard technicians. My legislation simply calls for the Government Accountability Office to study the feasibility of converting the coverage for National Guard dual-status technicians from FEHBP to TRICARE Reserve Select.

The National Guard Technician Equity Act also allows technicians to receive overtime pay and requires the Secretary of Defense to report to Congress on the adequacy of leave time provided to Federal employees who are members of the National Guard for required military training.

I urge my colleagues to support and cosponsor the National Guard Technician Equity Act, and join me in pressing for inclusion of provisions of this bill in the National Defense Authorization Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 440—RECOGNIZING THE CONTRIBUTIONS OF TEACHERS TO THE CIVIC, CULTURAL, AND ECONOMIC WELL-BEING OF THE UNITED STATES

Mr. BEGICH (for himself, Mr. PRYOR, Mr. JOHNSON of South Dakota, Ms. STABENOW, Mr. WARNER, Mrs. MURRAY, Mr. COONS, Ms. LANDRIEU, Mr. BROWN, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 440

Whereas education and knowledge are the foundation of the current and future strength of the United States;

Whereas teachers and other educators deserve the respect of their students and communities for their selfless dedication to community service and the future of the children of the United States;

Whereas the purpose of ''National Teacher Day'', which will be observed on May 6, 2014, is to raise public awareness of the unquantifiable contributions teachers make to society and to promote greater respect and understanding for the teaching profession; and

Whereas students, schools, communities, and a number of organizations representing educators are hosting teacher appreciation events in recognition of National Teacher Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of teachers and other educators to the civic, cultural, and economic well-being of the United States; and

(2) expresses gratitude for the work done by teachers and educators and encourages students, parents, school administrators, and public officials to participate in teacher appreciation events on National Teacher Day.

SENATE RESOLUTION 441—DESIGNATING THE WEEK OF MAY 1 THROUGH MAY 7, 2014, AS ''NATIONAL PHYSICAL EDUCATION AND SPORT WEEK''

Ms. KLOBUCHAR (for herself, Mr. THUNE, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 441

Whereas according to the 2012 Shape of the Nation Report, there has been a dramatic increase in obesity in the United States over the last 20 years, and obesity rates are high;

Whereas over 30 percent of children in the United States are overweight or obese;

Whereas according to the Centers for Disease Control and Prevention, over 48 percent of high school students do not attend physical education classes in an average week;

Whereas according to Department of Health and Human Services Physical Activity Guidelines for Americans, children and adolescents between the ages of 6 and 17 should engage in 60 minutes or more of physical activity daily, including aerobic, muscle strengthening, and bone strengthening exercises;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2014, as ''National Physical Education and Sport Week'';

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3045. Mr. MENENDEZ submitted an amendment intended to be proposed by him

to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table.

SA 3046. Mr. ENZI (for himself, Mr. THUNE, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3047. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3048. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3049. Mrs. BOXER (for herself and Mr. BENNET) submitted an amendment intended to be proposed by her to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3050. Mr. COATS (for himself, Mr. HOEVEN, Mr. TOOMEY, Mr. VITTER, Mr. RISCH, Mr. CRAPO, Mr. HATCH, Mr. ENZI, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3051. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3052. Mr. SANDERS (for himself, Mr. WYDEN, Mr. KING, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3053. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3054. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3045. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 78, between lines 8 and 9, insert the following:

SEC. 30__. RELEASE OF REPORT ON ENERGY AND COST SAVINGS IN NONBUILDING APPLICATIONS.

Not later than 15 days after the date of enactment of this Act, the Secretary and the Secretary of Defense shall jointly publish on a public website and otherwise make available to the public the report on the results of the study of energy and cost savings in nonbuilding applications required under section 518(b) of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1660).

SA 3046. Mr. ENZI (for himself, Mr. THUNE, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, add the following:

SEC. 5_____. REGIONAL HAZE PROGRAM.

(a) IN GENERAL.—Notwithstanding any other provision of law, the disapproval, in whole or in part, by the Administrator of the Environmental Protection Agency of a State regional haze implementation plan addressing any regional haze regulation of the Environmental Protection Agency (including the regulations described in sections 51.308 and 51.309 of title 40, Code of Federal Regulations (or successor regulations)) shall not be valid if—

(1) the Administrator fails to demonstrate using the best available science that a Federal implementation plan governing a specific unit, when compared to the State plan, results in at least a 1.0 deciview improvement over the State plan in any single class I area (as classified under section 162 of the Clean Air Act (42 U.S.C. 7472)); or

(2) implementation of the Federal implementation plan, when compared to the State plan, will result in an economic cost of greater than $100,000,000 in any fiscal year or $300,000,000 in the aggregate over the cost of the State plan.

(b) RETROACTIVE APPLICATION.—This section applies to any disapproval by the Administrator of the Environmental Protection Agency of a State regional haze implementation plan that occurs after January 1, 2010.

SA 3047. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5___. AUTHORIZATION TO EXPORT NATURAL GAS.

(a) DECISION DEADLINE.—The Secretary of Energy shall issue a decision on any application for authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 90 days after the later of—

(1) the end of the comment period for the decision as set forth in the applicable notice published in the Federal Register; or

(2) the date of enactment of this Act.

(b) JUDICIAL ACTION.—

(1) IN GENERAL.—The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of —

(A) an order issued by the Secretary of Energy with respect to the application; or

(B) the failure of the Secretary of Energy to issue a decision on the application.

(2) ORDER.—If the Court in a civil action described in paragraph (1) finds that the Secretary of Energy has failed to issue a decision on the application as required under subsection (a), the Court shall order the Secretary of Energy to issue the decision not later than 30 days after the order of the Court.

(3) EXPEDITED CONSIDERATION.—The Court shall—

(A) set any civil action brought under this subsection for expedited consideration; and

(B) set the matter on the docket as soon as practicable after the filing date of the initial pleading.

SA 3048. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 501 and insert the following:

SEC. 5___. COMMUNITY ENERGY PROGRAM.

Part D of title III of the Energy Policy and Conservation Act is amended by inserting after section 364 (42 U.S.C. 6324) the following:

"SEC. 364A. COMMUNITY ENERGY PROGRAM.

''(a) IN GENERAL.—The Secretary, acting in conjunction with State energy offices, shall establish and carry out a community energy program under which the Secretary shall make grants to eligible entities to support community energy systems improvement projects, including projects involving energy assessments, development of energy system improvement strategies, and implementation of those strategies so as to reduce energy usage and increase energy supplied from renewable resources.

''(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a municipality (including a town or city or other local unit of government); or

''(2) a nonprofit institutional entity (including an institution of higher education, hospital, or school system).

''(c) APPLICATION REQUIREMENTS.—To be eligible to receive a grant under this section, an eligible entity shall—

''(1) provide to the Secretary evidence that the entity has a commitment to improving the energy systems of the entity;

''(2) encourage broad citizen participation in the project carried out with the grant;

''(3) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

''(4) meet such other eligibility criteria as are established by the Secretary.

''(d) TYPES OF GRANTS.—The Secretary shall provide to eligible entities under this section—

''(1) planning and assessment grants to support—

''(A) the assessment of current energy types and uses of the eligible entity;

''(B) the identification of potential alternative energy resources to serve the energy needs of the eligible entity, including energy efficiency measures and renewable energy systems; and

''(C) the development of energy improvement project plans that specify energy efficiency measures to be adopted and renewable energy systems to be installed; and

''(2) implementation project grants to support the implementation of energy system improvements, regardless of whether the eligible entities received planning and assessment grants for the improvements under paragraph (1).

''(e) USE OF GRANTS.—

''(1) PLANNING AND ASSESSMENT GRANTS.—An eligible entity may use a planning and assessment grant provided under subsection (d)(1)—

''(A) to assess energy usage across the eligible entity, including energy used in—

''(i) public and private buildings and facilities;

''(ii) commercial and industrial applications; and

''(iii) transportation; and

''(B) to formulate energy improvement plans that describe specific energy efficiency measures to be adopted and specific renewable energy systems to be installed, including identification of funding sources and implementation processes.

''(2) IMPLEMENTATION PROJECT GRANTS.—An eligible entity may use an implementation grant provided under subsection (d)(2) to implement energy efficiency measures, or install renewable energy systems, in support of energy improvement plans.

''(f) FEDERAL SHARE.—The Federal cost of carrying out a project under this section

shall not exceed 50 percent of total project costs.

''(g) ADMINISTRATION.—The Secretary shall establish criteria for program participation and evaluation of proposals for projects to be carried out under this section, including criteria based on—

''(1) energy savings; and

''(2) reductions in oil consumption.

''(h) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—To assist eligible entities in carrying out projects under this section, the Secretary may—

''(A) provide training and technical assistance and support to entities that receive grants under this section; and

''(B) support regional conferences to enable entities to share information on energy assessment, planning, and implementation activities.

''(2) EVALUATION PROGRAM.—In carrying out this section, the Secretary shall develop and support use of an evaluation program that measures and evaluates the energy and economic impacts of projects carried out under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal year 2014; and

''(2) $20,000,000 for each of fiscal years 2015 through 2018.''.

SEC. 5_____. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon at the end; and

(2) by striking paragraph (4) and inserting the following:

''(4) $200,000,000 for fiscal year 2013;

''(5) $190,000,000 for fiscal year 2014;

''(6) $130,000,000 for fiscal year 2015; and

''(7) $80,000,000 for each of fiscal years 2016 through 2018.''.

SA 3049. Mrs. BOXER (for herself and Mr. BENNET) submitted an amendment intended to be proposed by her to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—PACE ASSESSMENT PROTECTION ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''PACE Assessment Protection Act''.

SEC. 602. PURPOSE.

It is the purpose of this title to ensure that those PACE programs which incorporate prudent programmatic safeguards to protect the interest of mortgage holders and property owners remain viable as a potential avenue for States and local governments to achieve the many public benefits associated with energy efficiency, water efficiency, and renewable energy retrofits. In addition, it is essential that the power and authority of State and local governments to exercise their longstanding and traditional powers to levy taxes for public purposes not be impeded.

SEC. 603. DEFINITIONS.

For purposes of this title the following definitions apply:

(1) CLEAN ENERGY IMPROVEMENTS.—The term ''clean energy improvements'' means any system on privately owned property for producing electricity for, or meeting heating, cooling, or water heating needs of the property, using renewable energy sources, combined heat and power systems, or energy systems using wood biomass (but not construction and demolition waste) or natural gas. Such improvements include solar photovoltaic, solar thermal, wood biomass, wind, and geothermal systems. Such term includes the reasonable costs of a study undertaken by a property owner to analyze the feasibility of installing any of the improvements described in this paragraph and the cost of a warranty or insurance policy for such improvements.

(2) ENERGY CONSERVATION AND EFFICIENCY IMPROVEMENTS.—The term ''energy conservation and efficiency improvements'' means measures to reduce consumption, through conservation or more efficient use, of electricity, fuel oil, natural gas, propane, or other forms of energy by the property, including air sealing, installation of insulation, installation of heating, cooling, or ventilation systems, building modification to increase the use of daylighting, replacement of windows, installation of energy controls or energy recovery systems, installation of building management systems, and installation of efficient lighting equipment, provided that such improvements are permanently affixed to the property. Such term includes the reasonable costs of an audit undertaken by a property owner to identify potential energy savings that could be achieved through installation of any of the improvements described in this paragraph.

(3) ENTERPRISE.—The term ''enterprise'' means—

(A) the Federal National Mortgage Association and any affiliate thereof; and

(B) the Federal Home Loan Mortgage Corporation and any affiliate thereof.

(4) LOCAL GOVERNMENT.—The term ''local government'' includes counties, cities, boroughs, towns, parishes, villages, districts, and other political subdivisions authorized under State laws to establish PACE programs.

(5) NON-RESIDENTIAL PROPERTY.—The term ''non-residential property'' means private property that is—

(A) not used for residential purposes; or

(B) residential property with 5 or more residences.

(6) PACE AGREEMENT.—The term ''PACE agreement'' means an agreement between a local government and a property owner detailing the terms of financing for a PACE improvement.

(7) PACE ASSESSMENT.—The term ''PACE assessment'' means a tax or assessment levied by a local government to provide financing for PACE improvements.

(8) PACE IMPROVEMENTS.—The term ''PACE improvements'' means qualified clean energy improvements, qualified energy conservation and efficiency improvements, and qualified water conservation and efficiency improvements.

(9) PACE LIEN.—The term ''PACE lien'' means a lien securing a PACE assessment, which may be senior to the lien of pre-existing purchase money mortgages on the same property subject to the PACE lien.

(10) PACE PROGRAM.—The term ''PACE program'' means a program implemented by a local government under State law to provide financing for PACE improvements by levying PACE assessments.

(11) PROPERTY OWNER.—The term ''property owner'' means the owner of record of real property that is subject to a PACE assessment, whether such property is zoned or used for residential, commercial, industrial, or other uses.

(12) QUALIFIED.—The term ''qualified'' means, with respect to PACE improvements, that the improvements meet the criteria specified in section 605.

(13) RESIDENTIAL PROPERTY.—The term ''residential property'' means a property with up to 4 private residences.

(14) WATER CONSERVATION AND EFFICIENCY IMPROVEMENTS.—The term ''water conservation and efficiency improvements'' means measures to reduce consumption, through conservation or more efficient use of water by the property, including installation of low-flow toilets and showerheads, installation of timer or timing system for hot water heaters, and installation of rain catchment systems.

SEC. 604. TREATMENT OF PACE PROGRAMS BY FNMA AND FHLMC.

(a) LENDER GUIDANCE.—The Director of the Federal Housing Finance Agency, acting in the Director's general supervisory capacity, shall direct the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation to—

(1) issue guidance, within 30 days after the date of enactment of this title, providing that the levy of a PACE assessment and the creation of a PACE lien do not constitute a default on any loan secured by a uniform instrument of Federal National Mortgage Association or Federal Home Loan Mortgage Corporation and do not trigger the exercise of remedies with respect to any provision of such uniform security instrument if the PACE assessment and the PACE lien meet the requirements of section 605;

(2) rescind any prior issued guidance or Selling and Servicing Guides that are inconsistent with the provisions of paragraph (1); and

(3) take all such other actions necessary to effect the purposes of this title.

(b) PROHIBITION OF DISCRIMINATION.—The Director of the Federal Housing Finance Agency, the Comptroller of the Currency, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Board of Governors of the Federal Reserve System, and all Federal agencies and entities chartered or otherwise established under Federal law shall not discriminate in any manner against States or local governments implementing or participating in a PACE program, or against any property that is obligated to pay a PACE assessment or is subject to a PACE lien, including, without limitation, by—

(1) prohibiting lending within such jurisdiction or requiring more restrictive underwriting criteria for properties within such jurisdiction;

(2) except for the escrowing of funds as permitted by section 605(h)(2), requiring payment of PACE assessment amounts that are not due or that are not delinquent; or

(3) applying more restrictive underwriting criteria to any property that is obligated to pay a PACE assessment and is subject to a PACE lien than any such entity would apply to such property in the event that such property were subject to a State or municipal tax or assessment that was not a PACE assessment.

SEC. 605. PACE PROGRAMS ELIGIBLE FOR PROTECTION.

(a) IN GENERAL.—A PACE program, and any PACE assessment and PACE lien related to such program, are entitled to the protections of this title only if the program meets all of the requirements under this section at the time of its establishment, or, in the case of any PACE program in effect upon the date of the enactment of this title, not later than 60 days after such date of enactment.

(b) RESERVE FUNDS.—

(1) ESTABLISHMENT.—A PACE program shall enroll or otherwise contribute to a reserve fund maintained by a State or local government authority, a purpose of which shall be to make payments to reimburse PACE programs for any amounts a program

is required to pay, and has demonstrated has been paid, pursuant to paragraph (3).

(2) CAPITAL SUFFICIENCY.—A reserve fund in which a PACE program is enrolled or otherwise contributing to shall maintain a minimum capital level in such amount as shall be sufficient to ensure that an enterprise will not be adversely impacted by the PACE liens securing the PACE assessments held by the PACE program.

(3) REQUIRED PAYMENTS TO ENTERPRISES.—A PACE program shall pay to an enterprise such amounts as are necessary to cover—

(A) in any foreclosure in connection with a residential property, any loss incurred by such enterprise resulting from the payment of any PACE assessment paid while the enterprise is in possession of the property; and

(B) in any forced sale for unpaid taxes or special assessments in connection with a residential property, any loss incurred by such enterprise resulting from PACE assessments being paid before the payment of any outstanding balance on the mortgage owed to the enterprise.

(4) APPLICABILITY ONLY TO RESIDENTIAL PACE PROGRAMS.—This subsection, and the requirements of this subsection, shall only apply with respect to residential PACE programs.

(c) CONSUMER PROTECTIONS APPLICABLE TO RESIDENTIAL PROPERTY.—A PACE program shall provide, with respect to residential property, for the following:

(1) PROPERTY OWNER AGREEMENTS.—

(A) PACE ASSESSMENT.—The property owner shall agree in writing to a PACE assessment, either pursuant to a PACE agreement or by voting in the manner specified by State law. In the case of any property with multiple owners, each owner or the owner's authorized representative shall execute a PACE agreement or vote in the manner specified by State law, as applicable.

(B) PAYMENT SCHEDULE.—The property owner shall agree to a payment schedule that identifies the term over which PACE assessment installments will be due, the frequency with which PACE assessment installments will be billed and amount of each installment, and the annual amount due on the PACE assessment. Upon full payment of the amount of the PACE assessment, including all outstanding interest and charges and any penalties that may become due, the local government shall provide the participating property owner with a written statement certifying that the PACE assessment has been paid in full and the local government shall also satisfy all requirements of State law to extinguish the PACE lien.

(2) DISCLOSURES BY LOCAL GOVERNMENT.—The local government shall disclose to the participating property owner the costs and risks associated with participating in the PACE program, including risks related to their failure to pay PACE assessments and the risk of enforcement of PACE liens. The local government shall disclose to the property owner the effective interest rate of the PACE assessment, including all program fees. The local government shall clearly and conspicuously provide the property owner the right to rescind his or her decision to enter into a PACE assessment, within 3 days of the original transaction.

(3) NOTICE TO LIENHOLDERS.—Before entering into a PACE agreement or voting in favor of a PACE assessment, the property owner or the local government shall provide to the holders of any existing mortgages on the property written notice of the terms of the PACE assessment.

(4) CONFIDENTIALITY.—Any personal financial information provided by a property owner to a local government or an entity administering a PACE program on behalf of a local government shall comply with applicable local, State, and Federal laws governing the privacy of the information.

(d) REQUIREMENTS APPLICABLE ONLY TO NON-RESIDENTIAL PROPERTY.—A PACE program shall provide, with respect to non-residential property, for the following:

(1) AUTHORIZATION BY LIENHOLDERS.—Before entering into a PACE agreement with a local government or voting in favor of PACE assessments in the manner specified by State law, the property owner shall obtain written authorization from the holders of the first mortgage on the property.

(2) PACE AGREEMENT.—

(A) TERMS.—The local government and the owner of the property to which the PACE assessment applies at the time of commencement of assessment shall enter into a written PACE agreement addressing the terms of the PACE improvement. In the case of any property with multiple owners, the PACE agreement shall be signed by all owners or their legally authorized representative or representatives.

(B) PACE IMPROVEMENTS.—The property owner shall contract for PACE improvements, purchase materials to be used in making such improvements, or both, and upon submission of documentation required by the local government, the local government shall disburse funds to the property owner in payment for the PACE improvements or materials used in making such improvements.

(C) PAYMENT SCHEDULE.—The PACE agreement shall include a payment schedule showing the term over which payments will be due on the assessment, the frequency with which payments will be billed and amount of each payment, and the annual amount due on the assessment. Upon full payment of the amount of the assessment, including all outstanding interest and charges and any penalties that may become due, the local government shall provide the participating property owner with a written statement certifying that the assessment has been paid in full and the local government shall also satisfy all requirements of State law to extinguish the PACE lien.

(3) DISCLOSURES BY LOCAL GOVERNMENT.—The local government shall disclose to the participating property owners the costs and risks associated with participating in the program, including risks related to their failure to make payments and the risk of enforcement of PACE liens.

(4) CONFIDENTIALITY.—Any personal financial information provided by a property owner to a local government or an entity administering a PACE program on behalf of a local government shall comply with applicable local, State, and Federal laws governing the privacy of the information.

(e) PUBLIC NOTICE OF PACE ASSESSMENT.—The local government shall file a public notice of the PACE assessment in a manner sufficient to provide notice of the PACE assessment to potential lenders and potential purchasers of the property. The notice shall consist of the following statement or its substantial equivalent: ''This property is subject to a tax or assessment that is levied to finance the installation of qualifying energy and water conservation and efficiency improvements or clean energy improvements. The tax or assessment is secured by a lien that is senior to all private liens.''.

(f) ELIGIBILITY OF RESIDENTIAL PROPERTY OWNERS.—Before levying a PACE assessment on a residential property, the local government shall ensure that all of the following are true with respect to the property:

(1) All property taxes and any other public assessments are current and have been current for 3 years or the property owner's period of ownership, whichever period is shorter.

(2) There are no involuntary liens, such as mechanics liens, on the property in excess of $1,000.

(3) No notices of default and not more than one instance of property-based debt delinquency have been recorded during the past 3 years or the property owner's period of ownership, whichever period is shorter.

(4) The property owner has not filed for or declared bankruptcy in the previous 7 years.

(5) The property owner is current on all mortgage debt on the property.

(6) The property owner or owners are the holders of record of the property.

(7) The property title is not subject to power of attorney, easements, or subordination agreements restricting the authority of the property owner to subject the property to a PACE lien.

(8) The property meets any geographic eligibility requirements established by the PACE program.

The local government may adopt additional criteria, appropriate to PACE programs, for determining whether to provide PACE financing to a property.

(g) QUALIFYING IMPROVEMENTS AND QUALIFYING CONTRACTORS FOR RESIDENTIAL PROPERTIES.—PACE improvements for residential properties shall be qualified if they meet the following criteria:

(1) AUDIT.—For clean energy improvements and energy conservation and efficiency improvements, an audit or feasibility study performed by a person who has been certified as a building analyst by the Building Performance Institute or as a Home Energy Rating System (HERS) Rater by a Rating Provider accredited by the Residential Energy Services Network (RESNET); or who has obtained other similar independent certification shall have been commissioned by the local government or the property owner and the audit or feasibility study shall—

(A) identify recommended energy conservation, efficiency, and/or clean energy improvements and such recommended improvements must include the improvements proposed to be financed with the PACE assessment to the extent permitted by law;

(B) estimate the potential cost savings, useful life, benefit-cost ratio, and simple payback or return on investment for each improvement; and

(C) provide the estimated overall difference in annual energy costs with and without the recommended improvements.

State law may provide that the cost of the audit and the cost of a warranty covering the financed improvements may be included in the total amount financed.

(2) AFFIXED FOR USEFUL LIFE.—The local government shall have determined the improvements are intended to be affixed to the property for the entire useful life of the improvements based on the expected useful lives of energy conservation, efficiency, and clean energy measures approved by the Department of Energy.

(3) QUALIFIED CONTRACTORS.—The improvements must be made by a contractor or contractors, determined by the local government to be qualified to make the PACE improvements. A local government may accept a designation of contractors as qualified made by an electric or gas utility or another appropriate entity. Any work requiring a license under applicable law shall be performed by an individual holding such license. A local government may elect to provide financing for improvements made by the owner of the property, but shall not permit the value of the owner's labor to be included in the amount financed.

(4) DISBURSEMENT OF PAYMENTS.—A local government must require, prior to disbursement of final payments for the financed improvements, submission by the property

owner in a form acceptable to the local government of—

(A) a document signed by the property-owner requesting disbursement of funds;

(B) a certificate of completion, certifying that improvements have been installed satisfactorily; and

(C) documentation of all costs to be financed and copies of any required permits.

(h) FINANCING TERMS APPLICABLE ONLY TO RESIDENTIAL PROPERTY.—A PACE program shall provide, with respect to residential property, for the following:

(1) AMOUNT FINANCED.—PACE improvements shall be financed on terms such that the total energy and water cost savings realized by the property owner and the property owner's successors during the useful lives of the improvements, as determined by the audit or feasibility study pursuant to subsection (g)(1), are expected to exceed the total cost to the property owner and the property owner's successors of the PACE assessment. In determining the amount that may be financed by a PACE assessment, the total amount of all rebates, grants, and other direct financial assistance received by the owner on account of the PACE improvements shall be deducted from the cost of the PACE improvements.

(2) PACE ASSESSMENTS.—The total amount of PACE assessments for a property shall not exceed 10 percent of the estimated value of the property. A property owner who escrows property taxes with the holder of a mortgage on a property subject to PACE assessment may be required by the holder to escrow amounts due on the PACE assessment, and the mortgage holder shall remit such amounts to the local government in the manner that property taxes are escrowed and remitted.

(3) OWNER EQUITY.—As of the effective date of the PACE agreement or the vote required by State law, the property owner shall have equity in the property of not less than 15 percent of the estimated value of the property calculated without consideration of the amount of the PACE assessment or the value of the PACE improvements.

(4) TERM OF FINANCING.—The maximum term of financing provided for a PACE improvement may be 20 years. The term shall in no case exceed the weighted average expected useful life of the PACE improvement or improvements. Expected useful lives used for all calculations under this paragraph shall be consistent with the expected useful lives of energy conservation and efficiency and clean energy measures approved by the Department of Energy.

(i) COLLECTION AND ENFORCEMENT.—A PACE program shall provide that—

(1) PACE assessments shall be collected in the manner specified by State law;

(2) notwithstanding any other provision of law, in the event of a transfer of property ownership through foreclosure, the transferring property owner may be obligated to pay only PACE assessment installments that are due (including delinquent amounts), along with any applicable penalties and interest, except that before imposition of any penalties or fees, the PACE program shall provide an opportunity to any holder of a senior lien on the property to assume payment of the PACE assessment;

(3) PACE assessment installments that are not due may not be accelerated by foreclosure except as provided by State law; and

(4) payment of a PACE assessment installment from the loss reserve established for a PACE program shall not relieve a participating property owner from the obligation to pay that amount.

SA 3050. Mr. COATS (for himself, Mr. HOEVEN, Mr. TOOMEY, Mr. VITTER, Mr. RISCH, Mr. CRAPO, Mr. HATCH, Mr. ENZI, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5___. LIMITATION ON AUTHORITY TO ISSUE REGULATIONS UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977.

The Secretary of the Interior may not, before December 31, 2017, issue or approve any proposed or final regulation under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) that would—

(1) adversely impact employment in coal mines in the United States;

(2) cause a reduction in revenue received by the Federal Government or any State, tribal, or local government, by reducing through regulation the quantity of coal in the United States that is available for mining;

(3) reduce the quantity of coal available for domestic consumption or for export;

(4) designate any area as unsuitable for surface coal mining and reclamation operations;

(5) expose the United States to liability for taking the value of privately owned coal through regulation; or

(6) cause further time delays to permitting or increase costs.

SA 3051. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3_____. REPORT ON FEDERAL AGENCY FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on energy use and energy efficiency projects at the facilities occupied by each Federal agency.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of energy use at each facility occupied by a Federal agency;

(2) a list of energy audits that have been conducted at the facilities described in paragraph (1);

(3) a list of energy efficiency projects that have been conducted at the facilities described in paragraph (1); and

(4) a list of energy efficiency projects that could be achieved through the use of a consistent and timely mechanical insulation maintenance program and through the upgrading of mechanical insulation at the facilities described in paragraph (1).

SA 3052. Mr. SANDERS (for himself, Mr. WYDEN, Mr. KING, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 501 and insert the following:

SEC. 501. STATE RESIDENTIAL BUILDING ENERGY EFFICIENCY UPGRADES LOAN PILOT PROGRAM.

(a) LOANS FOR RESIDENTIAL BUILDING ENERGY EFFICIENCY UPGRADES.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended by adding at the end the following:

"SEC. 367. LOANS FOR RESIDENTIAL BUILDING ENERGY EFFICIENCY UPGRADES.

''(a) DEFINITIONS.—In this section:

''(1) CONSUMER-FRIENDLY.—The term 'consumer-friendly', with respect to a loan repayment approach, means a loan repayment approach that—

''(A) emphasizes convenience for customers;

''(B) is of low cost to consumers; and

''(C) emphasizes simplicity and ease of use for consumers in the billing process.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State or territory of the United States; and

''(B) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

''(3) ENERGY ADVISOR PROGRAM.—

''(A) IN GENERAL.—The term 'energy advisor program' means any program to provide to owners or residents of residential buildings advice, information, and support in the identification, prioritization, and implementation of energy efficiency and energy savings measures.

''(B) INCLUSIONS.—The term 'energy advisor program' includes a program that provides—

''(i) interpretation of energy audit reports;

''(ii) assistance in the prioritization of improvements;

''(iii) assistance in finding qualified contractors;

''(iv) assistance in contractor bid reviews;

''(v) education on energy conservation and energy efficiency;

''(vi) explanations of available incentives and tax credits;

''(vii) assistance in completion of rebate and incentive paperwork; and

''(viii) any other similar type of support.

''(4) ENERGY EFFICIENCY.—The term 'energy efficiency' means a decrease in homeowner or residential tenant consumption of energy (including electricity and thermal energy) that is achieved without reducing the quality of energy services through—

''(A) a measure or program that targets customer behavior;

''(B) equipment;

''(C) a device; or

''(D) other material.

''(5) ENERGY EFFICIENCY UPGRADE.—

''(A) IN GENERAL.—The term 'energy efficiency upgrade' means any project or activity—

''(i) the primary purpose of which is increasing energy efficiency; and

''(ii) that is carried out on a residential building.

''(B) INCLUSIONS.—The term 'energy efficiency upgrade' includes the installation or improvement of a renewable energy facility for heating or electricity generation serving a residential building carried out in conjunction with an energy efficiency project or activity.

''(6) PROGRAM ENTITY.—The term 'program entity' means a local government, utility, or other entity that carries out a financing program under subsection (e)(2)(A) pursuant to a contract or other agreement with an eligible entity.

''(7) RECIPIENT HOUSEHOLD.—The term 'recipient household' means the owner or tenant of a residential building who receives financing under this section for an energy efficiency upgrade of the residential building.

''(8) RESIDENTIAL BUILDING.—

''(A) IN GENERAL.—The term 'residential building' means a building used for residential purposes.

''(B) INCLUSIONS.—The term 'residential building' includes—

''(i) a single-family residence;

''(ii) a multifamily residence composed not more than 4 units; and

''(iii) a mixed-use building that includes not more than 4 residential units.

''(b) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a program under this part under which the Secretary shall make available to eligible entities loans for the purpose of establishing or expanding programs that provide to recipient households financing for energy efficiency upgrades of residential buildings.

''(2) CONSULTATION.—In establishing the program under paragraph (1), the Secretary shall consult, as the Secretary determines to be appropriate, with stakeholders and the public.

''(3) NO REQUIREMENT TO PARTICIPATE.—No eligible entity shall be required to participate in any manner in the program established under paragraph (1).

''(4) DEADLINES.—The Secretary shall—

''(A) not later than 1 year after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014, implement the program established under paragraph (1) (including soliciting applications from eligible entities in accordance with subsection (c)); and

''(B) not later than 2 years after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014, disburse the initial loans provided under this section.

''(c) APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive a loan under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(2) SELECTION DATE.—Not later than 21 months after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014, the Secretary shall select eligible entities to receive the initial loans provided under this section, in accordance with the requirements described in paragraph (3).

''(3) REQUIREMENTS.—In selecting eligible entities to receive loans under this section, the Secretary shall—

''(A) to the maximum extent practicable, ensure—

''(i) that both innovative and established approaches to the challenges of financing energy efficiency upgrades are supported;

''(ii) that energy efficiency upgrades are conducted and validated to comply with best practices for work quality, as determined by the Secretary;

''(iii) regional diversity among eligible entities that receive the loans, including participation by rural States and small States;

''(iv) significant participation by families with income levels at or below the median income level for the applicable geographical region, as determined by the Secretary; and

''(v) the incorporation of an energy advisor program by, as applicable—

''(I) eligible entities; or

''(II) program entities;

''(B) evaluate applications based primarily on—

''(i) the projected reduction in energy use, as determined in accordance with such specific and commonly available methodology as the Secretary shall establish, by regulation;

''(ii) the creditworthiness of the eligible entity; and

''(iii) the incorporation of measures for making the loan repayment system for recipient households as consumer-friendly as practicable;

''(C) evaluate applications based secondarily on—

''(i) the extent to which the proposed financing program of the eligible entity incorporates best practices for such a program, as determined by the Secretary;

''(ii)(I) whether the eligible entity has created a plan for evaluating the effectiveness of the proposed financing program; and

''(II) whether that plan includes—

''(aa) a robust strategy for collecting, managing, and analyzing data, as well as making the data available to the public; and

''(bb) experimental studies, which may include investigations of how human behavior impacts the effectiveness of efficiency improvements;

''(iii) the extent to which Federal funds are matched by funding from State, local, philanthropic, private sector, and other sources;

''(iv) the extent to which the proposed financing program will be coordinated and marketed with other existing or planned energy efficiency or energy conservation programs administered by—

''(I) utilities and rural cooperatives;

''(II) State, tribal, territorial, or local governments; or

''(III) community development financial institutions; and

''(v) such other factors as the Secretary determines to be appropriate; and

''(D) not provide an advantage or disadvantage to applications that include renewable energy in the program.

''(d) ADMINISTRATIVE PROVISIONS.—

''(1) TERM.—The Secretary shall establish terms for loans provided to eligible entities under this section—

''(A) in a manner that—

''(i) provides for a high degree of cost recovery; and

''(ii) ensures that, with respect to all loans provided to or by eligible entities under this section, the loans are competitive with, or superior to, other forms of financing for similar purposes; and

''(B) subject to the condition that the term of a loan provided to an eligible entity under this section shall not exceed 35 years.

''(2) INTEREST RATES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary, at the discretion of the Secretary, shall charge interest on a loan provided to an eligible entity under this section at a fixed rate equal, or approximately equal, to the interest rate charged on Treasury securities of comparable maturity.

''(B) LEVERAGED LOANS.—The interest rate and other terms of the loans provided to eligible entities under this section shall be established in a manner that ensures that the total amount of the loans is equal to not less than 20 times, and not more than 50 times, an amount equivalent to 80 percent of the amount appropriated for administrative and general financial support costs pursuant to subsection (g)(2).

''(3) NO PENALTY ON EARLY REPAYMENT.—The Secretary shall not assess any penalty for early repayment by an eligible entity of a loan provided under this section.

''(4) RETURN OF UNUSED PORTION.—As a condition of receipt of a loan under this section, an eligible entity shall agree to return to the general fund of the Treasury any portion of the loan amount that is unused by the eligible entity within a reasonable period after the date of receipt of the loan, as determined by the Secretary.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—An eligible entity shall use a loan provided under this section to establish or expand 1 or more financing programs—

''(A) the purpose of which is to enable recipient households to conduct energy efficiency upgrades of residential buildings;

''(B) that may, at the sole discretion of the eligible entity, require an outlay of capital by recipient households in accordance with the goals of the program under this section; and

''(C) that incorporate a consumer-friendly loan repayment approach.

''(2) STRUCTURE OF FINANCING PROGRAM.—A financing program of an eligible entity may—

''(A) consist—

''(i) primarily or entirely of a financing program administered by—

''(I) the applicable State; or

''(II) a program entity; or

''(ii) of a combination of programs described in clause (i);

''(B) rely on financing provided by—

''(i) the eligible entity; or

''(ii) a third party, acting through the eligible entity; and

''(C) include a provision pursuant to which a recipient household shall agree to return to the eligible entity any portion of the assistance that is unused by the recipient household within a reasonable period after the date of receipt of the assistance, as determined by the eligible entity.

''(3) FORM OF ASSISTANCE.—Assistance from an eligible entity under this subsection may be provided in any form, or in accordance with any program, authorized by Federal law (including regulations), including in the form of—

''(A) a revolving loan fund;

''(B) a credit enhancement structure designed to mitigate the effects of default; or

''(C) a program that—

''(i) adopts any other approach for providing financing for energy efficiency upgrades producing significant energy efficiency gains; and

''(ii) incorporates measures for making the loan repayment system for recipient households as consumer-friendly as practicable.

''(4) SCOPE OF ASSISTANCE.—Assistance provided by an eligible entity under this subsection may be used to pay for costs associated with carrying out an energy efficiency upgrade, including materials and labor.

''(5) ADDITIONAL ASSISTANCE.—In addition to the amount of the loan provided to an eligible entity by the Secretary under subsection (b), the eligible entity or program entity, as applicable, may provide to recipient households such assistance under this subsection as the eligible entity or program entity considers to be appropriate from any other funds of the eligible entity or program entity, including funds provided to the eligible entity by the Secretary for administrative costs pursuant to this section.

''(6) LIMITATIONS.—

''(A) INTEREST RATES.—

''(i) INTEREST CHARGED BY ELIGIBLE ENTITIES.—The interest rate charged by an eligible entity on assistance provided under this subsection—

''(I) shall be fixed; and

''(II) shall not exceed the interest rate paid by the eligible entity to the Secretary under subsection (d)(2).

''(ii) INTEREST CHARGED BY PROGRAM ENTITIES.—A program entity that receives funding from an eligible entity under this subsection for the purpose of capitalizing a residential energy efficiency financing program may charge interest on any loan provided by

the program entity at a fixed rate that is as low as practicable, but not more than 5 percent more than the applicable interest rate paid by the eligible entity to the Secretary under subsection (d)(2).

''(B) NO PENALTY ON EARLY REPAYMENT.—An eligible entity or program entity, as applicable, shall not assess any penalty for early repayment by any recipient household to the eligible entity or program entity, as applicable.

''(f) REPORTS.—

''(1) ELIGIBLE ENTITIES.—

''(A) IN GENERAL.—Not later than 2 years after the date of receipt of the loan, and annually thereafter for the term of the loan, an eligible entity that receives a loan under this section shall submit to the Secretary a report describing the performance of each program and activity carried out using the loan, including anonymized loan performance data.

''(B) REQUIREMENTS.—The Secretary, in consultation with eligible entities and other stakeholders (such as lending institutions and the real estate industry), shall establish such requirements for the reports under this paragraph as the Secretary determines to be appropriate—

''(i) to ensure that the reports are clear, consistent, and straightforward; and

''(ii) taking into account the reporting requirements for similar programs in which the eligible entities are participating, if any.

''(2) SECRETARY.—The Secretary shall submit to Congress and make available to the public—

''(A) not less frequently than once each year, a report describing the performance of the program under this section, including a synthesis and analysis of the information provided in the reports submitted to the Secretary under paragraph (1)(A); and

''(B) on termination of the program under this section, an assessment of the success of, and education provided by, the measures carried out by eligible entities during the term of the program.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section—

''(1) $37,500,000 for energy advisor programs;

''(2) $25,000,000 for administrative and general financial support costs to the Secretary of carrying out this section; and

''(3) $37,500,000 for administrative costs to States in carrying out this section.''.

(b) REORGANIZATION.—

(1) IN GENERAL.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended—

(A) by redesignating sections 362, 363, 364, 365, and 366 as sections 364, 365, 366, 363, and 362, respectively, and moving the sections so as to appear in numerical order;

(B) in section 362 (as so redesignated)—

(i) in paragraph (3)(B)(i), by striking ''section 367, and'' and inserting ''section 367 (as in effect on the day before the date of enactment of the State Energy Efficiency Programs Improvement Act of 1990 (42 U.S.C. 6201 note; Public Law 101–440)); and''; and

(ii) in each of paragraphs (4) and (6), by striking ''section 365(e)(1)'' each place it appears and inserting ''section 363(e)(1)'';

(C) in section 363 (as so redesignated)—

(i) in subsection (b), by striking ''the provisions of sections 362 and 364 and subsection (a) of section 363'' and inserting ''sections 364, 365(a), and 366''; and

(ii) in subsection (g)(1)(A), in the second sentence, by striking ''section 362'' and inserting ''section 364''; and

(D) in section 365 (as so redesignated)—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''section 362,'' and inserting ''section 364;''; and

(II) in paragraph (2), by striking ''section 362(b) or (e)'' and inserting ''subsection (b) or (e) of section 364''; and

(ii) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''section 362(b) or (e)'' and inserting ''subsection (b) or (e) of section 364''.

(2) CONFORMING AMENDMENTS.—Section 391 of the Energy Policy and Conservation Act (42 U.S.C. 6371) is amended—

(A) in paragraph (2)(M), by striking ''section 365(e)(2)'' and inserting ''section 363(e)(2)''; and

(B) in paragraph (10), by striking ''section 362 of this Act'' and inserting ''section 364''.

(3) CLERICAL AMENDMENT.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. 6201 note; Public Law 94–163) is amended by striking the items relating to part D of title III and inserting the following:

''PART D—STATE ENERGY CONSERVATION PROGRAMS

''Sec. 361. Findings and purpose.
''Sec. 362. Definitions.
''Sec. 363. General provisions.
''Sec. 364. State energy conservation plans.
''Sec. 365. Federal assistance to States.
''Sec. 366. State energy efficiency goals.
''Sec. 367. Loans for residential building energy efficiency upgrades.''.

SEC. 502. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon at the end; and

(2) by striking paragraph (4) and inserting the following:

''(4) $200,000,000 for fiscal year 2013; and

''(5) $124,000,000 for each of fiscal years 2014 through 2018.''.

SA 3053. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, between lines 3 and 4, insert the following:

SEC. 152. CREDITS RELATING TO BIOMASS PROPERTY.

(a) RESIDENTIAL ENERGY-EFFICIENT PROPERTY CREDIT FOR BIOMASS FUEL PROPERTY EXPENDITURES.—

(1) ALLOWANCE OF CREDIT.—Subsection (a) of section 25D is amended—

(A) by striking ''and'' at the end of paragraph (4),

(B) by striking the period at the end of paragraph (5) and inserting '', and'', and

(C) by adding at the end the following new paragraph:

''(6) 30 percent of the qualified biomass fuel property expenditures made by the taxpayer during such year.''.

(2) QUALIFIED BIOMASS FUEL PROPERTY EXPENDITURES.—Subsection (d) of section 25D is amended by adding at the end the following new paragraph:

''(6) QUALIFIED BIOMASS FUEL PROPERTY EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified biomass fuel property expenditure' means an expenditure for property—

''(i) which uses the burning of biomass fuel to heat a dwelling unit located in the United States and used as a residence by the taxpayer, or to heat water for use in such a dwelling unit, and

''(ii) which has a thermal efficiency rating of at least 75 percent (measured by the higher heating value of the fuel).

''(B) BIOMASS FUEL.—For purposes of this section, the term 'biomass fuel' means any plant-derived fuel available on a renewable or recurring basis, including agricultural crops and trees, wood and wood waste and residues, plants (including aquatic plants), grasses, residues, and fibers. Such term includes densified biomass fuels such as wood pellets.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2013.

(b) INVESTMENT TAX CREDIT FOR BIOMASS HEATING PROPERTY.—

(1) IN GENERAL.—Subparagraph (A) of section 48(a)(3) is amended by striking ''or'' at the end of clause (vi), by inserting ''or'' at the end of clause (vii), and by inserting after clause (vii) the following new clause:

''(viii) open-loop biomass (within the meaning of section 45(c)(3)) heating property, including boilers or furnaces which operate at thermal output efficiencies of not less than 65 percent (measured by the higher heating value of the fuel) and which provide thermal energy in the form of heat, hot water, or steam for space heating, air conditioning, domestic hot water, or industrial process heat, but only with respect to periods ending before January 1, 2017,''.

(2) 30 PERCENT AND 15 PERCENT CREDITS.—

(A) IN GENERAL.—Subparagraph (A) of section 48(a)(2) is amended—

(i) by redesignating clause (ii) as clause (iii),

(ii) by inserting after clause (i) the following new clause:

''(ii) except as provided in clause (i)(V), 15 percent in the case of energy property described in paragraph (3)(A)(viii), and'', and

(iii) by inserting ''or (ii)'' after ''clause (i)'' in clause (iii), as so redesignated.

(B) INCREASED CREDIT FOR GREATER EFFICIENCY.—Clause (i) of section 48(a)(2)(A) is amended by striking ''and'' at the end of subclause (III) and by inserting after subclause (IV) the following new subclause:

''(V) energy property described in paragraph (3)(A)(viii) which operates at a thermal output efficiency of not less than 80 percent (measured by the higher heating value of the fuel),''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to periods after the date of the enactment of this Act, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SA 3054. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle E—Technical Assistance Program

SEC. 241. SHORT TITLE.

This title may be cited as the ''Local Energy Supply and Resiliency Act of 2014''.

SEC. 242. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) a quantity of energy that is more than—

(A) 27 percent of the total energy consumption in the United States is released from power plants in the form of waste heat; and

(B) 36 percent of the total energy consumption in the United States is released from power plants, industrial facilities, and other buildings in the form of waste heat;

(2) waste heat can be—

(A) recovered and distributed to meet building heating or industrial process heating requirements;

(B) converted to chilled water for air conditioning or industrial process cooling; or

(C) converted to electricity;

(3) renewable energy resources in communities in the United States can be used to meet local thermal and electric energy requirements;

(4) use of local energy resources and implementation of local energy infrastructure can strengthen the reliability and resiliency of energy supplies in the United States in response to extreme weather events, power grid failures, or interruptions in the supply of fossil fuels;

(5) use of local waste heat and renewable energy resources—

(A) strengthens United States industrial competitiveness;

(B) helps reduce reliance on fossil fuels and the associated emissions of air pollution and carbon dioxide;

(C) increases energy supply resiliency and security; and

(D) keeps more energy dollars in local economies, thereby creating jobs;

(6) district energy systems represent a key opportunity to tap waste heat and renewable energy resources;

(7) district energy systems are important for expanding implementation of combined heat and power systems because district energy systems provide infrastructure for delivering thermal energy from a CHP system to a substantial base of end users;

(8) district energy systems serve institutions of higher education, hospitals, airports, military bases, and downtown areas;

(9) district energy systems help cut peak power demand and reduce power transmission and distribution system constraints by—

(A) shifting power demand through thermal storage;

(B) generating power near load centers with a CHP system; and

(C) meeting air conditioning demand through the delivery of chilled water produced with heat generated by a CHP system or other energy sources;

(10) evaluation and implementation of district energy systems—

(A) is a complex undertaking involving a variety of technical, economic, legal, and institutional issues and barriers; and

(B) often requires technical assistance to successfully navigate those barriers; and

(11) a major constraint to the use of local waste heat and renewable energy resources is a lack of low-interest, long-term capital funding for implementation.

(b) PURPOSES.—The purposes of this title are—

(1) to encourage the use and distribution of waste heat and renewable thermal energy—

(A) to reduce fossil fuel consumption;

(B) to enhance energy supply resiliency, reliability, and security;

(C) to reduce air pollution and greenhouse gas emissions;

(D) to strengthen industrial competitiveness; and

(E) to retain more energy dollars in local economies; and

(2) to facilitate the implementation of a local energy infrastructure that accomplishes the goals described in paragraph (1) by—

(A) providing technical assistance to evaluate, design, and develop projects to build local energy infrastructure; and

(B) facilitating low-cost financing for the construction of local energy infrastructure though the issuance of loan guarantees.

SEC. 243. DEFINITIONS.

In this title:

(1) COMBINED HEAT AND POWER SYSTEM.—The term ''combined heat and power system'' or ''CHP system'' means generation of electric energy and heat in a single, integrated system that meets the efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

(2) DEMAND RESPONSE.—The term ''demand response'' means a change in electricity use by an electric utility customer, as measured against the usual consumption pattern of the consumer, in response to—

(A) a change in the price of electricity during a given period of time; or

(B) an incentive payment designed to induce lower electricity use when—

(i) wholesale market prices are high; or

(ii) system reliability is jeopardized.

(3) DISTRICT ENERGY SYSTEM.—The term ''district energy system'' means a system that provides thermal energy to buildings and other energy consumers from 1 or more plants to individual buildings to provide space heating, air conditioning, domestic hot water, industrial process energy, and other end uses.

(4) LOCAL ENERGY INFRASTRUCTURE.—The term ''local energy infrastructure'' means a system that—

(A) recovers or produces useful thermal or electric energy from waste energy or renewable energy resources;

(B) generates electricity using a combined heat and power system;

(C) distributes electricity in microgrids;

(D) stores thermal energy; or

(E) distributes thermal energy or transfers thermal energy to building heating and cooling systems via a district energy system.

(5) MICROGRID.—The term ''microgrid'' means a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that—

(A) acts as a single controllable entity with respect to the grid; and

(B) can connect and disconnect from the grid to enable the microgrid to operate in both grid-connected or island-mode.

(6) RENEWABLE ENERGY RESOURCE.—The term ''renewable energy resource'' means —

(A) closed-loop and open-loop biomass (as defined in paragraphs (2) and (3), respectively, of section 45(c) of the Internal Revenue Code of 1986);

(B) gaseous or liquid fuels produced from the materials described in subparagraph (A);

(C) geothermal energy (as defined in section 45(c)(4) of such Code);

(D) municipal solid waste (as defined in section 45(c)(6) of such Code); or

(E) solar energy (which is used, undefined, in section 45 of such Code).

(7) RENEWABLE THERMAL ENERGY.—The term ''renewable thermal energy'' means—

(A) heating or cooling energy derived from a renewable energy resource;

(B) natural sources of cooling such as cold lake or ocean water; or

(C) other renewable thermal energy sources, as determined by the Secretary.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(9) THERMAL ENERGY.—The term ''thermal energy'' means—

(A) heating energy in the form of hot water or steam that is used to provide space heating, domestic hot water, or process heat; or

(B) cooling energy in the form of chilled water, ice or other media that is used to provide air conditioning, or process cooling.

(10) WASTE ENERGY.—The term ''waste energy'' means energy that—

(A) is contained in—

(i) exhaust gas, exhaust steam, condenser water, jacket cooling heat, or lubricating oil in power generation systems;

(ii) exhaust heat, hot liquids, or flared gas from any industrial process;

(iii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

(iv) a pressure drop in any gas, excluding any pressure drop to a condenser that subsequently vents the resulting heat;

(v) condenser water from chilled water or refrigeration plants; or

(vi) any other form of waste energy, as determined by the Secretary; and

(B)(i) in the case of an existing facility, is not being used; or

(ii) in the case of a new facility, is not conventionally used in comparable systems.

SEC. 244. TECHNICAL ASSISTANCE PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a program to disseminate information and provide technical assistance, directly through the establishment of 1 or more clean energy application centers or through grants so that recipients may contract to obtain technical assistance, to assist eligible entities in identifying, evaluating, planning, and designing local energy infrastructure.

(2) TECHNICAL ASSISTANCE.—The technical assistance under paragraph (1) shall include assistance with 1 or more of the following:

(A) Identification of opportunities to use waste energy or renewable energy resources.

(B) Assessment of technical and economic characteristics.

(C) Utility interconnection.

(D) Negotiation of power and fuel contracts, including assessment of the value of demand response capabilities.

(E) Permitting and siting issues.

(F) Marketing and contract negotiations.

(G) Business planning and financial analysis.

(H) Engineering design.

(3) INFORMATION DISSEMINATION.—The information disseminated under paragraph (1) shall include—

(A) information relating to the topics identified in paragraph (2), including case studies of successful examples; and

(B) computer software for assessment, design, and operation and maintenance of local energy infrastructure.

(b) ELIGIBLE ENTITY.—Any nonprofit or for-profit entity shall be eligible to receive assistance under the program established under subsection (a).

(c) ELIGIBLE COSTS.—On application by an eligible entity, the Secretary may award a grant to the eligible entity to provide amounts to cover not more than—

(1) 100 percent of the cost of initial assessment to identify local energy opportunities;

(2) 75 percent of the cost of feasibility studies to assess the potential for the implementation of local energy infrastructure;

(3) 60 percent of the cost of guidance on overcoming barriers to the implementation of local energy infrastructure, including financial, contracting, siting, and permitting issues; and

(4) 45 percent of the cost of detailed engineering of local energy infrastructure.

(d) APPLICATIONS.—

(1) IN GENERAL.—An eligible entity desiring technical assistance under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require under the rules and procedures adopted under subsection (f).

(2) APPLICATION PROCESS.—The Secretary shall solicit applications for technical assistance under this section—

(A) on a competitive basis; and

(B) on a periodic basis, but not less frequently than once every 12 months.

(e) PRIORITIES.—In evaluating projects, the Secretary shall give priority to projects that have the greatest potential for—

(1) maximizing elimination of fossil fuel use;

(2) strengthening the reliability of local energy supplies and boosting the resiliency of energy infrastructure to the impact of extreme weather events, power grid failures, and interruptions in supply of fossil fuels;

(3) minimizing environmental impact, including regulated air pollutants, greenhouse gas emissions, and use of ozone-depleting refrigerants;

(4) facilitating use of renewable energy resources;

(5) increasing industrial competitiveness; and

(6) maximizing local job creation.

(f) RULES AND PROCEDURES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for the administration of the program established under this section, consistent with the provisions of this title.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000 for the period of fiscal years 2014 through 2018, to remain available until expended.

SEC. 245. LOAN GUARANTEES FOR LOCAL ENERGY INFRASTRUCTURE.

(a) ASSURANCE OF REPAYMENT.—Section 1702(d) of the Energy Policy Act of 2005 (42 U.S.C. 16512(d)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(2) by inserting after paragraph (1) the following:

''(2) LOCAL ENERGY INFRASTRUCTURE DOCUMENTATION.—No guarantee shall be made for local energy infrastructure unless the borrower submits to the Secretary—

''(A) an independent engineering report, prepared by an engineer with experience in the industry and familiarity with similar projects, that includes detailed information on—

''(i) how the technology to be employed in the project is a proven, commercial technology;

''(ii) project siting;

''(iii) engineering and design;

''(iv) permitting and environmental compliance;

''(v) testing and commissioning; and

''(vi) operations and maintenance;

''(B) a detailed description of the overall financial plan for the proposed project, including all sources and uses of funding, equity and debt, and the liability of parties associated with the project over the term of the guarantee agreement;

''(C) all applicable financial statements of the borrower and any non-Federal parties providing financial assistance to the borrower, which shall have been audited by an independent certified public accountant;

''(D) the business plan on which the project is based and a financial model presenting project pro forma statements for the proposed term of the guarantee, including income statements, balance sheets, and cash flows;

''(E) a copy of any power purchase agreement, thermal energy purchase agreement, and other long-term offtake or revenue-generating agreement that will be the primary source of revenue for the project, including repayment of the debt obligations for which a guarantee is sought; and

''(F) a list of each engineering and design contractor, construction contractor, and equipment supplier for the project, as well as any performance guarantee, performance bond, liquidated damages provision, and equipment warranty to be provided.''.

(b) ELIGIBLE PROJECTS.—Section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) is amended—

(1) in subsection (b), by adding at the end the following:

''(11) Local energy infrastructure, as defined in section 243 of the Local Energy Supply and Resiliency Act of 2014.''; and

(2) by adding at the end the following:

''(f) SPECIAL RULES FOR LOCAL ENERGY INFRASTRUCTURE.—

''(1) IN GENERAL.—Subsection (a)(2) shall not apply to a project described in subsection (b)(11).

''(2) REQUIREMENTS FOR LOAN GUARANTEE.—A loan guarantee shall only be made available for a project described in subsection (b)(11) to the extent specifically provided for in advance by an appropriations Act enacted after the date of enactment of the Local Energy Supply and Resiliency Act of 2014.''.

SEC. 246. DEFINITION OF INVESTMENT AREA.

Section 103(16) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702(16)) is amended—

(1) in subparagraph (A)(ii), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) has the potential for implementation of local energy infrastructure (as defined in section 243 of the Local Energy Supply and Resiliency Act of 2014).''.

SEC. 247. STATE ENERGY CONSERVATION PLANS.

Section 362(d) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)) is amended—

(1) in paragraph (16), by striking ''and'' at the end;

(2) by redesignating paragraph (17) as paragraph (18); and

(3) by inserting after paragraph (16) the following:

''(17) programs to support the evaluation and implementation of local energy infrastructure (as defined in section 243 of the Local Energy Supply and Resiliency Act of 2014).''.

Strike section 501 and insert the following:

SEC. 501. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon at the end; and

(2) by striking paragraph (4) and inserting the following:

''(4) $200,000,000 for fiscal year 2013;

''(5) $180,000,000 for fiscal year 2014;

''(6) $130,000,000 for fiscal year 2015; and

''(7) $80,000,000 for each of fiscal years 2016 through 2018.''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources on Tuesday, May 13, 2014, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to consider the nominations of Dr. Suzette M. Kimball, to be Director of the United States Geological Survey; Mr. Estevan R. Lopez, to be Commissioner of Reclamation; and Dr. Monica C. Regalbuto, to be an Assistant Secretary of Energy, Environmental Management.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Sallie_Derr@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Sallie Derr at (202) 224–6836.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, May 14, 2014, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to mark-up S. ____, The Strong Start for America's Children Act; the nomination of R. Jane Chu, of Missouri, to serve as Chairperson of the National Endowment for the Arts; as well as any additional nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224–5375.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, ''Online Advertising and Hidden Hazards to Consumer Security and Data Privacy.'' The Subcommittee will be examining consumer security and data privacy in the online advertising industry, an investigation led by Senator MCCAIN. Specifically, the Subcommittee is investigating data collection processes and security vulnerabilities that have inflicted significant costs on Internet users and American businesses. Witnesses will include representatives of the online advertising industry and an online self-regulatory organization, an online advertising expert, as well as a representative from the Federal Trade Commission. A witness list will be available Monday, May 12, 2014.

The Subcommittee hearing has been scheduled for Thursday, May 15, 2014, at 9:30 a.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224–9505.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will to meet on May 15, 2014, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Progress and Challenges: The State of Tobacco Use and Regulation in the U.S.''

For further information regarding this meeting, please contact Emily Schlichting of the committee staff on (202) 224–6840.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a Field Hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Saturday, May 17, 2014, at 10:30 a.m., at the Cypress Bend Conference Center in Many, LA.

The purpose of the hearing is to examine steps the federal government can take to increase the economic benefits of the Toledo Bend Project to the Northwest Louisiana region.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Afton_Zaunbrecher@energy.senate.gov.

For further information, please contact Dan Adamson at (202) 224–2871 or Afton Zaunbrecher at (202) 224–5479.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources on Tuesday, May 20, 2014, at 10:15 a.m.. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to consider the nominations of Ms. Cheryl A. LaFleur and Mr. Norman C. Bay, to be Members of the Federal Energy Regulatory Commission.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Sallie_Derr@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Sallie Derr at (202) 224–6836

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 8, 2014, at 10 a.m. in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled, ''The State of U.S. Travel and Tourism: Industry Efforts to Attract 100 Million Visitors Annually.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 8, 2014, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 8, 2014, at 10 a.m. to conduct a hearing entitled ''Assessing Venezuela's Political Crisis: Human Rights Violations and Beyond.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. SHAHEEN. 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 May 8, 2014, at 10 a.m. in room SD–106 of the Dirksen Senate Office Building to conduct a hearing entitled ''Hearing on the nomination of the Secretary of Health and Human Services-Designate, Sylvia Mathews Burwell.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. SHAHEEN. 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 May 8, 2014, at 10 a.m. to conduct a hearing entitled ''Identifying Critical Factors for Success in Information Technology Acquisitions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 8, 2014, at 11:15 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered

SELECT COMMITTEE ON INTELLIGENCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 8, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Subcommittee on Financial and Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 8, 2014, at 3 p.m. to conduct a hearing entitled, ''Waste and Abuse in Sponsorship and Marketing Contracts.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that Sarah Groen, a State Department fellow in my office, be granted floor privileges for the remainder of this day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I ask unanimous consent that an intern in my office, Kathryn Martucci, be granted floor privileges for the remainder of the calendar year.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to Ron Faibish of my staff during pendency of discussion on S. 2262.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEALING CERTAIN REQUIREMENTS REGARDING NEWSPAPER ADVERTISING OF SENATE STATIONERY CONTRACTS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 358, S. 2197.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2197) to repeal certain requirements regarding newspaper advertising of Senate stationery contracts.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2197) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2197

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

SECTION 1. SENATE STATIONERY PROCEDURES.

(a) IN GENERAL.—Sections 65, 66, 67, and 68 of the Revised Statutes (2 U.S.C. 6569, 6570, 6571) are repealed.

(b) CONFORMING AMENDMENT.—The fifth paragraph after the paragraph under the side heading ''FOR CONTINGENT EXPENSES, NAMELY:'' under the subheading ''SENATE.'' under the heading ''LEGISLATIVE.'' of the Act of March 3, 1887 (24 Stat. 596, chapter 392; 2 U.S.C. 6572), is amended by striking ''sections, sixty-five, sixty six, sixty-seven, sixty-eight, and sixty-nine,'' and inserting ''section 69''.

AUTHORIZING THE USE OF EMANCIPATION HALL

Mr. REID. Madam President, I ask unanimous consent that the Senate

proceed to the consideration of H. Con. Res. 83, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A bill (H. Con. Res. 83) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the current resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (H. Con. Res. 83) was agreed to.

RECOGNIZING THE CONTRIBUTIONS OF TEACHERS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 440.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 440) recognizing the contributions of teachers to the civic, cultural, and economic well-being of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, 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. 440) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, MAY 12, 2014

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 12, 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 5:30 p.m. with Senators permitted to speak for up to 10 minutes each; that at 5:30 p.m., the Senate proceed to executive session under the previous order; and, finally, that the filing deadline for all second-degree amendments to S. 2262 be 4:30 p.m. Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, I hope everyone has a good few days off. We are hopeful about next week. We have a lot to do. We had a couple of breakthroughs today, and maybe next week we can do a little more than this week.

On Monday there will be up to three rollcall votes at 5:30 p.m.

ADJOURNMENT UNTIL MONDAY, MAY 12, 2014, AT 2 P.M.

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:58 p.m., adjourned until Monday, May 12, 2014, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

PAMELA HARRIS, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE ANDRE M. DAVIS, RETIRED.

BRENDA K. SANNES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE NORMAN A. MORDUE, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JAMES M. HOLMES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MARK A. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. ROGER W. TEAGUE

CONFIRMATIONS

Executive nominations confirmed by the Senate May 8, 2014:

DEPARTMENT OF STATE

PAMELA K. HAMAMOTO, OF HAWAII, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF EDUCATION

THEODORE REED MITCHELL, OF CALIFORNIA, TO BE UNDER SECRETARY OF EDUCATION.

THE JUDICIARY

INDIRA TALWANI, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS.

JAMES D. PETERSON, OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN.

NANCY J. ROSENSTENGEL, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS.

EXTENSIONS OF REMARKS

RECOGNIZING COLLEGE OF ST. BENEDICT CENTENNIAL

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mrs. BACHMANN. Mr. Speaker, I rise today to recognize the College of St. Benedict (CSB) of St. Joseph, Minnesota as it finishes up its centennial school year.

Founded in 1913, CSB became the thirteenth all-female Catholic liberal arts residential college in the United States. Later partnering with the all-male St. John's University, students today enjoy an academic environment committed to sciences, literature and the arts, which the school notes is "to prepare students not only to make a living, but to appreciate the richness and beauty of living as well."

CSB prepares their students well. Alumni have gone on to be successful in a number of different fields, with notable graduates including teachers, doctors, activists, judges, entrepreneurs, and even a college president.

For 100 years, parents have sent their daughters to this historic campus knowing that they will find a learning environment that promotes the Benedictine values—such as stewardship, truthful living, respect, and community—that continue to enrich central Minnesota. And no matter how far their graduates go, whether it be geographically or in their careers, they know that once a Bennie, always a Bennie.

The Class of 2017 led the charge this year as the second century of Bennies. May these students continue to grow in their faith and pursue their dreams under their instructors' guidance, and join the generations of alumni that have done such tremendous work for their community, for their state, and for their country.

Mr. Speaker, I ask this body join with me in honoring the students, alumni, staff, and faculty of the College of St. Benedict for reaching the noteworthy centennial milestone. Here's to another century of quality education.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF LOOK GOOD FEEL BETTER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to recognize the 25th anniversary of the Look Good Feel Better program. This free non-medical public service program of the Personal Care Products Council Foundation helps people with cancer look good, improve their self-esteem, and manage their treatment and recovery with greater confidence.

In the United States alone, nearly 900,000 women have participated in the program which now offers 15,400 group workshops in more than 2,500 locations nationwide. These programs are supported locally by more than 6,000 volunteers.

Look Good Feel Better was founded and developed in 1989 by the Personal Care Products Council Foundation, a charitable foundation established by the leading national trade association representing the global cosmetic and personal care products industry. The program is available across the country and around the world in 25 countries.

Look Good Feel Better is a collaboration of the Personal Care Products Council Foundation; the American Cancer Society, Inc., the nation's largest voluntary health organization dedicated to ending cancer and saving lives; and the Professional Beauty Association, the largest organization of salon professionals with members representing salons/spas, distributors, manufacturers and beauty professionals. These organizations work together to provide free group workshops, makeup kits, individual consultations, support resources, and more to help cancer patients thrive during treatment and recovery.

I ask my colleagues to join me in congratulating the Look Good Feel Better program and all of its sponsors and volunteers for 25 years of success in offering this unique and vital program for people living with cancer.

IN RECOGNITION OF JANICE BYRGE ON CELEBRATING 50 YEARS AT CORNING INC. IN HARRODSBURG, KY

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. GUTHRIE. Mr. Speaker, I rise today in recognition of Janice Byrge. On Thursday, May 15, Janice will celebrate 50 years with Corning Inc. Corning, known for its glass products, has grown in Harrodsburg. Some of the most cutting-edge projects are being worked on in Harrodsburg, including Corning Gorilla Glass.

This growth and the great successes of Corning, is due in large part to the employees. One of those employees is Janice.

A Harrodsburg native, Janice has spent half a century exemplifying the hard and quality work being done at Corning Inc. From her early days in ophthalmic, to sheet glass operations, to today's role of being a store room attendant, Janice has been a fixture of the Harrodsburg plant.

Janice still resides in Harrodsburg with her husband David. She is the proud mother of Tammy, the beaming grandmother of Jeremy and a loving great-grandmother.

I applaud Janice on this milestone anniversary, and for her dedication to the job. Please accept my best wishes for today and the years to come.

THE VETERANS OF PENNSYLVANIA'S 11TH DISTRICT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. BARLETTA. Mr. Speaker, I rise to honor the brave men and women from Pennsylvania's 11th district who served our country during World War II and the Korean War.

Today, many of Central Pennsylvania's veterans have travelled to Washington, DC to view the monuments erected in their honor and pay respects to the soldiers who gave the ultimate sacrifice and are laid to rest in Arlington National Cemetery. In WWII and the Korean War, these individuals fought courageously and valiantly against enemy forces to protect the freedoms of not only Americans, but also people throughout the world. It is important that we continue to ensure that these American heroes receive the honor and respect that they deserve. This trip demonstrates that we as a state and as a country will never forget the debt we owe those who have worn our nation's uniform.

Mr. Speaker, the men and women who served in our nation's armed forces provided an invaluable service to sustain our country's freedom. Therefore, I thank these individuals and their families for their sacrifice and commend them for their dedication to preserving our American way of life.

TRIBUTE TO MICHAEL DOUGHERTY

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mrs. McCARTHY of New York. Mr. Speaker, it is always an honor to take note of a public servant who goes above and beyond the official description of their job. One such person is a constituent of mine, Michael Dougherty. Officer Dougherty and a colleague came to the aid of a man suffering a seizure and they acted to save his life.

Michael Dougherty and his colleague Paul Markowski are Behavior Detection Officers at La Guardia Airport in Queens, NY. They were headed across the parking lot on April 13th after their shifts when they saw a man signaling for help. The two Officers took charge of the situation, got the man in a stable position and made sure he did not fall and injure himself. After stabilizing the man, the two officers, now assisted by others, quickly called for an ambulance and the man was taken to a hospital for treatment. These prompt and heroic actions likely saved a life.

As a former nurse, I know that all public service workers pledge to do their best to serve and protect the public, but it is altogether fitting that from time to time we stop to

honor those who personify service. I commend Michael Dougherty and Paul Markowski for their actions and wish them many more years of service.

CELEBRATING THE 100TH ANNIVERSARY OF THE 1914 SMITH-LEVER ACT

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. WENSTRUP. Mr. Speaker, I join with Ohioans in the Second District in celebrating the 100th anniversary of the 1914 Smith-Lever Act.

As we entered the 20th Century, America's scientists and researchers were at the forefront of scientific and technological developments that helped pave the way for unprecedented economic growth and prosperity.

Many of these innovations were developed at our nation's great land-grant universities, and Smith-Lever was able to connect these collegiate discoveries to hard working farmers and families across rural America through extension programs.

As the law sets forth, extension programs would be established to diffuse and distribute the ''useful and practical'' information for agriculture, home economics, and rural energy, and have adopted an expanded mission over the last century to include 4–H, farmers, Master Gardeners, and Consumer Sciences.

In Ohio, our extension offices and staff continue this one hundred year-tradition. Our counties and families continue to benefit from educators bringing the latest best practices to local communities in a practical and meaningful manner.

And as America remains at the forefront of discovery, the extension program will continues to diffuse new knowledge throughout our communities.

CONGRATULATIONS TO THE LAKE HAVASU MARINE ASSOCIATION

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. GOSAR. Mr. Speaker, I rise today to congratulate the Lake Havasu Marine Association on being awarded the 2013 Hollister Award for Outstanding Service in the Field Of Boating Safety. The Lake Havasu Marine Association (LHMA) has made impressive progress since it was founded over 30 years ago. I would like to specifically recognize their ''Pack it In, Pack it Out,'' ''Designated Operator,'' and Lake Havasu River Channel projects.

The ''Pack it In, Pack it Out'' campaign was created in 2008 by the members of the LHMA and paid for by funding from private donors. Through this program, 150,000 trash bags have been provided to boaters each year. Over the span of four years, 450,000 bags have been distributed and over one million pounds of trash have been removed from the shorelines of Lake Havasu.

The LHMA also assisted in the development of the ''Designated Operator'' campaign spearheaded by Carl Flusche, Vice Chairman of the Association. The aim of this campaign is to reduce the incidence of accidents and fatalities related to alcohol use on the Colorado River and Lake Havasu. One of the unique and innovative elements of the program is the creation of latex wristbands that are designed and purchased by sponsors and distributed to ''designated boat operators'' who have made a commitment to remain sober while operating a watercraft. Local businesses have sponsored the program and provide non-alcoholic beverages at no cost to those who have made this commitment. As the program continues to gain support among the boaters of Lake Havasu, it has also garnered national attention for its efficacy. Thanks to the leadership of Mr. Flusche and the innovative work of the Association, boating safety has improved and there has been a notable increase in the number of boaters taking charge of their safety and utilizing designated watercraft operators.

Finally, the LHMA has supported boating safety by spearheading the Lake Havasu River Channel Project to deepen a channel through shallow delta sediments in a half-mile stretch on the upper side of Lake Havasu. The dredging project increased the channel depth from approximately two feet to four feet. It also marked the channel with buoys to alert boaters of the depth and created a ''no wake zone.'' This project will undoubtedly relieve congestion and increase boating safety.

Congratulations to the Lake Havasu Marine Association for taking these steps to increase boating safety.

IN RECOGNITION OF WILLIAM W. WINGARD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. PALLONE. Mr. Speaker, I rise today to congratulate William W. Wingard as he is honored as the Greater Spring Lake Chamber of Commerce 2014 Citizen of the Year. Mr. Wingard's contributions to the Spring Lake community are truly deserving of this award and this body's recognition.

Mr. Wingard has been a resident of Spring Lake since his birth in 1927. He has been active in the Spring Lake community and government. He served as a Councilman for 9 years after being elected in 1980. He also served on the Spring Lake Board of Adjustment, the Planning Board and the Juvenile Conference Committee. In addition to his service to the municipal government, Mr. Wingard was also a 17-year member of the Spring Lake First Aid Squad (where he was also elected president), and an honorary member of the Goodwill Fire Company and Fire Company No. 1.

Outside of his municipal commitments, Mr. Wingard was past president of N.J. Gravel & Sand Company and co-founder of the 200 Club of Monmouth County. He currently serves on the Jersey Shore University Medical Center Foundation.

Mr. Speaker, once again please join me in recognizing William Wingard as he is honored by the Greater Spring Lake Chamber of Commerce as the 2014 Citizen of the Year.

HONORING ST. CLOUD HONOR FLIGHT

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mrs. BACHMANN. Mr. Speaker, I rise today to recognize the final Honor Flight out of St. Cloud, Minnesota during my tenure as their Member of Congress. It has been a highlight of my career to honor our nation's heroes from World War II, Korea, and Vietnam and help them see the monuments built in their honor in Washington.

For many of these veterans this is their first trip to their nation's capital, and their first glimpse of the pivotal role they've played in furthering the cause of liberty. These men and women selflessly and heroically defended America abroad, and for that, simple words of gratitude will never compare to the bravery they exhibited during some of America's darkest hours.

The example set by these men and women has inspired many others to follow in their footsteps. And the efforts and dedication of the Guardians who ensure that the veterans have safe accommodations and assistance throughout their visit also cannot be forgotten.

Mr Speaker, I ask this body to join me in honoring our nation's heroes from World War II, the Korean War, and the Vietnam War. They truly are the living embodiment of the American values and freedoms we hold so dear. Minnesota Veterans aboard the final Honor Flight from St. Cloud Minnesota to Washington, DC, on April 22, 2014 for submission into the CONGRESSIONAL RECORD.

Werner Leland Allen, Paul Clinton Anderson, Oliver Newton Anderson, Edwin Theodore Aschenbrenner, Donald Dean Baustian, Leland Lorell Bennett, Richard John Bernick, Alfred Irwin Betcher, Bernard Nicholas Bitzan, Wayne Elwood Bonkrude, Vernon Lee Butson, James Edward Carpenter, Harold Lee Carver, Bruce Kay Cottington, Robert John Danaher.

George Harvey DeMarais, Paul Eugene Demarce, Richard Vernon Forbes, Oran Everett Goodell, Orville Charles Haan, Donald Herman Handahl, Cletus Marcel Hohn, Wallace Allen Jacobson, Carl Raymond Johnson, Robert Jermayne Johnson, Paul Joseph Jost, William Jackason Kathman, Donald Herman Krueger, Bryon Lee Kunkel, Bernard Louis Lieder.

Harry Edwin Lindbloom, Eugene Burton McKee, Carl August Morris, Emery Marshel Nelson, Verne Francis Rech, Thomas Daniel Routhe, Robert Leon Ruplinger, Elmer Peter Schumer, Kenneth Alan Tessmer, Robert 01lie Uppgaard, Robert Allen Walters, Gerald Fredrick Wright, John Arthur Adelman, George William Aleshire, Gerald Dean Ankerfelt.

Clarence Louis Beckmann, Rudolph George Beilke, Kenneth Joseph Belkolm, Gerald James Benusa, Eugene Joseph Borgert, Donald Norman Bungum, Edward Henry Burggraff, Kenneth Burton Christiansen, George Wilford Courrier, Ervin Carl Damlow, Lyle Edward Doebbeling, Clarence Herman Fischer, James Earl Gloege, Douglas John Goenner. Peter Gronewold, Chester Engnor Hopland, Donald John Huberty, Elmore

Virgil Johnson, Richard Matthew Kahlhamer, John Thomas Keefe, Rodney Clark Kenyon, Ronald Eugene Krebs, Willard Harvey Krueger, Marvin Virgil Kumpula, Ernest Dominic Lewandowski, Ervin Daniel Lewandowski, Vernon George Maslow, Aloys Herman Meyer, Francis Charles Mortier.

Robert Howard Pellow, Roger Jerome Robeck, Gerald Sylvester Roering, DuWayne Herbert Sabrowsky, Allen Dale Simonson, Lester Reynold Thies, Richard Arlen Underdahl, Chauncey Edward Van Hatten, Dayle Jacob Von Holdt, Joseph Frank Wallschlaeger Sr., Cornelius Ni Warzecha, Ronald Duane Weiss, Richard Jake Wolf, Charles Wood Wright, Norbert Joseph Zahler, Donald Bernard Zahler.

PERSONAL EXPLANATION

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. ROYCE. Mr. Speaker, I was unavoidably detained and not present for rollcall vote 194. Had I been present, I would have voted "yes."

UKRAINE'S ELECTIONS—LEGITIMATE AND HEROIC

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. SMITH of New Jersey. Mr. Speaker, in a little more than two weeks, Ukraine will be holding presidential elections while Russia continues its campaign of aggression and destabilization. The evidence overwhelmingly indicates that the pro-Russian separatist militants that have been operating in parts of eastern Ukraine act at the behest and direction of the Russian government. President Putin has already said that the Ukrainian elections are illegitimate.

Yesterday Putin softened his tone with respect to the May 25 elections. Yet at this point words mean little unless they are matched by deeds. Putin has also claimed that the tens of thousands of troops deployed on Ukraine's border are being pulled back, yet so far there is no evidence that this is happening.

The upcoming elections are legitimate—and more than legitimate. They are heroic—many people will be taking real risks of future reprisals in voting. Yet according to a recent IRI poll, an overwhelming 84 percent of Ukrainian citizens said they will definitely or are likely to vote in the elections, including a substantial majority in the two regions in which the militants are active. The vast majority of Ukrainians do not support the separatist movement, and wish to remain in a united Ukraine. It is up to the Ukrainian people—and only the Ukrainian people—to decide their own future through democratic means. It is not up to Russia—whose President famously said that the collapse of the Soviet Union was a "major geopolitical disaster . . . a genuine tragedy". These are views shared by few of the people living in Ukraine, whether they consider themselves Ukrainian or Russian, and few of the people living in the other non-Russian former Soviet republics.

The real tragedy here is the suffering of so many innocent people at the hands of militants, extremists, and hooligans—including the OSCE military monitors who were held hostage by the pro-Russian militants for more than a week. The militants have murdered a number of pro-Ukrainian activists and have kidnapped, threatened and intimidated others, including journalists who simply favor democracy and free speech. Some 40 people are in captivity in the separatist hotbed of Sloviansk alone. Minorities also have reason to be concerned—militants have attacked the Roma community and among Russian special forces in Ukraine are members of neo-Nazi and anti-Semitic groups. And over the weekend, we saw the terrible clashes in Odessa that resulted in the deaths of more than 40 people.

We must not forget Crimea, where the Russians are consolidating power and taking measures against Crimean Tatars and ethnic Ukrainians The revered long-time Crimean Tatar leader and former Soviet political prisoner, Mustafa Dzhemilev, has been banned from returning to his homeland. Other activists have been attacked and threatened.

An overwhelming majority of Ukrainian citizens, even in the two regions where the pro-Russian separatists are most active and where most of the violence is taking place, don't wish to join Russia, and certainly don't want war.

I welcome U.S. and international assistance to Ukraine's democratic and economic development, including for the upcoming elections. Especially important is helping Ukraine strengthen the rule of law and overcome the devastating legacy of corruption left in the wake of the ruinous Yanukovich regime.

The U.S. and international community should redouble efforts to counter Russian aggression and to support the Ukrainian people's overwhelming aspirations for peace, freedom, democracy and economic well-being. We must stand shoulder-to-shoulder with those who want dignity, peace and freedom, in solidarity against those seeking to impose foreign autocracy and imperial rule.

HONORING SALLY D. CHESTER

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to honor Sally D. Chester, a truly inspiring nurse from my district and recipient of the Palm Beach County Medical Society's 2014 Heroes in Medicine Humanitarian Award.

Throughout her career Sally has provided outstanding service to those in her local community. As chair of the Palm Beach County Medical Society, she united physicians in improving the community's health and as president of Leadership Palm Beach County, she educated and united leaders in building a better community.

In 2004, when her husband, Don, became a quadriplegic following a devastating accident, she stood by him as his primary caregiver and became involved with service dog training. As a cofounder of Genesis Assistance Dogs and board member of New Horizons Service Dogs, she works to transform the lives of people with disabilities, including our veterans, through the training and placement of assistance dogs.

In honor of her inspiring service for our community, I am pleased to recognize Sally D. Chester, R.N., and wish her continued success in all of her endeavors.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. WEBSTER of Florida. Mr. Speaker, on rollcall No. 204, had I been present, I would have voted "yes."

AUTHORIZING USE OF EMANCIPATION HALL TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA

SPEECH OF

HON. COLLEEN W. HANABUSA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 7, 2014

Ms. HANABUSA. Mr. Speaker, I would like to express my strong support of House Concurrent Resolution 83, authorizing the use of Emancipation Hall in the Capitol Visitor's Center for the lei draping ceremony on June 8, 2014 to celebrate the birthday of King Kamehameha the Great. For more than forty years, the Hawai'i Congressional delegation and the Hawai'i State Society have hosted a lei draping ceremony which coincides with the celebration of King Kamehameha Day in the State of Hawai'i on June 11th.

King Kamehameha the Great, also known as King Kamehameha the first, was born in North Kohala on the island of Hawai'i and grew to become one of the most powerful figures in Hawaiian history. He was a superior warrior and was the only man in the history of the Hawaiian people to unite the Islands after nearly a decade of warfare.

According to Hawaiian legend, on the day King Kamehameha was born, a new star appeared in the heavens, signaling the birth of a great chief. At the time of his birth, the Hawaiian Islands were in a state of chaos, with rival chiefs constantly at odds with each other. King Kamehameha utilized western advisors and technology, such as muskets and cannons, to aid him in combat during his quest to unify the Hawaiian Islands. In 1810, King Kamehameha fulfilled his goal of uniting the Kingdom with the surrender of the Chief from Kauai.

With his forward thinking and vision for Hawai'i, Kamehameha ensured that the newly united Hawaiian Kingdom would not crumble after his death by establishing a uniform legal system and promoting a fruitful trade with Western powers. He is noted for Kanawai Mamalahoe, or the Law of the Splintered Paddle. It is said that when King Kamehameha led a raid, his foot got caught in between two rocks. A couple of local fishermen, who were fearful of the warrior, not realizing that it was

the great king, hit Kamehameha with a paddle on the head, so hard that it splintered into thousand pieces. King Kamehameha survived the incident and those same fishermen were brought to him for punishment. However, to their surprise, the King did not seek revenge for the incident but rather blamed himself and declared that every innocent, unarmed man, woman and child would be protected during wartime. The Law of the Splintered Paddle has become the basis for a number of humanitarian laws of war and was the first written law in the Kingdom of Hawai'i. This reflects King Kamehameha's devotion to protecting the weak during times of war and his belief that every human life was precious beyond comprehension.

King Kamehameha was also steadfast in preserving the traditional Hawaiian cultural beliefs and practices. He was a strong follower of the Hawaiian religion and deeply valued the long standing kapu system, the laws and regulations of ancient Hawai'i.

Without King Kamehameha and the unification of the Hawaiian Islands, Hawai'i would have been torn apart by competing western interests. The Kingdom of Hawai'i, with a united front, was able to resist western colonialism until the overthrow in 1893. For the people of Hawai'i, the reign of King Kamehameha, celebrated on June 11th, represents a time of great prosperity and peace in Hawaiian history. It serves a reminder of the greatness in the Hawaiian people and the everlasting respect for the King who united Hawai'i while remaining true to the traditions and beliefs that have guided the people for hundreds of years and many more to come.

KEVIN O'DONNELL

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. BARLETTA. Mr. Speaker, I rise to honor Kevin O'Donnell who is receiving the 2014 Greater Hazleton Friends of Scouting Distinguished Citizen of the Year award.

Mr. O'Donnell is the president of CAN DO, Inc. which is a private, non-profit industrial/economic development corporation serving the Greater Hazleton area in Northeastern Pennsylvania. He began his career with CAN DO in 1973 as assistant director, and in 1984, was named director, a title that was changed to president in 1995 and one that he continues to hold today.

The Greater Hazleton Friends of Scouting Distinguished Citizen award recognizes individuals who set a positive example for others and demonstrate selfless concern and care for their communities. For the past 40 years, through his work with CAN DO and other efforts, Mr. O'Donnell has attracted regional, national, and global companies to do business in Northeastern Pennsylvania, which in turn has created thousands of jobs and produced hundreds of millions of dollars for the local economy.

In addition to his most recent award, Mr. O'Donnell has been recognized countless times for his selfless contributions to the community. In 1984, he was the first individual ever named, ''Developer of the Year'' by the Pennsylvania Economic Development Association. In 2006, he received the Ben Franklin Innovation Award ''Special Achievement'' for contributions to the Great Valley Technology Alliance, and in 2009, he was inducted into the Northeast Pennsylvania's Business Hall of Fame. Mr. O'Donnell has also been recognized for his work as a former officer and member of several local educational institutions and community and civic groups. He currently is on the board for the Wiltsie Center for the Performing Arts and serves as a member of the Hazleton Civic Partnership Advisory Committee. In addition, he is a member of the Hazleton Rotary Club.

Mr. Speaker, Mr. O'Donnell has made countless contributions to improving life for residents of Northeastern Pennsylvania. Therefore, I commend him for his hard work and congratulate him on receiving the 2014 Distinguished Citizen of the Year award from the Greater Hazleton Friends of Scouting.

RECOGNIZING COACH FRED PENNINGTON

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. WEBSTER of Florida. Mr. Speaker, it is my privilege to recognize Coach Fred Pennington of Evans High School. Coach Pennington began his coaching career at Evans in 1959 as the school's junior varsity basketball coach. His leadership was immediately evident, and after becoming the school's varsity basketball coach, his first varsity team won 20 games in the 1961–1962 season. Coach Pennington's 1968 team was state runner-up, and in 1975, he led the Trojan team to victory in the state championship. One of his players, Darryl Dawkins, became the first player drafted directly out of high school into the NBA.

While we celebrate Coach Pennington's public successes, the unwritten story of his influence is his undoubted impact on young people's lives. He inspired young people to meet high standards, to function as part of a team, and to achieve set goals. In the process, he gave them important tools with which they could improve their lives and the lives of others.

Throughout his career, Coach Pennington has demonstrated outstanding leadership on and off the court. It is my distinct honor to recognize Coach Pennington for his dedication to the students and athletes of Central Florida.

RECOGNIZING 50TH ANNIVERSARY OF THE TOWN OF PESHTIGO FIRE DEPARTMENT

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. RIBBLE. Mr. Speaker, I rise today to recognize the 50th anniversary of the Town of Peshtigo Fire Department. The Town of Peshtigo, with the assistance of its neighbors in the City of Marinette, passed a resolution to purchase the necessary fire equipment to get started in 1963. The first meeting of the Town of Peshtigo volunteer firefighting company occurred on April 28, 1964. A few months after this meeting, the town board officially created the Town of Peshtigo Fire Department with Howard Rettke being named Chief.

Since the beginning, the Town of Peshtigo has continually made the safety of these firefighters a priority by investing in the most modern technology. The Town of Peshtigo Fire Department has worked closely with surrounding communities to foster better coordination and faster response times to better protect the lives and property of their friends, families and neighbors.

The department plans to mark this anniversary on June 21 at Badger Park in Peshtigo with live music, a pig roast and waterball competition with other firefighters from the greater Peshtigo area. As Congressman, I am proud of the work being done by fire departments throughout the 8th District and I encourage the residents in Northeast Wisconsin to join with me in celebrating the Town of Peshtigo Fire Department's 50th anniversary.

PERSONAL EXPLANATION

HON. TIM GRIFFIN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. GRIFFIN of Arkansas. Mr. Speaker, on Tuesday, May 6, 2014, and Wednesday, May 7, 2014, I missed eleven votes as I was home in Arkansas continuing my work in dealing with the aftermath of the devastating storm that hit my district, including a visit with the President of the affected area in Vilonia, Arkansas.

Had I been present, I would have voted ''aye'' on rollcall vote 194, ''aye'' on rollcall vote 195, ''no'' on rollcall vote 196, ''aye'' on rollcall vote 197, ''aye'' on rollcall vote 198, ''aye'' on rollcall vote 199, ''aye'' on rollcall vote 200, ''aye'' on rollcall vote 201, ''no'' on rollcall vote 202, ''aye'' on rollcall vote 203, and ''aye'' on rollcall vote 204.

IN RECOGNITION OF THE AMERICAN SOCIETY OF CLINICAL ONCOLOGY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. MEEHAN. Mr. Speaker, I rise today to recognize the American Society of Clinical Oncology on 50 inspiring years of innovative cancer research and treatment.

Many Americans have a close connection to this terrible disease, whether they have survived it themselves or cared for a loved one who suffered through cancer. It galvanizes all of us to push for new early detection methods as well as new treatments.

In 1964, the seven founding physicians who created the American Society of Clinical Oncology came together with a vision for a professional society that would educate other physicians on treatment methods. At that time, cancer was largely untreatable and only a handful of hard-to-tolerate therapies were available.

Fifty years later the American Society of Clinical Oncology has almost 35,000 members

worldwide. The number of drugs available to treat different types of cancer has steadily increased over the years thanks to some of these physicians. Today more than two-thirds of patients with cancer are alive five years after their diagnosis. This is a true testament to the groundbreaking research and diligent work of so many in this field.

Mr. Speaker, I commend the American Society of Clinical Oncology for their leadership in the fight against cancer. It is my sincere hope that this and other research avenues will lead to new discoveries to better detect cancer and save lives.

RECOGNIZING THE U.S. COAST GUARD'S 9TH ANNUAL CHANNEL ISLANDS HARBOR SAFE BOATING EXPO

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. BROWNLEY of California. Mr. Speaker, today I rise in recognition of the U.S. Coast Guard's 9th Annual Channel Islands Harbor Safe Boating Expo, which recognizes May 17 through 23, 2014 as National Safe Boating Week. The event also marks the start of the year-round effort to promote safe boating.

With an average of 700 people dying each year in a boating-related accident, approximately 71% of these fatalities are caused by drowning. The vast majority of these accidents are caused by human error and/or poor judgment, not by faulty equipment or environmental factors. It is known that a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets. It is crucial that the public stay educated about boating safety and the ways in which they can protect themselves and others.

At the Channel Island Harbor Safe Boating Expo, attendees will be able to watch offshore helicopter and fire rescue demonstrations, as well as flare inspection and disposal services, vessel safety exams and other hands-on exhibits. The event will also be attended by the American Red Cross, the Coast Guard Auxiliary, Channel Islands Harbor Patrol, Oxnard Police/Fire Dive Team, the Channel Islands National Park, Ventura County Sheriff Rescue, Ventura County Fire Department, National Oceanic and Atmospheric Administration (NOAA) Weather Service, Channel Islands National Marine Sanctuary and Ventura Sail and Power Squadron. These attendees represent the collaborative efforts and partnerships that we have in Ventura County.

This important and engaging community event is hosted by the United States Coast Guard Station Channel Islands Harbor, a multi-mission unit that conducts Search and Rescue, Homeland Security, Maritime Law Enforcement, Counter Drug & Alien Migrant Interdiction Operations, Marine Environmental Protection and Boating Safety from Point Dume, CA, to Point Conception, CA, and out 50 nautical miles. Their area of responsibility also includes the gorgeous Channel Islands in Ventura and Santa Barbara Counties. The station is also homeport to the 87-foot Patrol boat USCGC *Blacktip* and ESD Detachment Oxnard.

I want to congratulate the U.S. Coast Guard on their ongoing efforts to educate our community about recreational water safety and join them in supporting the campaign efforts of National Safe Boating Week.

IN RECOGNITION OF DAVID J. WENZEL, RECIPIENT OF THE 2014 AMOS LODGE AMERICANISM AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. CARTWRIGHT. Mr. Speaker, today I rise in recognition of David J. Wenzel, recipient of the 2014 Amos Lodge Americanism Award. This honor recognizes a lifetime of outstanding community service best exemplifying the American spirit. A native of Scranton, he proudly served as Scranton's 27th mayor from 1986 to 1990, and has supported many public, civic, and charitable causes both before and after his distinguished term.

A trained Army officer, David Wenzel served in Vietnam as a First Lieutenant, commanding the mortar platoon of A Company of the American Division. While leading his men in occupying an area near the battalion fire base, he stepped on a land mine and was almost killed. The explosion took both his legs and caused other serious injuries, but Wenzel survived. Upon his return home, he underwent four major operations and an intense rehabilitation, but walked out of the Valley Forge Army Hospital on two prosthetic legs. He received a Bronze Star, the Purple Heart, the South Vietnam Medal, and the Combat Infantryman's Badge in recognition of his outstanding service and sacrifice for his country.

As Mayor of Scranton, Wenzel oversaw an active administration that accomplished a great deal during a period of renaissance and progress for the city. During his term, Scranton began to implement plans for the Mall at Steamtown and established flood control projects to aid in the recovery from Hurricane Gloria. He emphasized full cooperation with the city's growing neighborhood associations and made the city a leader in access for the disabled. Under his leadership, Scranton earned the moniker ''Tree City'' for the city's commitment to plant thousands of trees in an urban environment. Throughout his term, David embodied honesty, integrity, and cooperation in working with the city council to serve the people of Scranton.

After his term as Mayor, David Wenzel continued serving his community at the Schemel Forum at the University of Scranton, where he still teaches today, and as an advisor to many veterans associations. He has served on the Boards of the United Way, Allied Services, Mayor's Prayer Service, Scranton/Pocono Girl Scout Council, Deutsch Institute, American Legion, and the University of Scranton's Board of Regents. Wenzel was also named the Disabled Veteran of the Year in Pennsylvania and the National Disabled Veteran of the Year.

I am proud to congratulate David Wenzel on this award recognizing his voluminous service to his country and the city of Scranton. His record of serving others embodies the ideals of our country, and he is a role model for all Americans to emulate.

CONGRATULATING ADAMS COUNTY HEALTH AND WELLNESS COALITION

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. WENSTRUP. Mr. Speaker, congratulations to Adams County for being awarded the Healthy Ohio Healthy Community GOLD award from the Ohio Department of Health!

As a physician, I know the importance of preventative care and the impact of lifestyle choices in creating healthy communities. The leaders in Adams County are to be commended for their efforts.

As we empower residents and families to make healthier choices, we all thrive as a community. Promoting healthy options at home and in the workplace is a positive mission for everyone.

Specifically, the Adams Brown Creating Healthy Communities Program and the Adams County Health & Wellness Coalition deserve recognition. These programs, in collaboration with the Adams County Regional Medical Center Diabetes team, Adams County Court of Common Pleas, and local employers like General Electric, have made effective progress in working towards a healthy and effective workforce and county.

I am excited to watch Adams County's continued success and thank their leaders for working to improve the well-being of all their residents.

RECOGNIZING NATIONAL MPS AWARENESS DAY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. MARCHANT. Mr. Speaker, I would like to recognize the National MPS Society for their 40 years of supporting families while searching for cures for this genetic disease. Mucopolysaccharidosis or MPS is a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates. The damage caused by MPS on a cellular level adversely affects the body and damages the heart, respiratory system, bones, internal organs, and central nervous system. MPS often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span. Symptoms of MPS are usually not apparent at birth and without treatment; the life expectancy of an individual affected begins to decrease at a very early stage in their life. Research towards combating MPS has resulted in the development of limited treatments for some of the MPS diseases.

I ask my colleagues and their staff to join me in recognizing May 15, 2014 as National MPS Awareness Day. This is an important time during which the MPS disease community will help increase the awareness of this

devastating disease, as well as supporting research to improve treatments, find cures and receive early diagnosis. The MPS families are encouraged to reflect and support each other and to reach out to those families who have lost loved ones to MPS. By wearing their purple ribbons and sharing these ribbons within their community, they are increasing public awareness about this disease. This date is also the start of the National MPS Run/Walk season along with other local community activities to raise awareness along with money for research and for family assistance programs. I commend the National MPS Society and their many volunteers for an unwavering commitment to bring about awareness of this disease and to continue to advocate for federal legislation to streamline the regulatory processes and to speed effective treatments and cures for their loved ones. More must be done to find cures and effective treatments, but let us reflect on the importance of this day. I ask that all of my colleagues join me in commemorating National MPS Awareness Day.

RECOGNIZING THE 90TH ANNIVERSARY OF THE POINT PLEASANT FIRE CO. #1

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. FITZPATRICK. Mr. Speaker, on the 90th anniversary of the Point Pleasant Fire Co. #1, we recognize the spirit and unflinching courage of dedicated volunteers who run to the rescue—ready to protect their neighbors and the community—since 1924. The Point Pleasant Fire Co. now has grown into a much larger fire organization with many more well-trained volunteers who comprise the complement of firefighters and dive and technical rescue teams. Also, on his day, we may reflect on the generations of firefighters and company officers who answered the call. They are an integral part of the great history of the Point Pleasant Fire Co. and their service will be remembered as an example of the true spirit of first responders everywhere. Today's firefighters continue to set an example of public service and volunteerism for others to follow and the community is grateful to those who contribute to this effort.

HONORING THE 50TH ANNIVERSARY OF THE HOUND EARS CLUB

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. FOXX. Mr. Speaker, I rise today to recognize the Hound Ears Club, a community-minded club nestled in the Blue Ridge Mountains near the towns of Blowing Rock, Boone and Banner Elk; and the Robbins Family, who had the vision to found the club. Chartered in 1964, the Club has provided fifty years of community service and economic benefits to the people of Watauga County, North Carolina.

Over the years, Hound Ears Club members have raised hundreds of thousands of dollars to benefit many Watauga County charities. Members and residents have served, and continue to serve, on the boards and among the ranks of these charities.

Over the past fifty years, the Hound Ears Club has made valuable contributions to the economic needs of the citizens of Watauga County through capital investment projects, local business patronage, college scholarships, real estate development and perhaps most importantly, by providing jobs in the community. Hound Ears members and the Robbins Family have contributed tremendously to the success of Watauga County's tourism industry.

I commend the Hound Ears Club for its fifty years of serving Watauga County, and wish the members all the best as they embark on fifty more.

UNION INSTITUTE & UNIVERSITY'S 50TH ANNIVERSARY

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. CHABOT. Mr. Speaker, the year 2014 marks the 50th anniversary of Union Institute & University, a private, non-profit, accredited university, designed exclusively for adults seeking academic programs that transform lives and communities.

Headquartered in Cincinnati, Ohio, with centers in California, Florida, and Vermont, Union's vision is to engage, enlighten, and empower motivated adults in their pursuit of a lifetime of learning and service. This forward-facing institution now serves 2,000 students around the nation and offers undergraduate, master's, and doctoral degrees and certificates. Union Institute & University pioneered many of the concepts now common in higher education, including distance and online education, individualized self-paced programs, and an abiding commitment to adults seeking transformative education.

Today, the university's 15,500 alumni—including the Most Honorable Prime Minister of Jamaica, Portia Simpson Miller, and our esteemed colleague, the Honorable Congressman from Illinois, Dr. Danny Davis—are transforming lives and communities, and making a difference wherever they live and work.

HONORING DON RUST

HON. JASON T. SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Mr. Don Rust who on May 1, 2014, retired as Fire Chief for the city of Houston, Missouri.

Don began his career in the fire department in January of 1976 and has served as the Chief of the Houston department for the past thirty one years. During his tenure, Don has an exceptional list of accomplishments. Don oversaw the construction of a new fire station, created the Junior Fire Fighter Program to attract younger recruits, improved the department's insurance rating, and significantly improved fire fighter pay.

Don also sat on numerous committees and served his community in various ways. He was the County Civil Defense Director, served on the Houston Planning and Zoning Commission, and supervised the Texas County Rescue. In 2007, Don received the U.S. Presidential Service Award that recognizes volunteerism in the fire service.

Don has been married to his wife Janet since 1975 and is the father of two sons, Darren and David. Both followed in their father's footsteps and have served as firefighters. It is my privilege to recognize Don's achievements before the House of Representatives and I wish him a long and fulfilling retirement.

AMERICA LOSES WAR HERO WITH PASSING OF EARL BROWN FLATT

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. BOUSTANY. Mr. Speaker, I rise today with a heavy heart to commemorate the passing of a great man in our community who served his country as a United States Marine and later as a community leader in South Louisiana.

Earl Brown Flatt joined the Marine Corps in 1941 at the ripe old age of 17. Earl knew from Day One he wanted to serve his country and make a lasting impact for future generations. He accomplished that goal. Participating in the Iwo Jima campaign during World War II, Earl was a proud member of the Marine Corps exemplifying its core values of honor, courage, and commitment.

After his distinguished career in the Marine Corps, Earl took a leading role in the organization of State Farm Agencies in the State of Louisiana. He was a State Farm Insurance Manager for 44 years and retired in 1994. Earl made sure to give back to his community and worked tirelessly to improve it. He helped establish the Crime Stoppers of Lafayette and was very active in the Republican Party of Louisiana. In addition, he was a charter member of the Oakbourne Country Club. But Earl never wandered very far from the armed services as he served as the President of the Honor Air and arranged 22 flights to Washington, D.C., to visit the memorials. He attended countless funerals throughout Acadiana to honor the lives of fallen soldiers. His patriotism was only matched by his devotion to his family.

Earl is survived by his wife of 62 years, Darlene Storey Flatt of Broussard; two sons, Pat Flatt of Broussard and Jon Flatt of Austin, Texas; two brothers, Wayne Flatt of Dallas, Texas, and Estle Flatt of Nashville, Tennessee; five grandchildren, Rachel, Wesley, Alys, Leigh Anne, and Olivia; and one great-grandson, Cooper.

PAYING TRIBUTE TO COL. ROBERT PELLETIER

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. TERRY. Mr. Speaker, I rise today to honor Col. Robert (Bob) Pelletier, who will retire this year from the United States Army Reserve after 30 years of outstanding service.

Col. Pelletier's career has spanned decades and he has served in various places all over the world including Kuwait, Iraq, Korea, Honduras, Germany, and Afghanistan. He served in both Operation Desert Storm and the Operation Iraqi Freedom.

In 1984 following graduation from The Citadel in South Carolina, Col. Pelletier entered helicopter flight school at Fort Rucker in Alabama. After completing flight school, Pelletier served in the 4th Squadron, 2nd Armored Cavalry Regiment until January of 1989, holding various leadership assignments during his tenure.

In June of 1989, he began his tenure as commander of the Headquarters and Service Company in Kuwait and Iraq. While in the Middle East, Col. Pelletier also served as a Plans and Operation Officer playing an important role in coordinating the United States' efforts in Operation Desert Storm.

At the conclusion of his service in the Middle East, Col. Pelletier continued his service overseas, first in Musan, Korea and later in Honduras, before returning home to the United States in 1995. Col. Pelletier landed in Omaha, NE, after he joined the United States Army Reserves and was placed as the Maintenance Branch Chief of the 561st Corps Support Group.

In 2003, Col. Pelletier traveled to Germany and Kuwait along with the 3rd COSCOM to offer support in Operation Iraqi Freedom becoming the Director of Rail Operations and Reconstruction until March of 2004.

In January of 2009, Col. Pelletier became the Department of Army's Liaison to the Governor of Nebraska for Homeland Security and Defense, a position through which he has offered superb service to the state of Nebraska.

Col. Pelletier has been decorated with many awards for his outstanding service including the Bronze Star with Oak Leaf and a Meritorious Service Medal with Oak Leaf. He is also the recipient of the Joint Service Commendation Medal along with the Army Achievement Medal.

Col. Pelletier and his wife, Terry are current residents of Omaha, NE where he is a Regional Operations Manager for the Union Pacific Railroad.

Mr. Speaker, please join me in congratulating Col. Robert Pelletier for his outstanding 30 years of service to our country and the state of Nebraska.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 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 $17,484,285,711,524.06. We've added $6,857,408,662,610.98 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.

CONDEMNING CHINA FOR VIOLATING VIETNAM'S SOVEREIGNTY IN THE SOUTH CHINA SEA

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. FALEOMAVAEGA. Mr. Speaker, as Ranking Member of the House Foreign Affairs' Subcommittee on Asia and the Pacific, which has broad jurisdiction for U.S. policy affecting the region, including Vietnam and China, I rise today to strongly condemn China for violating Vietnam's sovereignty in the South China Sea and to call upon the U.S. to issue a clear and decisive statement of response.

On May 2, 2014, China anchored HD981 rig in Vietnamese waters and deployed dozens of naval vessels to support its provocative actions. On May 3 and May 5, China issued notices banning all vessels from entering the area and stating that HD981 rig will conduct exploratory drilling. HD981 is anchored totally within the Exclusive Economic Zone (EEZ) and continental shelf of Vietnam, about 120 nautical miles from Ly Son island of Vietnam.

I thank U.S. Senator JOHN MCCAIN for his leadership in unequivocally stating that China's territorial claims to the waters have no basis in international law. Simply put, China's provocative actions are an escalation of its intent to threaten peace and maritime security in the East Sea.

Since 2009, China has escalated its claims of the "nine-dash line", cut the ship cables of the "Binh Minh II" and "Viking II (May and June 2011), established "Sansha City" (June 2012), implemented "measures to enforce 'Fishery Law of the People's Republic of China' (entering into force since January 2014), enhanced oil explorations in disputed areas, attacked Vietnamese fishing vessels, launched patrol boats, and conducted military exercises in the South China Sea to flex its power and deter other claimants.

All the while the U.S. response has been negligible, although the House Foreign Affairs Subcommittee on Asia and the Pacific has held hearings on the matter and several Members, including myself, have introduced Resolutions to promote a peaceful and collaborative resolution to any and all disputes in the South China Sea.

I am especially disappointed by the State Department's weak response to China's recent aggression. U.S. Department of State spokeswoman Jen Psaki stated, "Vietnam has declared a 200-nautical-mile exclusive economic zone based on its coast line in accordance with the law of the sea. Then we call on China because China has a different view on that. That's why we continue to call on both sides not to take provocative or unilateral actions given this is occurring in disputed waters near those islands and these events, of course, point to the need for claimants to clarify, their claims in accordance with international law and reach agreement of what types of activities should be permissible within disputed areas such as these waters."

I call upon the State Department to issue a more clear, definitive, and concise statement than this. Once more, as Senator MCCAIN stated, China's claims have no basis in international law, and the U.S. State Department should not shirk from saying so. I join with Senator MCCAIN in calling upon China's leaders to take immediate steps to de-escalate tensions, and I call upon the U.S. to lead the way. For historical purposes, I have submitted this statement with supporting documentation so that there is no dispute about the facts or about where I stand.

[As of May 5, 2014]

FACTSHEET ON OPERATIONS OF CHINA'S HD–981 OIL RIG IN VIETNAM'S WATERS

On May 2, 2014, Vietnamese authorities announce that at 5:22 am on May 1, 2014, the drilling rig HD–981 and 3 oil service vessels of China were spotted as going south from the northwest of Tri Ton island which belongs to Vietnam's Hoang Sa Archipelago (Paracels). At 4:00 pm May 2, 2014, the drilling rig RD–981 was set afloat at the location of 15°29′58″ North latitude and 111°12′06″ East longitude of Tri Ton island with 27 protecting ships. This location is about 130 nautical miles off Vietnam's coast and 119 nautical miles off Vietnam's Ly Son island. To date, the number of Chinese vessels has gone up to more than 50. The location of the rig lies well within the oil block No. 143 of Vietnam, undeniably within Vietnam's exclusive economic zone and continental shelf.

2. In the last few days, Vietnam has continuously communicated with China expressing its serious concerns. Vietnam has reiterated and stressed that "the location that the Chinese drilling rig HD–981 and protecting vessels operate is undeniably within Vietnam's exclusive economic zone and continental shelf; the operations of this drilling rig and protecting vessels have seriously violated Vietnam's sovereignty, sovereign rights, and national jurisdiction as stipulated by the 1982 United Nations Convention on the Law of the Sea (1982 UNCLOS), the 2002 Declaration of the Conduct of Parties in the South China Sea (DOC), other related agreements between the two countries' leaders, and Vietnam-China basic principles on settlement of sea issues. Vietnam asks China to immediately withdraw the drilling rig and protecting vessels out of Vietnam's waters".

Viet Nam has sufficient historical evidence, legal basis, and de facto administration over Hoang Sa to assert its sovereign rights and national jurisdiction over its exclusive economic zone and continental shelf in accordance with the 1982 United Nations Convention on the Law of the Sea. Vietnam requests that China respect Vietnam's exercise of sovereignty over Hoang Sa, sovereign rights and jurisdiction over its exclusive economic zone; and concurrently proposes to China to settle the disputes over Hoang Sa and other disputes related to Vietnam's sovereignty, sovereign rights and jurisdiction through negotiations and other peaceful means in accordance with international law, including the United Nations Charter and the United Nations Convention on the Law of the Sea.

Vietnam totally rejects and resolutely protests China's arguments that the "operation of drilling rig HD–981 is an ordinary activity south of Zhongjian island (Tri Ton) of Xisha (Hoang Sa) islands", and has nothing to do with Vietnam's continental shelf and exclusive economic zone; this is "an area of the

territorial sea and contiguous zone of the Xisha islands (Vietnam's Hoang Sa) and that on-going operation is conducted on a usual basis at a location administered by China without any dispute''; and that China would not accept Vietnam's request of negotiation over Hoang Sa.

3. The fact that China disregards Vietnam's communication requesting the withdrawal of the drilling rig and oil service vessels out of Block No. 143 is obviously an act on purpose and an intentional and serious violation of Vietnam's sovereignty, sovereign rights, and jurisdiction over Hoang Sa, exclusive economic zone and continental shelf; serious violation of the accords reached between two countries' leaders, the spirit and content of the DOC, related principles the international law, including the 1982 UNCLOS. The Chinese activities have tremendously affected the political trust between the two countries, adversely impacted the bilateral negotiations over sea issues, and damaged the sentiments and feelings of the peoples of Vietnam and China.

4. The Government of Vietnam respectfully asks all Governments in the world to voice condemnation of those wrongful acts by China; demand China to recall its drilling rig HD–981 out of Vietnam's waters and respect the rights and interests and coastal nations in accordance with the 1982 UNCLOS, fully and seriously observe the spirit of the Declaration of the Conduct of Parties in the South China Sea (DOC), ensure the security and safety in the East Sea (Bien Dong); and call upon China to soon settle disputes with Vietnam through peaceful negotiations, thereby contributing to peace and stability in the region.

[As of May 7, 2014]

FACT SHEET NO. 2 ON CHINA'S LATEST ILLEGAL ACTIVITIES IN VIETNAM'S EEZ

1. China's provocative behavior:

To date, the number of China's supporting ships moving toward the drilling platform has increased to more than 80, including 7 military ships, 33 marine patrol boats and surveillance ships, and many other vessels.

2. China's use of force:

Videos and pictures show Chinese ships, backed by helicopters, aggressively obstructing Vietnamese ships.

The Chinese ships also sprayed water cannons, damaging Vietnamese vessels and injuring their crew members.

At around 8:10 a.m. on May 3, a Chinese ship struck the right side of a Vietnamese Marine Police vessel at high speed, smashing the windows of the Vietnamese vessel that was attempting to take evasive maneuvers.

A total of eight Vietnamese ships were rammed, hit, or sprayed with high pressure hoses.

At one point, five Chinese ships surrounded a single Vietnamese vessel.

3. China's impingement on freedom of navigation:

The Maritime Safety Administration of China (MSAC) announced on its website on Saturday that all vessels should keep one mile (1.6 km) away from the rig, called the Haiyang Shiyou 981.

Despite Vietnam's objections, MSAC on Monday expanded the prohibited area around the rig to a three-mile (4.8 km) radius.

On the ground, China uses force to drive away Vietnamese ships.

The location is right on vital international sea lanes. Consequently, China's acts are threatening maritime security and safety in the region.

HONORING PAUL MARKOWSKI

HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. MENG. Mr. Speaker, I rise today in honor of my constituent, Paul Markowski. Paul is a Behavior Detection Officer with the Transportation Security Administration based at LaGuardia Airport in Queens, NY. While off-duty, Paul assisted a man in distress, saving his life.

On the afternoon of April 13, after finishing their shifts while walking to their cars, Paul and his colleague, Michael Dougherty, spotted a man who was signaling for help. They quickly approached and found the man struggling to breathe while waving a nonfunctioning inhaler. As the man began to have a seizure, Paul and Michael caught him before he fell, and then gently laid him on the ground. Other officers noticed the situation and subsequently called for an ambulance. The man was successfully transported to a nearby hospital.

Paul's actions were nothing short of heroic. Speed, teamwork, and willingness to act all played a role in helping save the man's life. I was honored to speak with Paul on Friday afternoon to thank him for his exemplary service. I ask that my colleagues in the House of Representatives join me and rise in recognition of the decisive actions displayed by Mr. Markowski.

TRIBUTE TO FELIX GAITER

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to pay tribute to a longtime friend and one of the finest men I have ever known.

Felix Gaiter recently passed away at the age of 91. He was a well-known businessman in my District and owner of the Gaiter Construction Company, which was the largest African American-owned construction company in East Tennessee.

I had the privilege to be the lawyer for the Gaiter Construction Company for just about the entire time I practiced law. Mr. Gaiter was one of the kindest, hardest working, and most honest people with whom I have ever dealt.

Mr. Gaiter was also a veteran of World War II, and he easily earned his place among the ''Greatest Generation'' with his service and honorable life.

A member of Rogers Memorial Baptist Church in Knoxville, he always lived his life by the Golden Rule.

Mr. Gaiter is survived by his loving and devoted wife of 66 years, Mrs. Margaret Gaiter, who has always been very kind to me. Mrs. Gaiter treats everyone with love and respect. She is a very bright fixture in the Knoxville community and active in countless organizations.

My wife, Lynn, and I send our condolences to Mrs. Gaiter, her three children and many grandchildren and great-grandchildren.

Mr. Speaker, Felix Gaiter was a wonderful husband, father, and citizen. I call his life and accomplishments to the attention of my Colleagues and other readers of the RECORD. This Nation would be a much better place if we had more people like him.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. ESHOO. Mr. Speaker, I was not present during rollcall vote No. 203 on May 7, 2014. I would like the record to reflect I would have voted ''yes''.

HONORING AMERICA'S PUBLIC SERVANTS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to direct the House's attention to Public Service Recognition Week, a time in which we honor the more than 20 million men and women who serve our nation as federal, state, county, and local government employees.

These people are our friends and neighbors, and they perform critical work every day that is vital to our nation's welfare. They keep us safe from terrorist threats and food-borne illness, develop new treatments for diseases, protect our environment, educate our children, provide care to veterans, deliver our mail, and the list goes on. Despite the popular notion of the isolated ''Washington bureaucrat'', the overwhelming majority of government employees serve in our own communities in all fifty states—including 85 percent of federal employees. Yet, we often overlook or simply take for granted America's public servants.

Of course, the government's ability to effectively perform essential functions depends on a well-trained and highly-engaged workforce. According to the Government Accountability Office, nearly 30 percent of federal employees on board at the end of fiscal year 2011 will be eligible to retire by 2016, including one-third of the government's top scientists, engineers, physicians, mathematicians, economists, and other highly specialized professionals. We must redouble our efforts to identify and recruit the next generation of talented public servants to ensure government can continue to tackle our nation's toughest challenges.

At its best, government is an instrument of our common purpose. It is a powerful tool to defend the vulnerable, expand opportunity, and help our country reach its full potential. In a representational democracy, government is not an abstract idea but a living institution that is powered by men and women dedicated to promoting and protecting the common good. To all of those who have stepped up to the plate and devoted their lives to this noble calling, I thank you.

As we mark the passage of Public Service Recognition Week, I urge all my colleagues to join me in commemorating the hard work and sacrifice made by our nation's federal, state, and local government employees.

MESSAGE OF PRIME MINISTER ERDOĞAN ON THE EVENTS OF 1915

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. CHABOT. Mr. Speaker, I rise today to draw the attention of my colleagues to a statement made by Turkish Prime Minister Recep Tayyip Erdoğan in which he noted the importance of April 24th to Armenian communities around the world, and expressed his condolences to the descendants of those Armenians who died in the violence nearly a century ago. The Prime Minister renewed Turkey's offer to participate in a joint historical commission, where Turkish, Armenian, and international scholars would come together to document those terrible events.

In his weekly parliamentary address to his party's legislators on April 23rd, Prime Minister Erdoğan stated Turkey's willingness to "confront" the historical events, and again called upon Armenia and the Armenian diaspora to join this effort.

I believe a process in which both parties are active participants will enable Turkey and Armenia to resolve many of the issues of conflict between them, and will allow them to move deeper into the 21st Century while building a constructive relationship, as neighbors should.

I hope my colleagues will join me in encouraging all parties to engage in the process.

The statement issued by Prime Minister Erdoğan follows:

THE MESSAGE OF THE PRIME MINISTER OF THE REPUBLIC OF TURKEY, RECEP TAYYIP ERDOĞAN ON THE EVENTS OF 1915.

The 24th of April carries a particular significance for our Armenian citizens and for all Armenians around the world, and provides a valuable opportunity to share opinions freely on a historical matter.

It is indisputable that the last years of the Ottoman Empire were a difficult period, full of suffering for Turkish, Kurdish, Arab, Armenian and millions of other Ottoman citizens, regardless of their religion or ethnic origin.

Any conscientious, fair and humanistic approach to these issues requires an understanding of all the sufferings endured in this period, without discriminating as to religion or ethnicity.

Certainly, neither constructing hierarchies of pain nor comparing and contrasting suffering carries any meaning for those who experienced this pain themselves.

As a Turkish proverb goes, ''fire burns the place where it falls.''

It is a duty of humanity to acknowledge that Armenians remember the suffering experienced in that period, just like every other citizen of the Ottoman Empire.

In Turkey, expressing different opinions and thoughts freely on the events of 1915 is the requirement of a pluralistic perspective as well as of a culture of democracy and modernity.

Some may perceive this climate of freedom in Turkey as an opportunity to express accusatory, offensive and even provocative assertions and allegations.

Even so, if this will enable us to better understand historical issues with their legal aspects and to transform resentment to friendship again, it is natural to approach different discourses with empathy and tolerance and expect a similar attitude from all sides.

The Republic of Turkey will continue to approach every idea with dignity in line with the universal values of law.

Nevertheless, using the events of 1915 as an excuse for hostility against Turkey and turning this issue into a matter of political conflict is inadmissible.

The incidents of the First World War are our shared pain. To evaluate this painful period of history through a perspective of just memory is a humane and scholarly responsibility.

Millions of people of all religions and ethnicities lost their lives in the First World War. Having experienced events which had inhumane consequences—such as relocation—during the First World War, should not prevent Turks and Armenians from establishing compassion and mutually humane attitudes among towards one another.

In today's world, deriving enmity from history and creating new antagonisms are neither acceptable nor useful for building a common future.

The spirit of the age necessitates dialogue despite differences, understanding by heeding others, evaluating means for compromise, denouncing hatred, and praising respect and tolerance.

With this understanding, we, as the Turkish Republic, have called for the establishment of a joint historical commission in order to study the events of 1915 in a scholarly manner. This call remains valid. Scholarly research to be carried out by Turkish, Armenian and international historians would play a significant role in shedding light on the events of 1915 and an accurate understanding of history.

It is with this understanding that we have opened our archives to all researchers. Today, hundreds of thousands of documents in our archives are at the service of historians.

Looking to the future with confidence, Turkey has always supported scholarly and comprehensive studies for an accurate understanding of history. The people of Anatolia, who lived together for centuries regardless of their different ethnic and religious origins, have established common values in every field from art to diplomacy, from state administration to commerce. Today they continue to have the same ability to create a new future.

In is our hope and belief that the peoples of an ancient and unique geography, who share similar customs and manners will be able to talk to each other about the past with maturity and to remember together their losses in a decent manner. And it is with this hope and belief that we wish that the Armenians who lost their lives in the context of the early twentieth century rest in peace, and we convey our condolences to their grandchildren.

Regardless of their ethnic or religious origins, we pay tribute, with compassion and respect, to all Ottoman citizens who lost their lives in the same period and under similar conditions.

LEGISLATIVE BRANCH APPROPRIATIONS ACT (H.R. 4487)

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. McCOLLUM. Mr. Speaker, due to a prior commitment in my district, I had to miss votes on May 1, 2014. On April 9, 2014, I joined my colleagues on the House Appropriations Committee in approving the Fiscal Year 2015 Legislative Branch Appropriations Bill. Had I been present for the vote before the Full House, I would have voted for the Legislative Branch Appropriations Act (H.R. 4487).

This appropriation bill supports the functions of the United States House of Representatives and those agencies that we rely on to best serve our constituents. Today's bill maintains level funding for Members' offices and Committee staff. While not ideal, it does not impose further reductions that would harm the ability of Congressional offices to respond to the needs of our constituents and our district. The bill also provides funding for the Library of Congress, Capitol Police, Botanical Garden, Architect of the Capitol, and Government Printing Office, which support for work of Congress and the American public. It is important that Congress ensure these agencies have the resources and funding they need to best serve our constituents and offices.

On Mr. NUGENT's amendment, I would have voted "no".

On Mr. GOSAR's amendment, I would have voted "no".

On Mr. BROUN's amendment, I would have voted "no".

On Mr. HOLT's amendment, I would have voted "yes".

THE KIDNAPPING OF GIRLS AND YOUNG WOMEN FROM A SCHOOL IN NIGERIA

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. AL GREEN of Texas. Mr. Speaker, I stand in solidarity with the families of the approximately 300 young women kidnapped by a radical Nigerian Islamist group. I lend my voice to the chorus of outrage and condemnation directed at this extremist group, which has forcefully separated young women from their families and devastated an entire community. There is no place in our world community for a group that displays such disregard for the tenets of Islam, human dignity, and international law.

All people and governments of good will should do all that is appropriate to assist Nigerian authorities in the safe recovery of these young women. I am heartened that Secretary Kerry has announced that a U.S. security team will be sent to Nigeria to assist in the efforts to bring these young women home to their families.

As a Member of Congress, I will continue to monitor this situation and speak out against such atrocious acts. The outcry against this gross human rights violation must not fade before these young women are recovered and all guilty parties are brought to justice.

HONORING BOB HAMMERSCHMIDT

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Bob Hammerschmidt of Springfield, Missouri on receiving the 2014 Distinguished Citizen Award from the Ozarks Trails Council of the Boy Scouts of America.

The Distinguished Citizen Award was created by the Boy Scouts of America in order to

recognize noteworthy and extraordinary leadership of citizens in communities across the United States. This award is only given out every few years to honor business and community leaders who have made substantial impacts in their communities and its residents. The Distinguished Citizen Award is a very prestigious award, which Bob Hammerschmidt undoubtedly deserves.

Currently, Bob Hammerschmidt is the president of the Springfield Region of Commerce Bank. Commerce Bank is located in Springfield, but its professional reputation precedes it throughout the state of Missouri. He is also the former council president of the Ozark Trails Council of the Boy Scouts of America. Bob's community service includes an extensive and impressive list of organizations that have benefited by his service to the communities in which he has lived over the years.

Bob Hammerschmidt exemplifies the values taught by scouting, including the scout oath and law. These qualities include service to the community, good citizenship and strong leadership. Bob Hammerschmidt's track record makes it easy to see why his peers unanimously selected him as the recipient of the Distinguished Citizen Award.

I am honored to recognize Bob Hammerschmidt for his service and leadership to the community.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed rollcall votes 188 through 193. If present, I would have voted ''yea'' on rollcall votes 191, 192, and 193, and ''nay'' on rollcall votes 188, 189, and 190.

LTC DENIS DESCARREAUX PROMOTION

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. WENSTRUP. Mr. Speaker, The United States Army, the U.S. Military medical community, and a grateful nation, are united in their support of LTC Denis Descarreaux attaining the rank of Colonel.

Colonel Descarreaux exemplifies the values that are near and dear to the Army: Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, Personal Courage.

Denis Descarreaux has always displayed an enduring work ethic and a commitment to serve others. His time in uniform is marked by distinguished service on behalf of the American people.

Dr. Denis Descarreaux exemplifies one seeking and obtaining the American Dream and presents as a model Soldier, citizen, husband, and father. Colonel Descarreaux has brought virtue to himself, his family, his uniform and his nation. We are assured that he will continue to be an invaluable asset to the United States Army.

Congratulations on your lifetime accomplishments and your promotion to Colonel in the United States Army.

With God's blessings.

TRIBUTE TO U.S. ARMY SERGEANT LAUREN MONTOYA

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. FLORES. Mr. Speaker, I rise today to honor the service and sacrifice of U.S. Army Sergeant Lauren Montoya who was recently wounded while serving her nation in Afghanistan.

Sergeant Montoya, from Austin, Texas, attended Texas A&M University for two years prior to joining the Army in January of 2011. Texas A&M has a long history of students who have answered the call to service, and Sergeant Montoya has kept that tradition alive.

After completing basic training at Fort Jackson, South Carolina, the Army sent Sergeant Montoya to Fort Huachuca, Arizona where she was trained in the Military Intelligence field as a Human Intelligence Collector. She was subsequently stationed at Fort Drum, New York to serve with the combat-proven 10th Mountain Division. It was there that she continued to distinguish herself as an exemplary soldier. Ms. Montoya's superiors quickly noticed her leadership ability and promoted her to Sergeant in just two short years of service.

Due to her dedication, professionalism and leadership ability, Sergeant Montoya was selected to participate in the Army's Cultural Support Team assisting a Special Forces unit conducting counter-terrorism operations in Afghanistan. Her unique abilities as a Human Intelligence Collector and devotion to selfless service led to her assignment as an advisor to a Special Forces unit deployed to carry out volatile missions in Afghanistan.

In November 2013, Sergeant Montoya deployed with her Special Forces unit to Afghanistan where they spent five months conducting missions in support of Operation Enduring Freedom. During that deployment, Sergeant Montoya's unit was attacked by an improvised explosive device while traveling from a mission in southern Afghanistan. Sergeant Montoya was injured in the attack but survived and was transported to the Brooke Army Medical Center in San Antonio, Texas to recover.

Sergeant Montoya's commitment to duty and selfless service demonstrate her caliber as a soldier, Texan and American. During the tenure of her brief military career, Sergeant Montoya earned numerous awards and decorations including the Purple Heart, the Meritorious Unit Commendation, the Army Good Conduct Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, the Noncommissioned Officer Professional Development Ribbon, the Army Service Ribbon, the Marksmanship Qualification Badge—Marksman with Recoilless Rifle, and a meritorious count of five Army Achievement Medals.

With the prayers and love from family and friends, Sergeant Montoya continues to recover at Brooke Army Medical Center and looks forward to the next steps in her future. Upon completion of her military service, she hopes to return to Texas A&M University and finish her degree.

Her service and sacrifice to this country cannot be measured. On behalf of a grateful nation, I want to wish her a speedy recovery and all the blessings God may grant unto her.

NATIONAL ASSOCIATION OF LETTER CARRIERS STAMP OUT HUNGER FOOD DRIVE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of the National Association of Letter Carriers Stamp Out Hunger Food Drive. On the second Saturday of May for the last twenty-two years, letter carriers and volunteers across the country help to collect food donations and deliver them to various food banks in their areas. This year, the food drive will be held on Saturday, May 10th.

In my district, donations are delivered to the North Texas Food Bank and local pantries to provide food to people in need. In Dallas County alone, 450,000 residents are food insecure, including 300,000 children. Of the 1.8 million Texas children, one in four live in food insecure households.

Hunger in Texas remains a systemic problem. With the help of food drives like the one organized by the National Association of Letter Carriers, many families are able to put nutritious meals on their tables. Last year, letter carriers collected 74.6 million pounds of food to deliver to local food pantries.

I commend the National Association of Letter Carriers for their efforts and for their commitment to help stamp out hunger nationwide. Their service is extremely valuable and we can all contribute to their efforts by donating to the food drive. More than 1,200 branches nationwide will be participating in this year's food drive activities.

Our letter carriers not only provide a valuable service each day, but also strive to supply basic necessities to those in need during their annual food drive. I urge my colleagues to support the National Association of Letter Carriers Stamp Out Hunger Food Drive.

HONORING THE LIFE AND SERVICE OF ST. PAUL POLICE OFFICER JOSH LYNAUGH

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. MCCOLLUM. Mr. Speaker, I rise to honor the life and public service of all the brave men and women in law enforcement who have given their life in the line of duty.

As we celebrate National Police Week 2014, let us take time to recognize that law enforcement officers all across America risk their lives every day to protect our families and keep our communities safe. Every peace officer serving in Minnesota, or any community across this country, knows that wearing a uniform carries a special responsibility and exceptional risk. I salute their courage, commitment, and exceptional public service.

Today marks almost a year and half since St. Paul Police Officer Josh Lynaugh suffered a fatal heart attack after an on-duty police chase in East St. Paul. This was a time of great pain and loss for his family, constituents

in my district, as well as Minnesotans all across our state. Today, the law enforcement community continues to heal from this loss and it is my firm belief that they will ultimately do so because of their strength and resilience. We must never forget the heroic sacrifice of our fallen peace officers. The valiant bravery of these men and women helps ensure the safety of our families and communities.

Police officers bear an enormous responsibility for keeping our cities and towns safe. Throughout my career in public service, I have advocated for ensuring that local police departments have the funding resources they need to do their jobs successfully and compensate their officers fairly. From my work as a state legislator to the work I do here in Congress, supporting those who dedicate their lives to protecting the public has been, and will remain, a top priority.

This National Police Week, I urge my colleagues to join me in honoring the courage and sacrifice of all law enforcement officers and yield back the balance of my time.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2015

SPEECH OF

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2014

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 4487) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2015, and for other purposes:

Mr. BRADY of Pennsylvania. Madam Chair, earlier during debate colleagues criticized the production of secure credentials by the Government Printing Office for Federal agencies. Some of the statements, particularly the claim that this represents an ''overreach'' of the GPO's statutory authority and that the GPO has a ''monopoly on this issue'' are simply not true, and I want to correct the RECORD.

At the request of then-Public Printer Robert Tapella, the Joint Committee on Printing, which I had the honor to chair during the 110th Congress, authorized GPO to perform this function. Since that time, every JCP chairman has overseen the GPO's production of secure credentials and approved the GPO's annual expenditures for this purpose.

Far from an ''overreach,'' secure credential work is firmly within the GPO's statutory authority. GPO has a long history of secure credential work, such as with the manufacture of U.S. passport blanks since 1926. By definition, passports and all other forms of government credentials involve ''printing,'' the production of something in printed form. With secure credentials, intricate, multi-color modern printing embedded with anti-counterfeiting features is utterly indispensable to render a document immediately recognizable by handlers as the genuine article and thus inspire the confidence necessary to establish identity, facilitate border crossings and other purposes.

While serving as Public Printer, Mr. Tapella once declared that the production of secure credentials for the Federal Government does not belong in the private sector. I happen to agree with him and believe Congress should direct as much secure credential business to GPO as possible. In my view, the production of Federal credentials is as inherently a government function as the production of United States currency, which is produced solely by the Treasury Department's Bureau of Engraving and Printing.

But however much the former Public Printer and I may agree on this issue, the GPO today—under the leadership of Public Printer Davita Vance-Cooks—has taken a far more reasonable approach and simply makes the GPO available to all Federal agencies who wish to use its services. GPO asserts no ''monopoly'' nor can it as a practical matter, as Federal agencies are able to seek the services of either the public or private sector to meet their secure credential needs. With respect to the product at issue here, the GPO produces blank border-crossing cards for the State Department's visa office, and the cards are subsequently personalized by the State Department's own contractor, MorphoTrust. Moreover, the State Department continues to employ MorphTrust to produce passport cards, another secure credential. As here, the State Department and a number of other agencies contract directly with private companies for many of their secure-credential needs. To say, therefore, that GPO has a ''monopoly'' on the work is silly.

On December 4, 2013, the House Administration Committee, on which I serve as Ranking Minority Member, held an oversight hearing on the recent report by the National Academy of Public Administration entitled ''Rebooting the Government Printing Office: Keeping America Informed in the Digital Age.'' Congress ordered the study. Among other things, the Academy found that unlike with passports, ''the GPO is not the sole provider of smart cards [secure credentials]. Agencies may obtain smart cards from private sector vendors as well.'' The Academy's report endorsed GPO's work in that field.

I urge my colleagues to read the Academy report, currently available on the Academy's web site. I also urge Members to review the response provided by the GPO to questions submitted for the record of the December 2013 hearing concerning secure credentials, reprinted below. Clearly the GPO does not deserve the criticisms lodged earlier and elsewhere. The men and women of the GPO perform a valuable and necessary service in providing secure credentials to support the missions of Federal agencies involved in securing our borders and other law enforcement tasks.

EXCERPTED QUESTIONS FOR THE RECORD SUBMITTED TO THE PUBLIC PRINTER, DAVITA VANCE-COOKS, FOLLOWING THE HOUSE ADMINISTRATION COMMITTEE HEARING HELD DECEMBER 4, 2013

Question 7. GPO produces the millions of passports and related documents provided to Americans every year by the U.S. Department of State. You also provided sizeable quantities of other so-called ''secure and intelligent documents'' to the Department of Homeland Security. Do you foresee this portion of your business expanding in the future? Could GPO also produce such documents for state and local governments, as suggested in the NAPA study's Recommendation #9?

Response. In the wake of 9/11 and the introduction HSPD–12 and related Federal identification requirements, there has been an increase in the Government's need for secure credentials. With the approval of the Joint Committee on Printing, GPO implemented a capability in FY 2008 to help address this need. While GPO is far from the only provider of such requirements for Federal agencies, the volume of work processed by our capability has increased and is projected to increase in future years, as the report of the National Academy of Public Administration recently concluded. Regarding the production of secure credentials for state and local governments, GPO does not have the statutory authority to produce work that is not authorized by Federal law, nor are we equipped and staffed to handle secure credentials for all Federal agencies, much less for state and local governments.

Question 8. It is my understanding that aside from printing passports, GPO has also undertaken the manufacture of Border Crossing Cards and trusted traveler cards. Government agencies have been procuring from the private sector and issuing to their employees and contractors secure ID documents for decades. When did GPO get into the business of creating and providing secure credentials, other than passports? Can you please provide rationale as to why GPO believes that it should do this work for government agencies as opposed to the private sector, which has invested heavily to develop these new technologies?

Response. GPO provides a government-to-government solution to fulfill the requisitions of Federal agencies for secure credentials. Our program is staffed by cleared personnel and backed by a secure supply chain.

The establishment of our secure credential capability was endorsed to GPO management by GPO's Inspector General in 2005. GPO's proposal to set up a secure card center with its Security and Intelligent Documents business unit subsequently was approved in FY 2008 by the Joint Committee on Printing, which since then has also approved—on a bipartisan basis—all funding for this program in GPO's annual spending plans. In 2010, we became the only Federal agency certified by the General Services Administration to graphically personalize HSPD–12 credentials. In 2012 the Joint Committee on Printing approved the establishment of a COOP capability for our secure credential operations.

GPO serves as a card integrator, working closely with private sector providers to obtain the products and services needed to fulfill requisitions submitted by Federal agencies. For several years we have been accepted member of the Secure Card Alliance, a consortium of private sector companies and Federal agencies including the National Institute for Standards and Technology, the Department of Homeland Security, the Department of State, the Department of Transportation, and the General Services Administration (http://www.smartcardalliance.org/). We work with the private sector for consulting, fabrication, design, materials, and supplies, essentially incorporating the best that industry has to offer into solutions sought by Federal agencies that requisition the work from us.

GPO's secure credentials capability serves as a valuable resource to a number of Federal agencies, including the Joint Congressional Committee on Inaugural Ceremonies and the U.S. Capitol Police, which relied on us to provide secure law enforcement credentials for the 2009 and 2013 Presidential inaugurations. In addition to satisfactorily fulfilling Federal agency requisitions for secure

credentials, our card production program was endorsed in the recent report of the National Academy of Public Administration. GPO provides secure credential products and services on a reimbursable basis with no appropriated funds.

Throughout the existence of GPO's secure credentials program, we have been open and transparent about its operation. As noted above, we are a well-known member of the Smart Card Alliance. We are subject to the oversight of the Joint Committee on Printing and our House and Senate legislative oversight and appropriations committees. Additionally, our program has been the subject of oversight by our Office of Inspector General (see for example http://www.gpo.gov/pdfs/ig/audits/11-06_AuditReport(Issued_March_31_2011).pdf); the IG's semiannual reports to Congress for several years routinely tracked oversight of the GPO's secure credentials program as a ''management challenge'' (see for example http://www.gpo.gov/pdfs/ig/semi-annual/11-30-09.pdf). We have kept the public informed through press releases (see for example http://www.gpo.gov/pdfs/news-media/press/09news19.pdf, http://www.gpo.gov/pdfs/news-media/press/10news39.pdf, and http://www.gpo.gov/pdfs/news-media/press/11news60.pdf), YouTube videos (see for example http://www.youtube.com/watch?v=levIY1qIPy0, http://www.youtube.com/watch?v=ettaBOW4UEA, and http://www.youtube.com/watch?v=mQxH1EZA71I), GPO annual reports to Congress, and other media.

Question 9. GPO's mission statement, articulated recently in your agency's strategic plan ''is to produce, protect, preserve, and distribute the official publications and information products of the Federal Government.'' Do you consider the production of secure credentials as fundamentally related to or falling under GPO's mission? Do you believe that the manufacture of secure credentials falls within the definition of ''printing'' under Section 501 of Title 44 U.S.C.? If so, has the GPO communicated this interpretation to federal agencies in any of its discussions with federal agencies? For ID cards and passports: what is the cost of the ink and graphics component per security card? What is the cost of the technological component per card?

Response. Our ''produce, protect, preserve, and distribute the official publications and information products of the Federal Government'' mission statement appears in our strategic plan and elsewhere to describe the informing function that GPO carries out, a function that is traceable to Article I in the Constitution. However, the public printing statutes of Title 44, U.S.C., make it clear that the performance of printing for the Government extends to a broad variety of products and services, some of which do not necessarily relate to an informing function. Over the years GPO has produced or procured tax forms, census forms, Social Security cards, ration cards, letterheads, envelopes, passports, postal cards, and other printed products that are associated with the operations of the Government. These products are produced by printing processes, including the processes of composition, presswork, and binding, which are defmed in Title 44 as within GPO's authority to perform. The production of secure credentials for Federal agencies also involves printing processes, and so GPO is authorized to produce them (though as a practical matter, GPO is able and equipped to produce only a limited amount of secure credential work). As long as Federal agencies submit a requisition that complies with the relevant provisions of Title 44 (certifying that the products requested are authorized by law, necessary to the public business, and backed by the necessary funding), GPO will perform the work. Federal agencies who have contacted us to discuss our secure credential capabilities are aware of this fact. Regarding the cost of ink and graphics component per security card, ink is a very small percentage of the material cost for any of our products (less than 1%). The technological component of our card business (chip and antenna) is about 20–25%.

Question 10. As you know, only about 16 percent of the GPO is appropriated by Congress. The rest of GPO's funding comes from ''operating profits.'' Did Congress appropriate the money for the Secure Credential Innovation Center—which is what I understand to be a new multi-million dollar GPO facility? Or was that facility funded through operating profits from ID card and other sales? Will the facility affect overhead costs?

Response. There appears to be a misunderstanding about GPO's Secure Credential Innovation Center (SCIC). This is a small (529 sq ft) work space on the 5th floor of GPO's building C that is staffed by one FTE and equipped with a single opening laminator, laser cutter, CNC mill, plasma torch, UV epoxy curing station, and related equipment for the design and testing of security features requisitioned by Federal agencies for passports and other secure credentials. It is not a ''multi-million dollar'' facility. It was funded through the revolving fund, not appropriated funds.

We also opened a secure card COOP capability at our Stennis, MS, facility in 2013, with the approval of the Joint Committee on Printing. The capital investment proposed for this project was $2.2 million dollars, including $1.5 million for a card printer and installation, $450,000 for the required IT infrastructure, $175,000 for necessary space renovations and security upgrades, and an estimated $75,000 in support and travel costs. All costs were funded through GPO's revolving fund, and the project came in on time and under budget.

As costs of GPO's SID business unit, neither the Stennis facility nor the SCIC are included in overhead costs for the GPO as a whole. They are direct costs that are recovered through the rates charged for SID products.

As noted earlier, none of the funds for GPO's secure card capability are appropriated by Congress. Concerning GPO's finances under section 309 of Title 44, U.S.C., GPO does not generate ''operating profits'' but is limited to recovering its costs. Part of these costs includes the ability to generate funds for investment in necessary equipment and plant improvements.

Question 11. I've heard that GPO ''sales teams'' have been telling the State Department, the Department of Homeland Security, and other agencies that utilize ID card technologies for various programs—for example, to control access to our borders and to verify immigration status—that they are required by law to obtain their secure ID documents from the GPO, because the GPO is the government's printer. Do you believe that this is the case? Do you believe government-issued secure ID cards must be manufactured by and purchased from the GPO, rather than the private sector? If so . . . do you believe the GPO has the technological and security capabilities to produce these types of items? If not . . . are GPO sales teams in error if and when they state that federal agencies are required to purchase these items from the GPO by law?

Response. In hearings before the House Legislative Branch Appropriations Subcommittee for FY 2010, former Public Printer Robert C. Tapella said, ''I believe that Federal credentials belong in a Federally-owned, Federally-operated production environment and not in the private sector. And I think it is an inherently governmental activity'' (Hearings, Part II, April 28, 2009, p. 166). GPO management today does not endorse this position nor would it be practical. As a member organization of the Smart Card Alliance, we acknowledge the role of the private sector secure credentials industry in providing products and services to Federal agencies, and we work closely with them in the integration of card components to meet the requirements of products requisitioned from us. We do not compete against private sector companies for secure credential work. GPO provides a limited capability that is available for the use of Federal agencies seeking the provision of services in a govermnent-to-government setting, staffed by cleared personnel, and backed by a secure supply chain. As a postscript, GPO's SID business unit has one FTE (no sales teams) responsible for addressing inquiries for SID products and services that come from Federal agencies.

Question 12. It is my understanding that GPO either will soon or has recently begun manufacturing the US Border Crossing Card. The GPO ''won'' that business away from a private sector vendor. Please explain the process by which GPO ''won'' the contract away from the private sector and the decision-making behind GPO taking over production of the Border Crossing Card.

Response. We do not compete against private sector companies for secure credential work, and as a result we do not ''win business away'' from them. The Department of State submitted an SF–1 requisition to GPO for the production of the border crossing card. The decision to come to GPO for the production of this card was made by the Department, and the Department's requisition to us fulfilled all lawful requirements. GPO cannot participate in Federal agency RFPs where the private sector is involved. We are required by law to respond to requisitions for printing services from Federal agencies.

Question 13. Are you aware of testimony before the House Government Reform and Oversight Subcommittee on National Security that said that over 30,000 counterfeit US Border Crossing Cards have been found at our US borders? Now that GPO will be producing Border Crossing Cards, could you please explain to the Committee how you will ensure that these cards have the anti-counterfeit technologies required to make these cards truly secure? Do you feel that GPO has the technical expertise and capability to ensure that these cards are equipped with anti-counterfeit technologies?

Response. We are familiar with this testimony, which is posted online by the Subcommittee. (In reviewing the

testimony provided at the hearing, we noted that the number of Border Crossing Cards identified as fraudulent rather than counterfeit by Chairman Chaffetz was 13,000, and that this number was identified in FY 2009, at http://oversighthouse.gov/hearing/border-security-oversight-part-iii-border-crossingcards-b1b2–visas/, 2:04:15). GPO received the requisition from the Department of State to begin producing the Border Crossing Card in 2013. We also noted that in the hearing the value of the Nexus card, which used to cross the border with Canada, was described very positively. GPO produces the Nexus card for the Department of Homeland Security.

Concerning GPO's ability to produce cards with anti-counterfeit technologies, GPO has significant expertise in the field of secure document design based on our work with passports. We have designed Government credentials with advanced security features. We work closely with the Department of Homeland Security's fraudulent document lab experts to validate credential designs and utilize both Government and commercial laboratories to test and evaluate our credential performances. For the Border Crossing Card, GPO worked with forensic document examiners at the Department of Homeland Security and with Department of State personnel to develop a product designed to withstand attempts at counterfeiting. We have the expertise and capability to ensure that these cards are equipped with anti-counterfeit technologies.

Question 14. I have heard that one of the ''selling points'' GPO uses with executive branch agencies is that the GPO can manufacture cards for them while also avoiding the competitive bidding requirements under Federal Acquisition Regulations. Do you believe that the GPO is required to follow the Federal Acquisition Regulations when it buys microchips, antennae, software, laminating materials, substantive expertise and training for its employees? Do all of those items need to be competitively bid to the private sector? Or can GPO buy essentially whatever it wants from whoever it wants, because it is doing so with money from operating profits rather than congressionally appropriated funds? Do you believe that following Federal Acquisition regulations would save the GPO money?

Response. GPO's Materials Management Acquisition Regulation (MMAR) is based on the Federal Acquisition Regulation (FAR) and is used as the authority for all procurements we make. Under the MMAR, GPO competitively bids for the acquisition of products and services used in GPO operations, including those required for the production of secure credentials. GPO's utilization of sole source procurement authority follows the same provisions established in the FAR for other Federal agencies.

As noted earlier, under the law GPO does not generate ''operating profits'' but is limited to recovering its costs. Part of these costs includes the ability to generate funds for investment in necessary equipment and plant improvements.

IN SUPPORT OF THE VETERANS HEALTH ADMINISTRATION (VHA) NATION-WIDE ACCESS REVIEW

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. BROWN of Florida. Mr. Speaker, as a senior member of the House Veterans' Affairs Committee, I rise today in support of Secretary of Veterans Affairs Eric Shinseki's announcement that the Veterans Health Administration (VHA) will complete a nation-wide access review. As stated, the purpose of this review is to ensure a full understanding of VA's policy and continued integrity in managing patient access to care. As part of the review during the next several weeks, a national face-to-face audit will be conducted at all clinics for every VA Medical Center.

I am confident in the health care our veterans in Florida are receiving. With eight VA Medical Centers in Florida, Georgia and Puerto Rico and over 55 clinics serving over 1.6 million veterans, veterans are getting the best in the world.

Over 2,312 physicians and 5,310 nurses are serving the 546,874 veterans who made nearly 8 million visits to the facilities in our region. Of the total 25,133 VA employees, one-third are veterans.

In 2013, 37,221 women received health care services at VA hospitals and clinics in Florida, South Georgia and the Caribbean—more than any other VA healthcare network nationwide. This means that more than 75 percent of women Veterans enrolled for VA healthcare in VISN 8 were seen by providers in 2013.

I am especially pleased at the new Jacksonville Replacement Outpatient Clinic that was recently opened. The two-story, 133,500 square foot clinic provides state of the art technology and increased specialty services including diagnostics, improved laboratory facilities, expansion of women's services, minor ambulatory surgical procedures, expanded mental health telehealth services and additional audiology.

When opened, the Orlando VA Medical Center will include 134 inpatient beds, an outpatient clinic, parking garages, chapel and central energy plant. Currently, the 120-bed community living center and 60-bed domiciliary are open and accepting veterans.

The VA provides quality timely healthcare to our veterans. We have a duty to make sure that all those who have defended this country when called upon receive the care they have earned through their service. I support the Secretary in his nation-wide access review and look forward to hearing his report when it is finished.

BROWN V. BOARD OF EDUCATION 60TH ANNIVERSARY

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. HURT. Mr. Speaker, I rise to commemorate the 60th anniversary of the Brown v. Board of Education decision, which occurred on May 17th, 1954, and paved the way for integration of American schools during the Civil Rights Movement.

This unanimous decision by the U.S. Supreme Court established that state laws allowing for segregated public schools were unconstitutional under the Fourteenth Amendment, energizing the movement to end Jim Crow laws dictating voting rights, public transportation, dining establishments, and almost every other aspect of American communities. One of the most important decisions in our nation's history, Brown was a deliberate rejection of a system of racial inequality.

Virginia's Fifth District is an integral part of the history of the Brown decision as Davis v. County School Board of Prince Edward School was one of the five combined cases decided by the Supreme Court in Brown. In 1951, 450 students at Moton High School, an African-American school in Farmville, Virginia, staged a walkout to protest the inferior facilities and unsuitable conditions at the school. The protest began as an effort to equalize educational opportunities for all students in the county, but quickly escalated to a battle for desegregation as the NAACP joined the Moton students' cause along with the other cases decided in Brown. Thanks to this pivotal decision and the efforts of so many upstanding Virginians, the students of Moton High School won a great victory against segregation to ensure equality for young people across the country. While it did not end the struggle for desegregation, it certainly was a catalyst for change.

The promise of equal opportunity is a core facet of our Constitution. Today, we thank those who courageously fought for equality, leading to the Brown decision that led to the dismantling of racial segregation in our nation's public schools and giving life to the promise of our Declaration of Independence that all men are created equal.

IN RECOGNITION OF JOHN OSTRUM AND ALAN KLAPAT OF THE WILKES-BARRE FIRE DEPARTMENT

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor John Ostrum and Alan Klapat of the Wilkes-Barre Fire Department, who were recently promoted from the rank of captain to assistant fire chief and deputy fire chief, respectively. Together, they have almost 60 years of combined experience serving the city of Wilkes-Barre.

John Ostrum, a second generation firefighter, is the most senior member of the fire department. After joining the Wilkes-Barre Fire Department as a firefighter in 1978, he has

served for the past 26 years as fire captain. Ostrum has completed many fire and emergency response training programs, including water rescue, firefighter survival, and emergency vehicle driver training.

Alan Klapat has served the Wilkes-Barre fire department for 23 years. During his career, Klapat has served as lead fire investigator, fire training officer, and fire inspector for the city's fire department. He also provides fire safety education programs to civic and social organizations, elementary schools, educators, and child/adult caregivers. Before joining the Wilkes-Barre Fire Department, Klapat was enlisted in the U.S. Marine Corps and attained the rank of Sergeant.

I am proud to celebrate the achievements of these two distinguished public servants. They deserve our gratitude for their decades of dedication to public safety, and I wish them the best of luck as they protect the city of Wilkes-Barre in their essential new roles.

IN RECOGNITION OF THE 120TH ANNUAL CONVENTION OF THE NEW JERSEY STATE FEDERATION OF WOMEN'S CLUBS OF THE GENERAL FEDERATION OF WOMEN'S CLUBS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. PALLONE. Mr. Speaker, I rise today to recognize the New Jersey State Federation of Women's Clubs of the General Federation of Women's Clubs as its members gather for its 120th Annual Convention.

The New Jersey State Federation of Women's Clubs (NJSFWC) was founded in 1894 as a member of the General Federation of Women's Clubs. With a membership of nearly 8,000 women among 220 clubs, NJSFWC is the largest women's volunteer community service organization in New Jersey. It also boasts the third largest state membership of all of the clubs within the General Federation of Women's Clubs.

The 220 clubs of the NJSFWC are committed to fulfilling the NJSFWC's mission of making a difference in the community through projects and volunteerism. In 2012, the NJSFWC clubs completed over 35,500 community service projects and over 800,000 volunteer hours. The NJSFWC partners with other community-based organizations, such as The Community Food Bank of New Jersey, Autism New Jersey and Domestic Violence Shelters of New Jersey, among others, to help raise funds and organize projects. In addition to their volunteerism, NJSFWC members also advocate for policy issues fundamental to community improvement.

Mr. Speaker, once again, please join me in recognizing the 120th Anniversary of the New Jersey State Federation of Women's Clubs of the General Federation of Women's Club. The club's commitment to providing opportunities for women to engage in community service and improve the lives of others is truly deserving of this body's recognition.

THE NORTH CAROLINA MUSEUM OF NATURAL SCIENCES: 2014 NATIONAL MEDAL FOR MUSEUM AND LIBRARY SERVICE WINNER

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the North Carolina Museum of Natural Sciences on receiving the 2014 National Medal for Museum and Library Service. This prestigious award, offered annually by the Institute of Museum and Library Services, is the nation's highest honor given to museums and libraries for service to the community.

I have the good fortune to represent our state's Fourth Congressional District, which has earned accolades as one of the nation's best places to live, work, do business and raise a family. The vibrancy of this district stems from a remarkable concentration of world-renowned educational and cultural institutions—North Carolina Museum of Natural Sciences prominently among them.

As one of the oldest natural history museums in the United States—providing services to our state for the past 134 years—it has transformed how museums engage their community and how members of the public understand, learn and participate in science activities. It strengthens North Carolina's K–12 education pipeline, increases the public's science literacy, and prepares tomorrow's researchers with college- and workforce-ready skills.

The Museum of Natural Sciences has positioned itself as a highly-regarded venue for topflight special exhibits of all kinds. Right now, it features a Rainforest Adventure exhibit, and it has hosted special exhibits on Birds of Paradise, Dinosaurs, Wildlife in North Carolina photography, and Journey through the Arctic in recent years. But it has also gone off the beaten path to expand the breadth of the Natural Sciences with special exhibits on the Titanic, Genghis Khan, the Brain, and my two personal favorites: Chocolate and the Dead Sea Scrolls.

Along with the museum's permanent collections, these outstanding exhibits have helped make the Museum the most-visited museum and one of the top overall attractions in the state. Consider these numbers: more than 1 million people come to visit this museum in Raleigh every year; more than 30,000 others experience the museum's off-site offerings, with its world-renowned scientists and staff visiting locations such as schools, libraries, hospitals and senior and community centers; and millions of additional people are able to take advantage of interactive educational programs offered online. The Museum also makes unique efforts to reach lower-income communities and those with special needs.

Our Museum is one of just ten recipients of the Institute of Museum and Library Services National Medal for Museum and Library Service—an award reserved for museums that are making exceptional contributions to their community. The Museum of Natural Sciences has had a remarkable impact on the community—not just in Raleigh, but across the state of North Carolina.

As we congratulate Director Emlyn Koster and the Museum's other current leaders, it is also important to recognize long-time Director Dr. Betsy Bennett, who retired just over a year ago. Betsy took the museum from modest circumstances to the gleaming, high-tech, user-friendly facility we see today. The Nature Research Center, for example, which opened in 2012, is a testament to her dogged determination to see her shared vision come to fruition. Betsy's skill working with the State Legislature, successive state administrators, and collaborators in Washington is legendary. As former Governor Jim Hunt aptly noted, she is a ''force of nature.'' As her partner in the never-ending quest for funds, I have particular reason to see this award as a culmination.

Mr. Speaker, once again, I offer congratulations to the North Carolina Museum of Natural Sciences—and each of the other National Medal winners—for achieving this distinction. And I thank each of this year's medal recipients for their innovation and their dedication to serving their communities. Our nation is better for your service.

CONGRATULATING TERRY GIBSON

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Ms. BROWNLEY of California. Mr. Speaker, today I rise in recognition of Terry Gibson, a vibrant resident of Ventura County, who will celebrate her 80th birthday on May 27, 2014.

Originally from the San Fernando Valley, Terry has always been an active member of her community. Her generosity and spirit of giving is resonated in her work, where her depth of sincerity and selflessness knows no limits.

While living in Glendale, California, Terry served as President of Temple Sinai, President of the Sisterhood of Temple Sinai, Vice President for new members of the Union of American Hebrew Congregations Southwest Region and Executive Vice President of the Western States Federation of Sisterhoods. In each of these leadership roles, Terry's spirit of volunteerism and commitment to her community never wavered even while she was a full-time, single working mother.

When Terry moved to Ventura County, her penchant for being an active and contributing community member continued. As a resident of Oxnard, she helped in the founding of the Ventura Chapter of the National Women's Political Caucus (NWPC) and served as its first president for two years. Under her direct leadership, the Ventura County Chapter of the NWPC was able to increase women's participation in the political process. Today, with Terry's unwavering help, the organization continues to recruit, train and support diverse female candidates who will bring a woman's perspective to issues such as reproductive health, the environment and social, educational and economic justice. Her vision of gender parity in California politics is a mission we are all united on.

With her extensive experience, Terry has served as the treasurer for the Ventura County Women's Forum Collaborative, where she is part of an organization that is dedicated to empowering Ventura County women in areas such as education, health, economic justice, power sharing, institutional mechanisms, and

human rights. Her impacts in the Ventura County political sphere have been extensive and invaluable.

In her personal life, Terry is even more remarkable. She is the mother of five children, grandmother to fourteen grandchildren and great grandmother to three great grandchildren. Indicative of her sharp character and dedication to her personal and professional priorities, Terry has never missed a birthday, graduation, or family celebration during her years of working and volunteering in her community. She truly is as dedicated to her family as she is to her community.

I want to congratulate and thank Terry for all of her years of community service and it is with great enthusiasm that I offer Terry Gibson my sincere congratulations on the occasion of her 80th birthday! I wish her a very happy birthday and express my appreciation and admiration for all that she has accomplished.

PERSONAL EXPLANATION

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2014

Mr. DUFFY. Mr. Speaker, on Thursday, May 8, 2014, I was at home in Wisconsin taking care of my amazing wife and our new baby daughter. Had I been present, I would have voted in the following ways:

1. H. Res. 567—Providing for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi—"yea."

2. H.R. 2548—The Electrify Africa Act of 2014—"yea."

CORRECTION

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2831–2888

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 2305–2314, and S. Res. 440–441. **Page S2875**

Measures Passed:

Regarding Newspaper Advertising of Senate Stationery Contracts: Senate passed S. 2197, to repeal certain requirements regarding newspaper advertising of Senate stationery contracts. **Page S2887**

Authorizing the Use of Emancipation Hall: Senate agreed to H. Con. Res. 83, authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I. **Pages S2887–88**

Recognizing Contributions of Teachers: Senate agreed to S. Res. 440, recognizing the contributions of teachers to the civic, cultural, and economic well-being of the United States. **Page S2888**

Measures Considered:

Hire More Heroes Act—Cloture: Senate began consideration of the motion to proceed to consideration of H.R. 3474, 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. **Pages S2831–36, S2847–59**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of S. 2262, to promote energy savings in residential buildings and industry. **Page S2850**

Energy Savings and Industrial Competitiveness Act—Agreement: A unanimous-consent agreement was reached providing that the filing deadline for all second-degree amendments to S. 2262, to promote energy savings in residential buildings and industry, be at 4:30 p.m., on Monday, May 12, 2014. **Page S2888**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to the Atomic Energy Act of 1954, the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy; which was referred to the Committee on Foreign Relations. (PM–42) **Pages S2866–74**

Rosenbaum Nomination—Cloture: Senate resumed consideration of the nomination of Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit. **Pages S2845–46**

During consideration of this nomination today, Senate also took the following action:

By 57 yeas to 37 nays (Vote No. 140), Senate agreed to the motion to close further debate on the nomination. **Page S2846**

Nominations Confirmed: Senate confirmed the following nominations:

Pamela K. Hamamoto, of Hawaii, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador. **Pages S2838–39, S2888**

By a unanimous vote of 94 yeas (Vote No. EX. 137), Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts. **Pages S2837–38, S2844, S2888**

During consideration of this nomination today, Senate also took the following action:

By 55 yeas to 41 nays (Vote No. 134), Senate agreed to the motion to close further debate on the nomination. **Page S2837**

By 70 yeas to 24 nays (Vote No. EX. 138), James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin. **Pages S2838, S2844–45, S2888**

During consideration of this nomination today, Senate also took the following action:

By 56 yeas to 40 nays (Vote No. 135), Senate agreed to the motion to close further debate on the nomination. **Page S2838**

By a unanimous vote of 95 yeas (Vote No. EX. 139), Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois. **Pages S2838, S2845, S2888**

During consideration of this nomination today, Senate also took the following action:

By 54 yeas to 42 nays (Vote No. 136), Senate agreed to the motion to close further debate on the nomination. **Page S2838**

Theodore Reed Mitchell, of California, to be Under Secretary of Education. **Pages S2846, S2888**

Nominations Received: Senate received the following nominations:

Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York.

3 Air Force nominations in the rank of general. **Page S2888**

Messages from the House: **Page S2874**

Measures Placed on the Calendar: **Pages S2832, S2874**

Executive Communications: **Pages S2874–75**

Executive Reports of Committees: **Page S2875**

Additional Cosponsors: **Pages S2875–76**

Statements on Introduced Bills/Resolutions: **Pages S2876–78**

Additional Statements: **Pages S2861–66**

Amendments Submitted: **Pages S2878–86**

Notices of Hearings/Meetings: **Pages S2886–87**

Authorities for Committees to Meet: **Page S2887**

Privileges of the Floor: **Page S2887**

Record Votes: Seven record votes were taken today. (Total—140) **Pages S2837–38, S2844–46**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:58 p.m., until 2:00 p.m. on Monday, May 12, 2014. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2888.)

Committee Meetings

(Committees not listed did not meet)

ECONOMIC AND FISCAL OUTLOOK

Committee on the Budget: Committee concluded a hearing to examine the United States economic and fiscal outlook, after receiving testimony from Janet L. Yellen, Chair, Board of Governors of the Federal Reserve System.

THE STATE OF TRAVEL AND TOURISM IN THE U.S.

Committee on Commerce, Science, and Transportation: Subcommittee on Tourism, Competitiveness, and Innovation concluded a hearing to examine the state of United States travel and tourism, focusing on industry efforts to attract 100 million visitors annually, after receiving testimony from Mike McCartney, Hawai'i Tourism Authority President and CEO, Honolulu; Roger Dow, U.S. Travel Association, and Christopher L. Thompson, Brand USA, both of Washington, DC; and Brad Dean, Myrtle Beach Area Chamber of Commerce, Myrtle Beach, South Carolina.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Stefan M. Selig, of New York, to be Under Secretary of Commerce for International Trade, Darci L. Vetter, of Nebraska, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, who was introduced by Senator Johanns, and Henry J. Aaron, of the District of Columbia, Lanhee J. Chen, of California, and Alan L. Cohen, of Virginia, all to be a Member of the Social Security Advisory Board, after the nominees testified and answered questions in their own behalf.

ASSESSING VENEZUELA'S POLITICAL CRISIS

Committee on Foreign Relations: Committee concluded a hearing to examine assessing Venezuela's political crisis, focusing on human rights violations and beyond, after receiving testimony from Roberta S. Jacobson, Assistant Secretary for Western Hemisphere Affairs, Tom Malinowski, Assistant Secretary for Democracy, Human Rights and Labor, and Patrick Duddy, former Ambassador to the Bolivarian Republic of Venezuela, Durham, North Carolina, all of the Department of State; and Moises Naim, Carnegie Endowment for International Peace, and Jose Miguel Vivanco, Human Rights Watch, both of Washington, DC.

INFORMATION TECHNOLOGY ACQUISITIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine identifying critical factors for success in information technology acquisitions, including implementing the best practices and reform initiatives to help improve the management of investments, after receiving testimony from Daniel M. Tangherlini, Administrator,

General Services Administration; Steven VanRoekel, Federal Chief Information Officer, Administrator for E–Government and Information Technology, and Karen S. Evans, former Administrator, Electronic Government and Information Technology, Martinsburg, West Virginia, both of the Office of Management and Budget; David A. Powner, Director, Information Technology Management Issues, Government Accountability Office; and Daniel J. Chenok, Industry Advisory Council, Vienna, Virginia.

ARMY SPONSORSHIP AND MARKETING CONTRACTS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Financial and Contracting Oversight concluded a hearing to examine waste and abuse in Army sponsorship and marketing contracts, after receiving testimony from Major General Judd H. Lyons, Acting Director, Army National Guard, and Kathy A. Salas, Principal Assistant Responsible for Contracting, both of the National Guard Bureau, Department of Defense.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services, after the nominee, who was introduced by Senators Manchin and McCain, testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Carlos Eduardo Mendoza, and Paul G. Byron, both to be a United States District Judge for the Middle District of Florida, and Darrin P. Gayles, and Beth Bloom, both to be a United States District Judge for the Southern District of Florida.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 4605–4621; and 2 resolutions, H. Res. 577–578 were introduced. **Pages H4015–16**

Additional Cosponsors: **Pages H4016–17**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Bentivolio to act as Speaker pro tempore for today. **Page H3943**

Recess: The House recessed at 10:48 a.m. and reconvened at 12 noon. **Page H3948**

Chaplain: The prayer was offered by the guest chaplain, Lt. Cmdr. Stephen Coates, Chaplain, United States Navy, Office of the Chaplain of the Marine Corps, Greenville, Illinois. **Pages H3948–49**

Announcement from the Chair: The Chair announced to the House that, pursuant to H. Res. 574, the Speaker has certified to the United States Attorney for the District of Columbia the refusal of Lois G. Lerner to provide testimony before the Committee on Oversight and Government Reform. **Page H3961**

Recess: The House recessed at 2:42 p.m. and reconvened at 3:20 p.m. **Page H3968**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated yesterday, May 7th:

Electrify Africa Act of 2014: H.R. 2548, amended, to establish a comprehensive United States government policy to assist countries in sub-Saharan Africa to develop an appropriate mix of power solutions for more broadly distributed electricity access in order to support poverty alleviation and drive economic growth, by a ⅔ yea-and-nay vote of 297 yeas to 117 nays, Roll No. 208. **Pages H3970–71**

Agreed to amend the title so as to read: ''To establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.''. **Page H3971**

Providing for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi: The House agreed

to H. Res. 567, to provide for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, by a yea-and-nay vote of 232 yeas to 186 nays, Roll No. 209.

Pages H3971–78, H3985

Agreed by unanimous consent to modify H. Res. 567 with the technical correction placed at the desk.

Page H3985

H. Res. 575, the rule providing for consideration of the resolution, was agreed to by a yea-and-nay vote of 224 yeas to 192 nays, Roll No. 207, after the previous question was ordered by a yea-and-nay vote of 223 yeas to 192 nays, Roll No. 206.

Pages H3953–61, H3969–70

American Research and Competitiveness Act of 2014: The House began consideration of H.R. 4438, to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit. Further proceedings were postponed.

Pages H3980–84, H3985–88

Pursuant to H. Res. 569 and H. Res. 576, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, and the further amendment printed in Part B of H. Rept. 113–444, are adopted.

Page H3980

H. Res. 569, the rule providing for consideration of the bill, was agreed to yesterday, May 7th.

Suspensions: The House agreed to suspend the rules and pass the following measure:

Strengthening Education through Research Act: H.R. 4366, amended, to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement.

Pages H3988–H4001

Success and Opportunity through Quality Charter Schools Act: The House began consideration of H.R. 10, to amend the charter school program under the Elementary and Secondary Education Act of 1965. Further proceedings were postponed.

Pages H3969–70, H4001–09

H. Res. 576, the rule providing for consideration of the bill (H.R. 10) and relating to consideration of the bill (H.R. 4438), was agreed to by a yea-and-nay vote of 232 yeas to 178 nays, Roll No. 205.

Pages H3961–68, H3969

Agreed to the Foxx amendment to the rule by voice vote, after the previous question was ordered without objection. **Page H3968**

Presidential Message: Read a message from the President wherein he transmitted the text of a proposed Agreement for Cooperation between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy, as well as his written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement concerning the Agreement—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–109). **Pages H3979–80**

Senate Message: Message received from the Senate today appears on page H3948.

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages H3969, H3969–70, H3970, H3971, and H3985. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:51 p.m.

Committee Meetings

MISCELLANEOUS MEASURE; AND REPORT ON THE SUBALLOCATION OF BUDGET ALLOCATIONS FOR FY 2015

Committee on Appropriations: Full Committee held a markup on Commerce, Justice, and Science Appropriations Bill FY 2015; and Report on the Suballocation of Budget Allocations for FY 2015. The bill was ordered reported as amended; and the report on the Suballocation of Budget Allocations for FY 2015 was agreed to.

EXAMINING THE CONSEQUENCES OF UNIONIZING STUDENT ATHLETES

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Big Labor on College Campuses: Examining the Consequences of Unionizing Student Athletes''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee held a markup on the following legislation: H.R. 3301, the ''North American Energy Infrastructure Act''; H.R. 4342, the ''Domain Openness Through Continued Oversight Matters Act of 2014''; and H.R. 4572, to amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes. The bills H.R. 3301 and H.R. 4572 were ordered reported, as amended. H.R. 4342 was ordered reported, without amendment.

ANNUAL TESTIMONY OF THE SECRETARY OF THE TREASURY ON THE STATE OF THE INTERNATIONAL FINANCIAL SYSTEM

Committee on Financial Services: Full Committee held a hearing entitled ''The Annual Testimony of the Secretary of the Treasury on the State of the International Financial System''. Testimony was heard from Jacob J. Lew, Secretary, Department of Treasury.

ISSUANCE OF SUBPOENAS TO COMPEL THE TESTIMONY OF CERTAIN EMPLOYEES OF THE BUREAU OF CONSUMER SERVICES PROTECTION

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing on a resolution to authorize the issuance of subpoenas to compel the testimony of certain employees of the Bureau of Consumer Services Protection. The Subcommittee approved the resolution.

RUSSIA'S DESTABILIZATION OF UKRAINE

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Russia's Destabilization of Ukraine''. Testimony was heard from Victoria Nuland, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; and Daniel Glaser, Assistant Secretary, Office of Terrorism and Financial Services and General Government Intelligence, Department of Treasury.

PALESTINIAN AUTHORITY, ISRAEL AND THE PEACE PROCESS

Committee on Foreign Affairs: Subcommittee on Middle East and North Africa held a hearing entitled ''The Palestinian Authority, Israel and the Peace Process: What's Next?''. Testimony was heard from public witnesses.

ELECTROMAGNETIC PULSE (EMP): THREAT TO CRITICAL INFRASTRUCTURE

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing entitled ''Electromagnetic Pulse (EMP): Threat to Critical Infrastructure''. Testimony was heard from public witnesses.

PROPOSED MERGER OF COMCAST AND TIME WARNER CABLE

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing entitled Oversight Hearing on Competition in the Video and Broadband Markets: the Proposed Merger of Comcast and Time Warner Cable. Testimony was heard from public witnesses.

COMPULSORY VIDEO LICENSES OF TITLE 17

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property and the Internet held a hearing entitled ''Compulsory Video Licenses of Title 17''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 3687, the ''Military Land and National Defense Act''; and H.R. 4458, the ''Naval Air Weapons Station China Lake Security Enhancement Act''. H.R. 3687 was ordered reported without amendment; and H.R. 4458 was ordered reported, as amended.

MISCELLANEOUS MEASURE

Committee on Veterans' Affairs: Full Committee held a business meeting on the Update on Department of Veterans' Affairs in Phoenix. A motion to issue a Subpoena to the Honorable Eric K. Shinseki, in his capacity as Secretary of the U.S. Department of Veterans Affairs, to produce certain written communications to the Committee was agreed to.

DEFINING AND IMPROVING SUCCESS FOR STUDENT VETERANS

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''Defining and Improving Success for Student Veterans''. Testimony was heard from Curtis L. Coy, Deputy Under Secretary, Economic Opportunity, Department of Veterans Affairs; and public witnesses.

MISCELLANEOUS MEASURES

House Permanent Select Committee on Intelligence: Full Committee held a markup on H.R. 3361, the ''USA Freedom Act''; and member access request. The bill H.R. 3361 was ordered reported, as amended. The motion to grant request for access was agreed to.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MAY 9, 2014

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Foreign Affairs, Full Committee, markup on H.R. 4587, to impose targeted sanctions on individuals responsible for carrying out or ordering human rights

abuses against citizens of Venezuela, and for other purposes; H.R. 4573, to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes; and H. Res. 573, condemning the abduction of female students by armed militants from the terrorist group known as Boko Haram in northeastern provinces of the Federal Republic of Nigeria, 9:45 a.m., 2172 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Government Operations, hearing entitled ''Mixed Signals: the Administration's Policy on Marijuana, Part Three'', 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Space, hearing entitled ''Space Traffic Management: How to Prevent a Real Life ''Gravity'', 10 a.m., 2318 Rayburn.

Next Meeting of the SENATE

2:00 p.m., Monday, May 12

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 5:30 p.m.), Senate will vote on confirmation of the nominations of Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit, and Steven Croley, of Michigan, to be General Counsel of the Department of Energy, and on the motion to invoke cloture on S. 2262, Energy Savings and Industrial Competitiveness Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, May 9

House Chamber

Program for Friday: Complete consideration of H.R. 10—Success and Opportunity through Quality Charter Schools Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Bachmann, Michele, Minn., E709, E710
Barletta, Lou, Pa., E709, E712
Becerra, Xavier, Calif., E718
Boustany, Charles W., Jr., La., E714
Brady, Robert A., Pa., E719
Brown, Corrine, Fla., E721
Brownley, Julia, Calif., E713, E722
Cartwright, Matt, Pa., E713, E721
Chabot, Steve, Ohio, E714, E717
Coffman, Mike, Colo., E715
Duffy, Sean P., Wisc., E723
Duncan, John J., Tenn., E716
Eshoo, Anna G., Calif., E716
Faleomavaega, Eni F.H., American Samoa, E715
Fitzpatrick, Michael G., Pa., E714
Flores, Bill, Tex., E718
Foxx, Virginia, N.C., E714
Frankel, Lois, Fla., E711
Gosar, Paul A., Ariz., E710
Green, Al, Tex., E717
Griffin, Tim, Ark., E712
Guthrie, Brett, Ky., E709
Hanabusa, Colleen W., Hawaii, E711
Hurt, Robert, Va., E721
Johnson, Eddie Bernice, Tex., E718
Long, Billy, Mo., E717
McCarthy, Carolyn, N.Y., E709
McCollum, Betty, Minn., E717, E718
Maloney, Carolyn B., N.Y., E709
Marchant, Kenny, Tex., E713
Meehan, Patrick, Pa., E712
Meng, Grace, N.Y., E716
Pallone, Frank, Jr., N.J., E710, E722
Price, David E., N.C., E716, E722
Ribble, Reid J., Wisc., E712
Royce, Edward R., Calif., E711
Smith, Christopher H., N.J., E711
Smith, Jason T., Mo., E714
Terry, Lee, Nebr., E715
Webster, Daniel, Fla., E711, E712
Wenstrup, Brad R., Ohio, E710, E713, E718

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.