MORAN) was added as a cosponsor of S. 124, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 125

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 125, a bill to direct the United States Fish and Wildlife Service, in coordination with the Army Corps of Engineers, the National Park Service, and the United States Geological Survey, to lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries, and for other purposes.

S. 137

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was withdrawn as a cosponsor of S. 137, a bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 137, supra.

S. 138

At the request of Mr. VITTER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 154

At the request of Mr. COBURN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Indiana (Mr. COATS) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 154, a bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban.

S. 156

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 156, a bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 169

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 170

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 174

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 174, a bill to appropriately restrict sales of ammunition.

S. 175

At the request of Mr. ROBERTS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 175, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 177

At the request of Mr. CRUZ, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 178. A bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 178

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 ''Cross-Border Trade Enhancement Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR; ADMINISTRATION.—The terms ''Administrator'' and ''Administration'' mean the Administrator of General Services and the General Services Administration, respectively.

(2) PERSON.—The term ''person'' means—

(A) an individual; or

(B) a corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

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

SEC. 3. AUTHORITY TO ENTER INTO AGREEMENTS FOR THE PROVISION OF CERTAIN SERVICES AT LAND BORDER PORTS OF ENTRY.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—

(1) IN GENERAL.—Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the Secretary may, during the 10-year period beginning on the date of the enactment of this Act and upon the request of any person, enter into an agreement with that person under which—

(A) U.S. Customs and Border Protection will provide services described in paragraph (2) at a land border port of entry; and

(B) that person will pay a fee imposed under subsection (b) to reimburse U.S. Customs and Border Protection for the costs incurred in providing such services.

(2) SERVICES DESCRIBED.—Services described in this paragraph are any services related to customs and immigration matters provided by an employee or contractor of U.S. Customs and Border Protection at land border ports of entry.

(3) LIMITATION.—Nothing in this paragraph may be construed to reduce the responsibilities or duties of U.S. Customs and Border Protection to provide services at land border ports of entry that have been authorized or mandated by law and are funded in any appropriation Act or from any accounts in the Treasury of the United States derived by the collection of fees.

(b) FEE.—

(1) IN GENERAL.—The Secretary shall impose a fee on a person requesting the provision of services by U.S. Customs and Border Protection pursuant to an agreement entered into under subsection (a) to reimburse U.S. Customs and Border Protection for the costs of providing such services, including—

(A) the salaries and expenses of the employees or contractors of U.S. Customs and Border Protection that provide such services and temporary placement or relocation costs for those employees or contractors; and

(B) any other costs incurred by U.S. Customs and Border Protection in providing services pursuant to agreements entered into under subsection (a).

(2) FAILURE TO PAY FEE.—U.S. Customs and Border Protection shall terminate the provision of services pursuant to an agreement entered into under subsection (a) with a person that, after receiving notice from the Secretary that a fee imposed under paragraph (1) is due, fails to pay the fee in a timely manner.

(3) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, United States Code, a fee collected under paragraph (1) pursuant to an agreement entered into under subsection (a) shall—

(A) be credited as an offsetting collection to the account that finances the salaries and expenses of U.S. Customs and Border Protection;

(B) be available for expenditure only to pay the costs of providing services pursuant to that agreement; and

(C) remain available until expended without fiscal year limitation.

SEC. 4. EVALUATION OF ALTERNATIVE FINANCING ARRANGEMENTS FOR CONSTRUCTION AND MAINTENANCE OF INFRASTRUCTURE AT LAND BORDER PORTS OF ENTRY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall establish procedures for evaluating a proposal submitted by any person to—

(1) enter into a cost-sharing or reimbursement agreement with the Administration to

facilitate the construction or maintenance of a facility or other infrastructure at a land border port of entry; or

(2) provide to the Administration an unconditional gift of property pursuant to section 3175 of title 40, United States Code, to be used in the construction or maintenance of a facility or other infrastructure at a land border port of entry.

(b) REQUIREMENTS.—The procedures established under subsection (a) shall provide, at a minimum, for the following:

(1) Not later than 90 days after receiving a proposal pursuant to subsection (a) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(A) make a determination with respect to whether or not to approve the proposal; and

(B) notify the person that submitted the proposal of—

(i) the determination; and

(ii) if the Administrator did not approve the proposal, the reasons for the determination.

(2) In determining whether or not to approve such a proposal, the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(C) the potential of the proposal to enhance the security of the port of entry.

By Mrs. GILLIBRAND (for herself and Mr. KIRK):

S. 179. A bill to prevent gun trafficking; to the Committee on the Judiciary.

Mrs. GILLIBRAND. Mr. President, I rise today on behalf of the millions of Americans who are saying: Enough is enough. They have seen too much senseless deadly gun violence and are demanding commonsense solutions out of Congress.

One solution I have been focused on for a long time is ending gun trafficking. This is a critically important public safety issue where I believe Members of both sides of the aisle can come together and agree. We can and should agree that it is time to crack down on the black market of illegal guns that criminals rely upon to obtain weapons that are later used in violent crimes.

Almost 1 month ago, the NYPD suffered one of its bloodiest nights in history when three officers suffered gunshot wounds in two separate crimes an hour apart. According to news reports, one of the handguns recovered from the scene was imported by traffickers from Philadelphia, and one came from North Carolina. Thankfully, these heroes are on their way toward recovery.

Just 1 year ago, New York police officer Peter Figoski, the father of four beautiful girls, was tragically killed on the beat with an illegal weapon purchased on the black market in Virginia.

I will never forget the faces of slain 17-year-old honor student Nyasia Pryear-Yard's parents whom I met just weeks after being sworn into the Senate. Nyasia was also killed by an illegal gun one terrible night when she was doing nothing more than enjoying an evening with friends.

According to the New York City's mayor's office, 85 percent of the guns used in crimes in New York City come from out of State, and 90 percent of those guns are bought through the illegal black market run by traffickers. The sad fact is more than 30 people die every single day due to gun violence. These senseless killings must stop.

We have an obligation to act and prevent tomorrow's senseless deaths by ensuring that guns stay out of the hands of criminals, and the dangerously mentally ill, and to strengthen our laws so that law enforcement has the ability to go after the gunrunners and take down these illegal markets.

The truth is that supporting the second amendment and reducing gun violence are compatible and consistent. Responsible gun owners vehemently oppose the kind of gun violence that struck Newtown, Aurora, Oak Creek, and to thousands of families across America every single year who suffer. We should be able to find reasonable and commonsense reforms that can preserve our rights but also protect our families.

Keeping our children safe from the scourge of gun violence is not a Democratic or Republican principle, it is not pro-gun or anti-gun. This is an issue that all Americans can support. There is no political ideology that finds this cruel loss of life acceptable. I was incredibly pleased to see President Obama include as part of his comprehensive plan to prevent gun violence a bill that I first introduced in 2009 with Mayor Bloomberg and Commissioner Kelly, called the Gun Trafficking Prevention Act, which would be the first Federal law to define gun trafficking as a Federal crime and prevent scores of illegal guns from being moved into the hands of criminals.

We have thousands of laws, but effectively none of them are directly focused on preventing someone from driving from one State to another State with a load of guns in the back of a truck that they can sell directly to criminals.

It is shocking to me as a mother. It is shocking to me as a lawmaker. But this is something that we can actually fix.

Over the past 3 fiscal years, more than 33,000 guns used in violent crimes showed telltale signs of black market trafficking, 420,000 firearms were stolen, and thousands of guns with obliterated serial numbers were recovered by law enforcement. While law enforcement is working overtime to track down illegal guns and apprehend those who traffic these weapons, current law restricts their ability to investigate and prosecute these crimes. We may all agree this simply makes no sense and leaves all our communities vulnerable.

I am very proud to have worked with my colleague and friend Senator MARK KIRK to introduce a bipartisan bill today, S. 179. This bill takes the problem of gun trafficking head on. Our bipartisan bill would empower local, State, and Federal law enforcement to investigate and prosecute gun traffickers, straw purchasers, and their entire criminal networks. Our bill does nothing to affect the constitutionally protected rights of responsible, law-abiding gun owners.

By cracking down on illegal trafficking and their vast criminal networks, we can stop the flow of these illegal guns that are coming into our city neighborhoods and reduce gun violence. Law enforcement officials across the country have said they need this legislation to be able to fight crime.

I urge my colleagues to support this bill, and I urge passage of this commonsense, nonpartisan, bipartisan piece of legislation.

● Mr. KIRK. Mr. President, I rise in support of the Gun Trafficking Prevention Act of 2013, which I am proud to have introduced with Senator GILLIBRAND (D–NY) this morning. There are an estimated 33,000 gangs with 1.4 million active members who live in our neighborhoods, towns and cities across the United States. With more than 100,000 gang members, the city of Chicago has more gang members who terrorize its residents than any other city in the United States. The Chicago Crime Commission also reported the existence of an additional 15,000 gang members operating in our suburbs.

Gangs like the Vice Lords, Gangster Disciples and the Latin Kings are responsible for nearly 80 percent of the city's homicides, which just last summer amounted to 500 deaths in Chicago. These homicides are most often perpetrated with illegal weapons. Law enforcement officers in Chicago confiscate an average of 13,000 illegal weapons each year. It must end.

That is why I have joined with Senator GILLIBRAND of New York to take serious action to prevent weapons trafficking and straw purchasing, where a third-party member legally purchases a firearm, then sells or trades it to a criminal who is legally barred from purchasing such a weapon. Our bill would be the first Federal law to criminalize the trafficking of illegal guns. This legislation also calls upon the sentencing commission to substantially increase the penalties for trafficking when committed by or in concert with gang members.

The Gun Trafficking Prevention Act keeps Americans safe by giving law enforcement the tools it needs to crack down on straw purchases, organizers of trafficking rings, and those involved in the conspiracy of trafficking while protecting the constitutional rights of responsible, law-abiding gun owners. I hope my colleagues will join me in supporting and quickly passing this critical legislation.●

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 181. A bill to authorize the establishment of the Niblack and Bokan Mountain mining area road corridors in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that would potentially help in solving a significant unemployment problem in my home state of Alaska. Today, joined by my colleague, Senator MARK BEGICH, I reintroduce the Niblack-Bokan Mountain Mining Area Road Authorization Act to permit road access to two proposed multi-mineral mines on southeast Prince of Wales Island in Southeast Alaska.

Prince of Wales Island, formerly the main area for timber activity in Southeast Alaska, has fallen on hard times during the past decade. In 1990, when Alaska's timber industry in total harvested more than 1.1 billion board feet of timber, Prince of Wales was the center of activity. In 1994, for example, timber jobs accounted for 32.8 percent of all wages on the island. Six years later, with total regional harvests having fallen to about 350 million board feet, timber accounted for less than 19.8 percent of wages on the island, according to the Alaska Department of Labor and Workforce Development. Today, with total harvests of timber being just above 100 million board feet a year in the region, just 35 million board feet being harvested from federal lands in 2011 and just about 50 mmbf sold in 2012, and timber jobs statewide having fallen from about 4,000 to just over 400, Prince of Wales has been particularly hard hit. According to the State, timber jobs have fallen by more than 1,700 positions on the island.

As of November of last year, the unemployment rate on the island was ''down'' to 12.1 percent, compared to 13.8 percent in November 2011, partly because of the outmigration of some of the unemployed. Those rates are nearly 5 percent higher than the national average.

While the Viking Lumber Co. of Klawock remains the largest private-sector timber employer on the island, the island, the third largest in the United States, is badly in need of new employment opportunities. Fortunately today's high metal prices are encouraging a resurgence of mineral development on the 2,231 square-mile island.

Currently, Heatherdale Minerals of Canada is considering reopening the Niblack Mine, a gold, copper, zinc and silver deposit. The company is in advanced exploration and development study of the estimated 9 million-ton mine, forecast to cost $150 million to $200 million to reopen. The mine, likely to last at least 12 years, is forecast to produce 1,500 tons of ore per day and require 130 workers at the mine site, and another 60 to 70 at a processing mill, which could be located near the site, or perhaps in Ketchikan, AK, 40 vessel miles away.

The Niblack property is also close to another mineral deposit that is in the advanced stages of economic feasibility review, the Bokan Mountain Rare Earth Elements, REE, mine. Bokan Mountain, being considered for opening by Ucore Inc. of Canada, likely will employ 170 workers. It, too, will involve an investment of $221 million for the mine and processing plant to process the heavy rare earths, REEs, that the site contains. Both mines currently estimate they could be open within three to four years, depending on final economic reviews and current permit approval timeframes. Bokan Mountain is located about 28 air miles south of Niblack and can be accessed by boat by traveling down the relatively protected Moira Sound to the end of South Arm, or by an about 50-mile road that would branch off of a road to the Niblack mine.

The two mines could produce substantial numbers of high-paying jobs for the residents of southern Southeast Alaska. Niblack, for example, predicts the average salary for mine workers at its facility will be $80,000 a year, compared to the current median income in Craig of $48,594 a year, according to the U.S. Census Bureau. The problem of getting those jobs to people who need them is one of logistics.

There currently is no road access to reach either mine site, both likely to be supplied by boat from Ketchikan, AK. That means that potential workers on Prince of Wales Island will need to travel by boat or more likely by airplane to Ketchikan, in order to turn around and take a mine boat back to the island to report for work, a costly, time-consuming, often unpleasant and sometimes dangerous process given sea conditions in Southeast Alaska. Or they will need to pilot their own small boats to the mine site, a hazardous process given that reaching Niblack from the community of Thorne Bay to the north, a site that is located on the island's road system, will require a daily 60-mile one-way boat trip down perilous Clarence Strait, a difficult water body during fall, winter and spring storms, when seas can easily top 17 feet waves.

But the problem could be solved, if a road could be extended the roughly 29 miles to connect the Niblack mine, by means of existing logging roads, to the state highway system on the island. Such a road will involve at least 2.5 miles of logging road reconstruction and the construction of 26.3 miles of new road. Those roads, if built to existing logging road standards, are estimated to cost $7.075 million, the cost certainly rising if the roads are built to Federal Aid Urban Highway standards. The issue is that 18.3 miles of that new construction is across federal lands in the Tongass National Forest and, more importantly, across areas classified as inventoried roadless under the 2001 U.S. Forest Service roadless rule, as it was reimposed on the Tongass in 2009.

Looking at the topography of the area, located inside the Eudora inventoried roadless area, the road would begin at the Haida, Hydaburg, Native village corporation's West, Cholmondeley, Arm sort yard and head Southeast through the Big Creek Valley and climb to a mountain pass at the roughly 1,400-foot elevation. From there it will drop onto land owned by the Kootznoowoo Native village corporation of Angoon and follow existing logging roads that lie on the western side of the South Arm. The route then runs south and parallels South Arm on the west side until the southern end of the bay is reached. Then the route follows the shoreline of the south end of the South Arm until the far southeast corner of the bay is reached, the location of existing cabins and a State of Alaska Department of Fish and Game fish weir. From this point, there are two potential route alternatives: the 1A route continues to run in a southerly direction through a mountain pass of slightly more than 500-feet elevation passing two unnamed lakes. Once it reaches the shoreline of Dickman Bay, the road turns in a more easterly direction and runs across the south end of Kugel Lake and Luelia Lake, and the north end of Kegan Lake. From the 900-foot elevation pass on the west side of Luelia Lake, the route continues to run in an easterly fashion and must cross 1,200- and 1,400-foot passes before the route turns north to reach the Niblack mine at tidewater. That total route is 26.3 miles of new construction and a total distance of 28.8 miles. There is an alternative, Route 1B, early in the route corridor to reduce the elevation and add switchbacks required to reach the first pass, an alternative that would add 1.9 miles to the road.

There is another alternative route, Route 2A, that leaves from the same location and runs on the same route until the south end of South Arm. The second route then turns in a northerly direction and continues to follow the eastern shoreline of South Arm, Cholmondeley, for roughly 1.5 miles. The route then turns in an eastern direction and climbs through a mountain pass of about 900-feet elevation. From this pass, the route descends into the existing road system on Kootznoowoo lands near the south shores of Miller Lake. At the eastern terminus of these existing roads, the new route picks up again and continues in a southeast direction along the south end of Clarno Cove and Cannery Cove until Cannery Point is reached. From there the route turns into a southerly direction and climbs to another mountain pass of roughly 1,000-feet elevation. The route then follows the hillside to the west of Niblack Lake and meets another mountain pass of the same elevation and then descends in a southerly direction along the west side of Myrtle Lake to reach the Niblack Mine and tidewater. That route involves 24.6 miles of new construction, 6.1 miles of road reconstruction and involves a total length of 30.7 miles, thus costing more. It involves, however, constructing only one

pass higher than 1,200 feet, compared to 3 on the first route, but may have more environmental impacts given its route along Cannery Cove and Niblack Lake.

An additional road, running to the Bokan Mountain mine, would branch from the Niblack road and then run south to the Bokan mine site.

I mention the two detailed routes, and the third branch route, only to indicate that substantial work has been done to select a potential road corridor to the Niblack/Bokan Mountain mines and to make clear that I am not prejudging the route with the fewest environmental impacts. I am leaving that to the Forest Service to decide after an environmental assessment or impact statement is undertaken. The legislation I am introducing simply says that the Forest Service should permit development of a road along one of the two routes and the third branch route, picking the route that both minimizes the costs, while also minimizing the effects on surface resources, prevents unnecessary surface disturbances and that complies with all environmental laws and regulations.

These roads, I need to point out, will not set a precedent in any way weakening the inventoried roadless rule's implementation in Alaska, regardless of how I feel about that rule. Under the original regulations governing roadless areas in Alaska issued by the Clinton administration in January 2001, Section 294.12(b)(7) permits roads to be built across inventoried roadless areas if needed ''in conjunction with the continuation, extension or renewal of a mineral lease on lands that are under lease by the Secretary of the Interior. . . . Such road construction or reconstruction must be conducted in a manner that minimizes effects on surface resources, prevents unnecessary or unreasonable surface disturbance, and compiles with all applicable lease requirements.''

The patents on the Niblack property and on the Bokan Mountain deposit certainly predate the creation of the roadless rule. The mines were discovered in the late 19th and early 20th centuries, according to the U.S. Forest Service. Modest copper production occurred between 1902 and 1908 at Niblack and modern exploration on the 2,000-acre site began in 1974, some 150 patented claims being in place at the mine. Development/production on the uranium/REE deposits at Bokan Mountain began in the 1940s and continued through the 1950s.

The point is that Niblack and Bokan Mountain are certainly real prospects that offer the likelihood of real employment for many who are unemployed on Prince of Wales Island, if they simply can access the sites from their homes in Craig, Klawock, Hydaburg, Thorne Bay, Kasaan, Whale Pass and even Coffman Cove, located on the northeast end of the island. The need for these jobs has prompted the City Council of Craig to formally request Congress to accelerate the approval of a road corridor to the mines. Such a road could be built by the mines, but more likely funded and built by the Alaska Department of Transportation and Public Facilities at state expense, not federal expense. A road could also allow a power line to be built to either or both mines, allowing non-carbon producing hydropower to power the mines, rather than them relying on expensive diesel generation for energy. That would reduce greenhouse gas production and benefit the environment.

It makes no sense in a state that already contains 58 million acres of formal wilderness, and in the Tongass National Forest contains nearly 6.4 million acres of parks and wilderness areas, to bar construction of a road that does not cross any wilderness areas but could provide a good income to more than half of all of the people, 281 people, unemployed on the island as of November 2012, according to the Alaska Department of Labor and Workforce Development.

I would hope that this Congress would look favorably on allowing these roads to this mining area, so that residents on the island can get the jobs they so desperately need in the years ahead.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 182. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Anchorage, Alaska, for purposes of economic development by conveyance of the Federal reversion interest to the City; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation to clear the title to three small parcels of land owned by the Municipality of Anchorage, AK, my home State, so that the land can be put to more productive uses in the future.

At different times between 1922 and 1991, Anchorage, AK, received a number of parcels of land from the Federal Government, including these three parcels of land, located in downtown Anchorage, comprising 2.65 acres in total. They were conveyed to either the former ''City of Anchorage'' or more recently the ''Municipality of Anchorage.'' They were transferred by the Federal Government to the local government for a wide variety of specific purposes, but all were transferred for the overarching purpose of helping the then nascent City of Anchorage, which was, and largely still is, surrounded by Federal lands, have sufficient land resources to provide municipal services to the growing community. For reasons that made sense decades ago, all of the deeds for these properties contain reversionary clauses, that should the land not be used for various general ''municipal purposes'' their ownership would revert to the Federal Government. The problem is that in each case, the tracts are no longer useful for the purposes originally intended, the lands are not needed by the Federal Government, the public purpose for which the reversion clause was put in place has long ago been fulfilled, and in case they were to be returned to the federal estate, it would cost the Federal Government substantial sums to maintain the properties or prepare them for future sale.

These small tracts are not practical for the Federal Government to repossess for several reasons: the Federal Government is barely able to manage all the land it currently owns in Alaska, including in Anchorage, let alone adding small tracts to burden its responsibility. After more than 50 years since the Statehood Act, and 42 years since the Alaska Native Claims Settlement Act's passage, the State and our Native People still have not received final patent to all their lands. The public purposes for which the Federal reversionary clauses were put in place have been met. These clauses were added to insure that during its earlier, developmental stages, Anchorage would use the Federal land conveyed to it to build the city and the municipal and public infrastructure of the community. After decades of dedicated public use of these properties, the ''public purpose'' basis for the clauses has been fulfilled. For these properties, my legislation addresses the question of how long is long enough for a reversionary clause to have served its purpose, by recognizing that after decades of living up to its obligations under what are now outdated restrictions from the last century, it is time to let the City move forward with its vision for the new one. The commercial use of the properties will add to the public municipal treasury, and to the Federal treasury, hence continuing the public benefit of the lands, albeit in a different way.

In 1922 the City of Anchorage received a number of properties around Anchorage for municipal/school purposes. One of the properties was the 1.93-acre site in Block 42 downtown that since the early 1980s has been the site of the William A. Egan Convention Center. With the completion in 2010 of the larger Dena'ina Civic and Convention Center, the tract is surplus to municipal needs, and could best be utilized for sale to the private sector that would then be best able to afford the cost of conversion of the property for future use, adding to the Federal income tax base and local property tax base.

The second tract is a lot of .48 acres at Seventh and I Streets downtown, currently being used as a municipal parking lot. The land, obtained by the city as part of a 1982 land exchange that cleared the site for a major office building across the street, is too small for municipal or Federal office space use, or for park construction, but might be properly sized for a commercial enterprise. It is zoned for business, but cannot be used for business that

would contribute to the local property tax base or Federal income tax base, because of the inability of the Municipality to sell the property due to the Federal reversion clause.

The third site at the corner of H Street and Christiansen Drive, .24 acres in size and obtained by the city in 1963, again is too small for municipal or Federal office space, and unneeded for park space, but might be of use for a retail establishment given its location near a municipal parking facility. Likewise, it is zoned for business/commercial, but cannot be used and potentially contribute to the local and Federal tax bases due to the Federal reversion requirement. It currently sits vacant and idle.

In all cases, the best municipal use of the lands would be for sale to provide revenues to the Municipality of Anchorage that could be used for provision of municipal social services. In each case, reversion of the lands to the Federal Government would result in Federal ownership of tracts unneeded for Federal purposes, but lands that would produce greater conveyance and management costs to the Federal treasury than are likely to be recovered through fair market sales.

The Municipality of Anchorage and its Mayor Daniel Sullivan have asked that the reversionary clauses be repealed on the three tracts, the city absorbing all costs connected with surveying, recording and other costs connected with the properties. In these cases, lifting of the reversionary clauses on three of the literally thousands of acres conveyed to Anchorage, partially as a result of the Alaska Statehood Act, makes for good land use, and economic and public policy sense for both the local government and the Federal Government. The Municipality of Anchorage has already established 223 parks containing 82 playgrounds and 250 miles of trails, encompassing 10,946 acres inside its boundaries. There is no shortage of park and open space in the municipality. There is no public policy purpose in the 21st Century not to permit these very limited Federal reversion extinguishments.

Passage of this act would cost the Federal Government nothing, but would aid the citizens of Anchorage by allowing lands to be put on the city's tax rolls. I am introducing this bill now, joined by my Alaska colleague and former Anchorage Mayor MARK BEGICH as cosponsor, to foster action, hopefully, early in this 113th Congress.

By Mr. BLUNT (for himself, Mr. CRUZ, Mr. LEE, Mr. SCOTT, Mr. INHOFE, Mr. ROBERTS, and Mr. CORNYN):

S. 188. A bill to prevent certain individuals purportedly appointed to the National Labor Relations Board from receiving salaries, and to prevent an unconstitutional quorum of the Board from taking agency actions, until there is a final decision in pending lawsuits regarding the constitutionality of certain alleged recess appointments; to the Committee on Health, Education, Labor, and Pensions.

Mr. BLUNT. Mr. President, I rise to talk about a piece of legislation I intend to introduce on behalf of Senator CRUZ and myself, The Advice and Consent Restoration Act, which responds to last week's decision announced on Friday by a three-judge panel on the DC Circuit Court of Appeals, where they unanimously ruled that President Obama violated the Constitution when he made so-called recess appointments to the National Labor Relations Board. They are so-called recess appointments because the Senate was still in session.

The fundamental question is does the President get to decide whether the Senate is in session or does the Senate get to decide whether the Senate is in session. If that question had been debated when the Constitution was being debated, I am sure they would have said: That will never come up; there is no way we are going to develop a system with this separation of powers and the President will decide whether the Senate is in session.

This President did decide that, and the court agreed with the argument that a number of Senators, Senator MCCONNELL and I, along with 40 of our colleagues, filed in an amicus brief that clearly made the point the Senate gets to decide when the Senate is in session. We argued that the Constitution does not empower the President to make this decision. The court agreed with that argument, stating that any other interpretation of the Constitution would give the President free rein to appoint his desired nominees anytime he pleases. In a direct quote, the court said it would give ''the President free rein to appoint his desired nominees anytime he pleases, whether that time be a weekend, lunch or even when the Senate is in session and he is merely displeased with its inaction.'' That is the end of the quote from the three-judge panel's decision.

The right of the Senate to provide advice and consent is an important check on the risk of this type of Presidential overreach and one the Senate should actively exercise. In fact, the Senate actively and consciously made the decision in January to stay in session to do some of the work that needed to be done during the session and, frankly, to be sure that the President couldn't avoid the constitutional requirement of advice and consent.

Allowing the President to determine the Senate's schedule would seriously damage the balance of powers; it would seriously damage the Senate's autonomy. It eliminates an important check on the executive branch.

The court invalidated the one ruling that was being appealed. Of course, the Presiding Officer understands this exactly, that the court case would only have appealed one ruling that impacted one company or one employer, and the court said that ruling can't stand. There are more than 200 other actions this same group, which the court said is not legally functioning, had taken, and all 200 or more of those actions are now in question.

I believe the answer will be clear. Perhaps all those will have to be appealed in some way so that a court can say, No, just as in the first ruling we made, the people who made these decisions were not constitutionally in place; consequently the ruling they made isn't in place. The work of this agency will not pass constitutional muster and, of course, the President needs to now appoint people who would be confirmed by the Senate.

In spite of the three-judge panel's unanimous decision, the National Labor Relations Board recently announced that it intends to ignore the ruling and carry on with business as usual. This is not a very acceptable response. The President first decides he is going to decide whether the Senate is in session. Then the people he appoints in an unconstitutional way decide they are going to ignore the court ruling and continue to do what they have been doing.

The President needs to reappoint, and until the President does reappoint, Congress has a responsibility to block this unconstitutional act by terminating the salaries of those who were illegally appointed and by preventing them from conducting any official business until the Senate acts to approve their appointments.

Senator CRUZ and I urge our colleagues to join us in supporting this effort. The National Labor Relations Board should take down the ''open for business'' sign they put up on Monday after the court ruling on Friday. Frankly, they need to put up a ''help wanted'' sign.

The Constitution matters. What the Constitution says matters. The Senate, I hope, will be vigorous in enforcing its constitutional responsibility.

By Mr. UDALL of Colorado (for himself, Mr. FLAKE, Mrs. GILLIBRAND, and Mr. WARNER):

S. 189. A bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States; to the Committee on the Judiciary.

Mr. UDALL of Colorado. Mr. President, it is with great pleasure that I, along with Mr. FLAKE of Arizona, reintroduce the Startup Visa Act. The Startup Visa Act of 2013 allows immigrant entrepreneurs and foreign graduates of U.S. universities to appeal for a two-year visa on the condition that they secure financing from a qualified U.S. investor and can demonstrate the ability to create jobs in America.

If they are successful in developing their company and hiring American workers, they would be eligible for legal permanent residency and would be free to continue building their companies, creating more home-grown jobs

and continuing our legacy of unmatched innovation and entrepreneurship.

The United States has a proud history of providing entrepreneurs from around the world the freedom and resources to turn an idea into a successful venture. Well-known U.S. companies such as Google, Yahoo, Intel, Pfizer and eBay all began as startups that were founded by immigrants. These businesses have grown into multibillion-dollar industry leaders that provide thousands of Americans with high-paying jobs in cutting-edge fields.

The number of jobs offered by startups is dropping off. While this is partly due to the economic downturn it is also because of our Nation's broken immigration system. Many of the world's best and brightest minds are finding that our current visa restrictions discourage them from launching new companies here. This is a major competitive disadvantage, and one that runs counter to our Nation's history of fostering foreign-born innovators, such as Albert Einstein or Andrew Carnegie.

More worrisome is that while we try to work out a solution to our broken immigration laws, our foreign competitors are catching up and, in some cases, passing us by in many of the fields we once dominated. In 2009, for the first time in recent memory, foreign innovators were awarded more patents than Americans pioneers. Only a decade earlier, U.S.-based entrepreneurs were awarded almost 57 percent of all patents worldwide. We must work quickly and in a bipartisan manner to reverse this trend. The Startup Visa Act of 2013 is a strong and simple step that will reward foreign innovators, pioneers and entrepreneurs for creating jobs in America. Put simply, this legislation will help protect America's position as the global leader in innovation.

We do not have to look far for evidence that our broken immigration system is hurting our economy. We only need to look at our Canadian neighbors. The Canadian founders of Vanilla Forums, an innovative and fast-growing company, whose products are used by websites around the world to host online forum discussions, spent a summer in my home State of Colorado participating in a mentorship program with U.S.-based entrepreneurs and investors. Despite the numerous investors who were interested in funding Vanilla Forums and developing the company in Colorado, concerns about the founders' ability to obtain visas won out. As a result, Vanilla Forums is a successful company that is hiring employees at its headquarters in Montreal, Quebec.

America has tremendous untapped potential for innovation and it is our responsibility to give our Nation every opportunity to remain globally competitive. By passing the Startup Visa Act of 2013 we can create high paying jobs here in the United States, and help ensure that the next globally transformative company is based in America. This legislation is bipartisan and fiscally responsible; it will spur private investment and it will help put our economy back on track. I ask my colleagues to join me in support of this important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 21—DESIGNATING FEBRUARY 14, 2013, AS ''NATIONAL SOLIDARITY DAY FOR COMPASSIONATE PATIENT CARE''

Mr. LAUTENBERG submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 21

Whereas the National Solidarity Day for Compassionate Patient Care promotes national awareness of the importance of compassionate and respectful relationships between health care professionals and their patients as reflected in attitudes that are sensitive to the values, autonomy, cultural, and ethnic backgrounds of patients and families;

Whereas individuals and groups of medical professionals and students stand in solidarity to support compassion in health care as expressed by Dr. Randall Friese, triage physician at the University of Arizona Medical Center who, when queried, stated that the most important treatment he provided to Congress member Gabrielle Giffords after she was shot on January 8, 2011, was to hold her hand and reassure her that she was in the hospital and would be cared for;

Whereas physicians, nurses, all other health care professionals, and medical facilities are charged with providing both the art and science of medicine;

Whereas a greater awareness of the importance of compassion in health care encourages health care professionals to be mindful of the need to treat the patient rather than the disease;

Whereas scientific research illustrates that when health care professionals practice humanistically; demonstrating the qualities of integrity, excellence, compassion, altruism, respect, empathy, and service, their patients have better medical outcomes; and

Whereas February 14th would be an appropriate day to designate as National Solidarity Day for Compassionate Patient Care and to celebrate it by health care students and professionals performing humanistic acts of compassion and kindness toward patients, families of patients, and health care colleagues: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 14, 2013, as ''National Solidarity Day for Compassionate Patient Care'';

(2) recognizes the importance and value of a respectful relationship between health care professionals and their patients as a means of promoting better health outcomes; and

(3) encourages all health care professionals to be mindful of the importance of both—

(A) being humanistic and compassionate; and

(B) providing technical expertise.

SENATE RESOLUTION 22—RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

Mr. VITTER (for himself, Ms. LANDRIEU, and Mr. JOHANNS) submitted the following resolution, which was considered and agreed to:

S. RES. 22

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate 2,031,455 students and maintain a student-to-teacher ratio of 13 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 85 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students who are strongly dedicated to faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for ongoing contributions to education and for playing a vital role in promoting and ensuring a brighter, stronger future for the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 30, 2013, at 10 a.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''What Should America Do About Gun Violence?''